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**City of Florence**  
**Planning Commission Work Session Minutes**  
**250 Hwy 101, Florence, OR 97439**  
**January 24, 2023**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Chair Sandra Young called the meeting to order at 5:30 PM.

Commissioners Present: IN HOUSE: Chair Sandra Young, Vice-Chair Andrew Miller, Commissioner Eric Hauptman, Commissioner Kevin Harris, Commissioner Laurie Green, Commissioner John Raleigh  
Commissioner Phil Tarvin (excused absence)

Staff Present: Planning Director Wendy FarleyCampbell, Assistant Planner Clare Kurth, Planning Technician Sharon Barker, Management Analyst Peighton Allen

At 5:30 PM, Chair Young opened the meeting, Sharon Barker gave the Roll call. Comm. Harris led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:31PM

Action: Approved

Motion: Comm. Green

Second: Comm. Harris

Vote: 6-0

There was no discussion on the agenda and it was approved unanimously.

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Opened the meeting for discussion item 2021-2023 Planning Commission Work Plan Phase II.

Wendy FarleyCampbell the work session is the opportunity for the Planning Commission to finalize their recommendations that will be taken to City Council at their Thursday, February 2, 2023 meeting. A recap of what they went over at their last meeting was given. The 2021-2023 work plan carry overs are land use housekeeping amendments, housing efforts and initiatives, community beautification & aesthetics. FCC 10 Title 6 is where you find architectural standards for commercial buildings. Metal building standards need to be added. Clarity needs to be added to a few items, so that staff has direction on how to implement. Lighting standards are too high and lighting standards need to be updated. The next work plan, not carry over items. Legislature updates – the PC received a scan of all the legislative updates. HB 2884 gives people more time when getting a partition approved. HB 3040 Requires local jurisdictions that charge SDC's to put the information on their website, (SDC's were explained). HB 3109 requires all cities to allow childcare facilities in all commercial or industrial areas, except for heavy industrial zones. SB 458 A city shall approve a tentative plan for middle housing. HB 2180 requires new construction of

certain building with 5 or more units, and some mixed-use building new to include electrical service capacity for 20% of vehicle spaces but it does allow for municipalities to required more than 20% also.

Comm. Green asked that when an area is annexed do SDC's get charged when they hook up to the sewer, FarleyCampbell explained that only the sewer SDC if they already have an existing structure, then water, storm and the street SDC's are not charged. If a property is annexed and it is vacant, they don't pay SDC's until they go to build.

Comm. Hauptman asked for a definition of middle housing. Staff explained that it is defined by the State, and is defined as duplexes, triplexes, quadplexes, cottage clusters, and townhomes as defined in ORS 197.758.

SB 458 says that we have to approve a tentative plan for middle housing if it meets are the criterium, staff will have to research and see what that means specifically. Chair Young said that this is a SHALL approve. Staffs concern is do they have to meet minimum lot size, but from what has been read it is not very specific, so it will need to be researched more. It will need to be codified and entered into code.

The 20% requirements for EV charging stations would not be a work plan item, it would be a building code item, unless the PC wants to look into requiring more than 20%.

Comm. Green asked if EV Charging is required for all commercial buildings. Staff said that it does. Vice Chair Miller asked if the 20% is the 20% of the required parking spaces. Staff answered yes possibly, but will require staff to research the bill to see how it is worded. Chair Young thinks that the code should be part of the land use process, so applicant knows up front that they are going to need EV charging, but that she doesn't want to make it a land use process, if it isn't. Comm. Harris asked what other cities are doing are they maintaining the 20%. Staff since it is so early on, does not have an answer for that yet. In the packet there is a brochure from ODOT about the projects they hope to fund.

Two house bills HB 3115 and HB 3124 were discussed and the City will need to research its code to make sure they are in compliance. These bills only apply to public spaces not private spaces. The right of way has been determined to be public area. Noticing of campsites for the homeless has to be accurate. Code Enforcement will be adding these to their work plan. Comm. Green asked if the Rhody Express bus shelters are considered public land, staff said that in almost all cases they are.

Also discussed was bicycle parking, office vs health/medical clinic staff clarification, and time place manner criteria, and the recent legislation that says the cities if they want to could prohibit psilocybin clinics the City decided to not take any action on this, but this does not mean that we can't establish, time, place, manner. Do we want to decide time, place, manner or do we want to explore time, place, manner. Adult entertainment, at this time would just be established as retail, so do we want to establish time place manner for adult entertainment, like where would we like for it to be located? The color palette for the design review/architectural standards were discussed.

Chair Young said that some of the items the Commission has to do and some of the items the Commission can choose to do, the Commission was asked what they would like to work on. It was determined that the legislative the Commission has to do. Comm Green asked if they are priority one. Right of way camping is code enforcement. FarleyCampbell encouraged the Commission to think about things that the City should look into and bring them to the meetings.

Chair Young asked the Commission if they would like to look into setting time, place, manner for adult entertainment Commission decided that they would like to address this issue. Chair Young asked about

time, place, manner for ie... methadone, ketamine, and psilocybin clinics and if the Commission wanted to work on this. Chair Young asked the Commission if they would like to add defining a clinic to the 2023-2025 work plan. The Commission said they would like to work on this item. The Commission said would like to work on the changes for requiring more bicycle spaces for new construction. HB 3115 and HB 3124 was determined to not be a land use issue at this time. HB 2180 was determined to be a building code item but the Commission would like that this item is mentioned in the pre-development meetings with applicants. The Commission has to address SB 458 regarding tentative plans for middle housing due to it being a Shall legislation from the State. The Commission will have the relative the requirements for the screening of the mechanical equipment that is used for electric vehicle charging stations. Chair Young asked if the code has requirements for screening of mechanical equipment in every zone. FarleyCampbell said that she will double check, and if not do we want to be consistent and require screening. The Commission will also work on HB 3109 to add childcare facilities to be an allowable use in all zones except heavy industrial. HB 3040 requires adding the SDC fees and the contact information for the responsible local official. HB 2884 extends time for recording partition plats from 90 to 365 days.

FarleyCampbell asked if there were any other items that the Commission would like to bring to the City Council attention to be addressed.

Chair Young said that she looked through the Service Industrial and the Northern Commercial to see if the landscaping requirements along the highway still as strong as she thought they were. Chair Young, said that she thinks it does, and she is wondering if staff still has Comm. Tarvin's presentation regarding metal buildings available, staff said that they could make it available to the Commission. If these codes need to be strengthened the Commission needs to address them. FarleyCampbell read the requirements for a berm and vegetation on both sides of HWY 101 North of Fred Meyers to the Heceta Junction in the Service Industrial and the North Commercial district.

Vegetation Preservation was discussed, last discussed on 12/13/22, Comm. Tarvin's power point was included in the packet. The subcommittee members were explained. The proposed has a new extensive native plant list. Staff told the new members on the Committee that if they had anything to add to the proposed code in the next couple weeks before she submits to legal to please let her know. The exemptions of the new code were discussed. The need for surveying definition was discussed. The new code provides two paths for permitting were explained. Shrubs will be need to be left at the height of 24". Significant vegetation clearing was explained as you are cutting it all down and you may or may not grub, which is removing the root mat. The over-the-counter permit does not allow tree cutting. The fines were discussed and staff said that they will be working with the attorney to see if the fines can be increased. Comm. Hauptman said he would like to know how the fines are applied and how they are enforced and defined. There was a discussion on what an offense is. FarleyCampbell read the definition of offense from the proposed code. The Commission was told that anything that they would like staff to print for meeting preparation, staff would be happy to print. Comm. Hauptman talked about the past problem of clear cutting without a permit. Chair Young wondered how an inventory of trees could be performed before applying for a clearing permit. The need for pre surveys were discussed. 500' penalty was discussed. Comm. Raleigh asked how the amount of the penalties are reached and feels there should be a higher fine amount. Comm. Hauptman asked if there is an inspector that goes out a checks out illegal lot clearing. Code enforcement is the Planning Departments first line of defense. The only time trees can be cleared is with a significant vegetation clearing permit. FarleyCampbell explained that the only time staff would do a site visit is if applicant was told that they need to leave some vegetation, the Planning Commission could make us require a preliminary plot plan. The requirement for not allowing blowing sand was discussed. Chair Young says that there is a recommendation for larger fines, and asked if there were any other recommendations. Staff will need to find out if fines were set my state statutes. Chair asked staff if they were comfortable taking the revisions to legal. Clearing without following the

Conditions of Approval was discussed. The Planning Commission can make a person replant the vegetation that was removed. Comm. Green asked about the rules clearing a site less than an acre. Wetland area goal numbers 5 & 7 were explained. The Commission said that they are ready for the vegetation preservation draft be sent to the attorney for the first view and suggestions.

**Reports and Discussion Items:**

The PC did not have any other items that they would like to discuss.

**Directors Report and Discussion Items:**

Siuslaw Watershed Council having their annual meeting, the City has a leadership body position on that committee. Wendy FarleyCampbell and Sandra Young represent the City on that committee. Recruitment for the Transportation Committee was discussed. The TSP meeting and 2<sup>nd</sup> open house were discussed. The last housing stake holder meeting will be on March 1, 2023 to have a more comprehensive recommendation to the City Council from the committee related to transitional housing. Departmental goals will be explained on Monday 1/30 at 8:30am, open to the public. February 2, 2023 Chair Young and Vice Chair Miller will make a presentation to the City Council on the Planning Commission and EMAC recommendations for the 2022/2023 work plan they will be giving an update.

**Calendar:**

2/14 – reviewing Fairway Estates they have requested a continuance, Variance for 86 Outer Drive will also be reviewed. 2/28 Myers annexation request. 3/14 tentative.

The meeting adjourned at 7:47 PM.

**ATTEST:**

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Sandra Young, Planning Commission Chair

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Sharon Barker, Planning Technician