
City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
November 28, 2023

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

PC Chair Sandra Young called the meeting to order at 5:31 PM.

Commissioners Present: Chair Sandra Young, Commissioner Laurie Green, Commissioner Eric Hauptman, Commissioner Wendy Krause, Commissioner LoPilato
Excused absence: VC Kevin Harris and Commissioner Debbie Ubnoske

Staff Present: Community Development Director Wendy FarleyCampbell, Assistant Planner Clare Kurth, Planning Technician Sharon Barker (virtually)

At 5:31 PM, Chair Young opened the meeting, Assistant Planner Clare Kurth gave the roll call. Commission Krause led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5:32 PM

Action: Approved

Motion: Comm. Hauptman

Second: Comm. Green

Vote: 5-0

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

2. APPROVAL OF THE MINUTES: Approval of the minutes for 6/27/2023 PC meeting was postponed for review at the December 12, 2023 meeting.

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA: (1)

Michael Allen submitted a speakers' card and a report to the Planning Commission outlining the progress that is being made in the climate emergency initiative (see attached).

Chair Young thanked Mr. Allen for bringing this matter to the Planning Commissions attention and that the Commission will be discussing this matter at a later date.

Chair Sandra Young relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases and the right of the public to challenge any commissioner's ability to hear this matter.

Chair Young asked the Commissioners if they would like to declare a conflict of interest, ex-parte contacts/communications, or bias. There were no declarations of conflicts of interest.

There were no ex-parte contacts declared

There were no bias declared.

No citizen present wished to challenge any Commissioner.

Chair Young announced the next Item on the agenda.

ACTION ITEMS:

Chair Young: 4th Item on the Agenda tonight is an Action Item for **Resolution PC 23 26 DR 05**

Resolution PC 23 26 DR 05 – Central Lincoln PUD Fence Material Exception: An application submitted by Rocco Gibson, on behalf of Central Lincoln PUD, requesting to replace and install a 6' high chain link fence with one foot of barbed wire to top of fencing for safety and security reasons, on the utility company's property shown on the Lane County Assessor's Map # 18-12-26-32, tax lots 05400 and 05500; and located at 966 Hwy 101, on the SE corner of 10st St. and Highway 101, in the Main Street, Area A, regulated by Florence City Code Title 10, Chapter 27.

The public hearing opened at 5:50 PM.

Assistant Planner Clare Kurth presented the staff report, explaining the request to add chain link along Quince and 10th St, an expansion of a pre-existing nonconforming building material that's already on site, and to add barbed wire to the existing fence and new fencing. Existing fencing has unapproved barbed wire and the applicant is requesting an approval on the existing barbed wire.

The approval criteria were listed, a slide with an aerial view of the locations and explained. The zoning district was explained to be partially Commercial and Main Street Area A. The section of where the new fence and the barbed wire was explained, and that the shrubbery was on site in 2019 but isn't there now and staff is not sure when it was removed.

Staff's recommendation is a combination of alternatives one and five. These are to approve the request with the Conditions of Approval for the expansion of the preexisting nonconforming use of the chain link fence, the addition of the barbed wire, and then to add the existing barbed wire to this approval so that the site is brought into compliance. She shared the following conditions: Condition #5 is that the barbed wire shall be mounted so that it does not extend into the airspace of the public right of way. Condition #6 The fence will be ongoing maintenance and responsivity of the development. Condition #7 Gate on 10th St. shall be exit only or shall be inset 20' from property line to prevent impeding traffic on 10th St. Kurth then explained the decision points: Decision Point #1 Permits barbed wire in commercial and industrial zones on public Property, does People's Utility District meet the public property requirement? Decision Point #2 Permitting barbed wire on Quince St and permitting additional barbed wire on proposed 10th St. fence.

Referral comments were explained.

Comm. LoPilato asked why the barbed wire in place now is not working, and would like to know how the alarms are triggered, and why does the applicant think it work now.

Kurth answered that she believes that double strands of wire would work better, but would have the applicant answer that question.

Comm. Green asked about the 20' inset and if it would lengthen the amount of fence, they're putting in.

Kurth, it would lengthen the amount of fence, but it would decrease the square footage.

Comm. Green thinks that if they used this area as exit only it would be an easier option if the improvements end of kicking the percentage over 25%.

FarleyCampbell said that area is probably for large trucks.

Comm. Green wanted to know if the applicant was going to upgrade lighting as a possible security measure.

Chair Young asked, regarding the landscaping removal, if this was a Condition of Approval that went with the mural. FarleyCampbell said that she is not sure it might have been when the racks were added.

Comm. Green said that she would like to see privacy slats to provide a visual barrier of what's inside the yard.

The visibility issued was discussed.

Applicant Mark Freeman of Central Lincoln PUD spoke and said that the reason Central Lincoln has been considering securing the parking lot for some time and that they have cameras and existing barbed wire and that he would like to answer some of the questions that were brought up. They are concerned about employee safety, vehicle safety, and are addressing ongoing thefts. The answer to fence, the barbed wire, could be thought of as a different way, how many thefts would we have if we didn't have barbed wire. Barbed wire isn't 100% but the applicant thinks it's a lot better than not having the wire. The applicants will have 2 new gates on the west side. The north side gates will be open from 6:30 am – 5:30. The customers will still be using the drop box, so that there are no trucks backing up onto 10th St. after hours.

The need for additional security was discussed, that there have been thefts and transient activity in the area. They have alarms and cameras and if they pick up activity, they call the PUD staff. The lighting was updated recently. The landscaping was removed and replace with plants that don't grow and hide the mural. The areas on barbed wire were explained.

Comm. Green asked if the location of the removed bushes couldn't be replaced with something lower and grassy to make the area look less industrial.

Freeman, said that he would be happy to do similar landscape like they did below the mural. He says they do not use river rocks because people might throw them.

Comm. Green asked if the Quince Street realignment would affect the north side of HWY 126.

Farley Campbell said that she did not think so.

Comm. Hauptman asked what hours people are on site barring an emergency.

Freeman said that the regular work day is 7:00 am thru 5:30 pm Monday thru Thursday. He also explained about the items that are getting stolen from the yard.

Comm. Krause wanted to know if CLPUD had the same safety measures up north.

Comm. LoPilato asked about the barbed wire effectiveness.

Freeman said they have the same safety measures up north and so far; the barbed wire has been effective.

Chair Young asked if the applicant could move the proposed gate to the corner of the building.

Freeman said that if they did that, they would lose the ability to secure employees coming out after hours.

There was no public testimony

Staff's recommendation was to approve the request with the conditions, 1. the request for the expansion of the chain link fence that pre-existing conforming use, and to approve the request for the barbed wire. 5. To include an approval for the existing barbed wire on site as well.

Comm. Green wanted to know if they could add the privacy slats.

Freeman wanted to know about adding slats to Condition 7 on the 20' area. He would be ok with remote openers.

Kurth said that in thinking about 10th St. versus Hwy 126 as an entrance point, 10th St. is local but if 10th St. has a significant increase in traffic and turns into a collector down the road, then the entrance can be revisited.

Parking spaces were discussed and the dimming of the lights except for security at the end of the business day, and that they are not going to add the condition for increased lighting because of neighboring properties.

A discussion was had regarding the new landscaping. It was decided that they needed low plantings as to not obscure the mural and to not provide screening for people that are trying to climb the fence. The Commission would like plants like the ones ODOT did on Hwy 101. They talked about the need for irrigation until plants have been established.

FarleyCampbell said that she will pull the original approval for the parking lot expansion and see if landscaping was required for the screening of the parking lot. Or if it was just landscaping.

Kurth said that irrigation is required for non-native. Screening for headlights was also discussed, and that the applicants should consider something that grows to 30 inches for headlight screening.

Comm. Green asked if those plants would be needed if the applicant is required to install privacy slats.

Kurth said not needed if there are privacy slats, we can work that into the condition about screening.

Freeman, said that he will work with Laurel Bay Gardens for the right type of plants.

Chair Young asked staff about the parking that's remaining outside the fence and if that makes code., and if there are enough left outside the fence for people who are coming into the office.

Freeman said that there are 6 or 7 parking spaces outside the fence.

Kurth said that the calculations from 2012 claimed that there were 28 parking spaces on site and that met the code then and it will meet our current code now. One of the conditions is that the fence be put in a way that it doesn't eliminate parking.

Chair Young asked for a motion.

Comm. Green motioned to approve Resolution PC 23 26 DR 05 Central Lincoln PUD Fence Material Exception.

Comm. LoPilato seconded

Comm. Green: yes

Comm. Hauptman: yes

Comm. Krause: yes

Comm. LoPilato: yes

Chair Person Young: yes

Motion Carried: 5-0

Hearing Opened: 5:50

Hearing Closed: 6:46

Agenda Item #5 **RESOLUTION PC 23 31 DR 07 – Siuslaw Elementary School Play Structure**

An application from Carson Shields, of Soderstrom Architects, for a Design Review to replace the existing masonry covered structure with a metal structure at the Siuslaw Elementary School, 2221 Oak Street, Assessor's Map 18-12-22-00, Tax Lot 00300 within High Density Residential District. – **Hearing has been canceled and will be rescheduled for a later date.**

Agenda Item #6: PC Work Session to Discuss short-term rentals and the subcommittee's work and recommendation and other Planning Commission sub-committee updates or discussion was postponed until VC Harris and Comm. Ubnoske, could be in attendance.

FarleyCampbell: business license registration is a code update that goes before the City Council. A mailout would occur to notify property owners of the requirement.

Comm. Hauptman: Asked how it would be enforced.

FarleyCampbell: Stated that citation letters are sent. She offered that if Commissioner Hauptman was interesting in looking for airbnb's online then it would be welcomed to see where they are and how many.

Kurth shared that there is software that will do the work, you can get a quote from third party company

Short break: 6:55 for 10 minutes

Reports and Discussion Items: There were none.

Directors Report:

December 2, 2023 tree lighting @ 5:30 in Old Town Bay street

FEMA has completed Munsel floodplain analysis to update of flood maps

There was a discussion of public input for FEMA decisions, FarleyCampbell said there are around 100 properties impacted with this latest update, with Florentine Estates greatly impacted. More information will be provided at a later meeting. The end result is a Comp Plan amendment to adopt the new FIRM maps

Siuslaw Watershed Council has opened their native plant give-away. Comm. Green said that last year they went out and helped to plant for people. Farley Campbell explained that the plants are funded through a grant. Applicants can receive up to 300 plants per property.

FarleyCampbell: Reports that Bud Castleman has paid his fees, and that the day after meeting she and the Code Enforcement went to the site, and that there are bricks and rocks that are stacked and there is building material. She said that they also went to the Hemlock address and it does need some attention from the owner to clean it up but that one could see the intent for the site. She thinks 7th Street will be lovely once the stones and plantings are used around the home, and that there is no privy on the site.

Comm. Green: I think the neighbors will appreciate hearing that.

Calendar: December 4, 2024 a joint Planning Commission/CC work session will be held at 5:30 at FEC, food will be provided. Packets will be sent out on Thursday or Friday before the meeting. The next Planning meeting on December 12, 2023 will be the continuance of Dollar General and Myrtle Glen Final PUD with Hailey Sheldon presenting for Mike Johnson town homes on 37th St. If the Commission decides they may want to initiate the Housing Code updates at the December 12th meeting it is an action item, and we can send our DLCDD notice, and it will be the 2nd meeting in January. No meeting on December 26th. One item was able to be moved to a type II is the Pine Crossing Subdivision.

Comm. LoPilato said that a couple of months ago there was a suggestion for recognizing planning month. She said there are a lot of folks around town don't know what we do, and she would like to have a planning month.

FarleyCampbell suggested that as Commissioners have ideas in the coming year they will be preparing for next year. Email staff with any ideas for a Planning Month.

Comm. Green: Prior to Covid there was a "meet the City departments" event.

FarleyCampbell: Said it was the State of the City and will be held in February

FarleyCampbell: Shared that the Tree lighting is from 4-7 on the 7th

Planner Kurth: LDT was expecting a new bus in November. So, there should be in early 2024 another bus in Florence. Trips should be every ½ hour instead of once an hour. We are going to be looking at, two priorities by the end of the fiscal year. The bus will have a new wrap. She will email you a picture of the new bus, the concern is that if it is too flashy people won't know what it is.

FarleyCampbell: They were looking to modernize it the logo and wrap.

Kurth: There may two new bus shelters, Mike Miller is working on getting quotes to support a grant LTD received for them.

The meeting adjourned at 7:22 PM.

ATTEST:

Sandra Young


Chair

Sharon Barker, Planning Technician

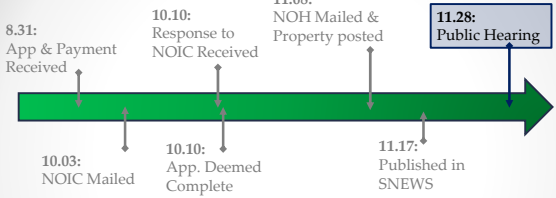
966 Hwy 101 - CLPUD

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Design Review for Fencing Materials Exception

PC 23 26 DR 05



Introduction



Proposal:

- Design Review request for fencing materials exception.
- Adding chain link fence along Quince and 10th Streets
 - Expansion of a pre-existing, nonconforming building material
- Adding barbed wire to existing fencing and new fencing
 - Existing fence has barbed wire installed

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Review Criteria

Florence City Code, Title 10:


Chapter 1: Zoning Administration, Section 1-6-3
 Chapter 6: Design Review, Sections 6-5-1-C & J
 Chapter 27: Mainstreet District, Section 5-B
 Chapter 34: Landscaping, Section 5-F-4

Florence City Code, Title 6:

Chapter 1: General Offences, Section 7-14

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Aerial of Site



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Site Plan - Proposed



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Decision Point #1:

FCC 10-34-5-E: permits barbed wire in commercial and industrial zones or on public property.

- Site is zoned Mainstreet Area A
- **Does a People’s Utility District meet the public property requirement?**

Conclusion:

- Yes. A PUD can meet the public property requirement
 - ORS 261 appears in accordance with intent of the Code
 - Mainstreet Area A is listed under the Zoning Map as Commercial
 - Comp Plan designated Commercial and Downtown

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Zoning Map - Excerpt

Comp Plan Designations Florence Zoning Map



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Fencing Material Exception

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Decision Point #2:

FCC 6-7-14; permits barbed wire fence at discretion of the PC if:

- Add. Security warranted beyond standard fence or security
- Fencing constructed to cause least hazard to employees and citizens
- Potential risk less than risk contained within the site.
- No feasible alternative

Site has existing barbed wire on chain link fencing & proposes expansion.

- Permit addition of barbed wire on existing Quince St. fence?
- Permit addition of barbed wire on proposed 10th St. fence?

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Hwy 126 Images



Google Maps 2019

Site Visit Nov. 22, 2023

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Quince St. Images



Google Maps 2019

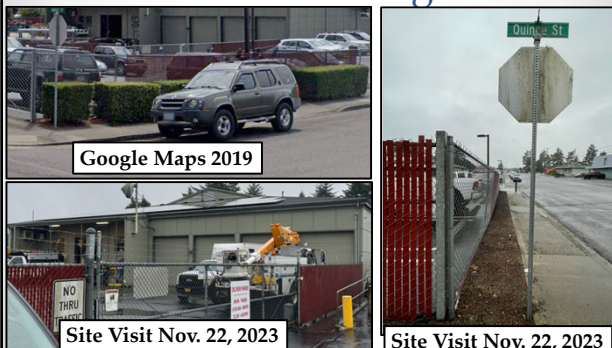
Site Visit Nov. 22, 2023

Google Maps 2012

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10th Street Images



Google Maps 2019

Site Visit Nov. 22, 2023

Site Visit Nov. 22, 2023

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Conditions of Approval

4. Approval shall expire Nov. 28, 2024 unless substantial construction has taken place
5. Barbed wire shall be mounted so it does not extend into airspace of public ROW.
6. Fencing to be ongoing maintenance responsibility of the development.

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Decision Point #3

FCC 10-6-6 Downtown Architectural Design; criteria apply to this site.

- Site located in Mainstreet Area A.
- FCC 10-6-6-4-F lists permitted fence materials.
 - Chain link not included
- Approx. 180 feet of new chain link fence and gates proposed within the parking area on 10th St.

➤ **Permit use of new chain link fencing on this site?**

Enclosed Area



Area	Length	Width	Sq. Ft.
Proposed New Fenced Area	130 feet	60 ft	7,800 sq ft
Existing Fenced Area	See image below	See image below	~30,779 sq ft
Proposed increase			0.253 ~25% increase

Conditions of Approval

3. Revised final site plan. Expansion of the pre-existing, nonconforming chain link fencing materials shall not exceed 25% of existing area.
7. Gate on 10th Street shall be for exit only traffic or shall be inset 20 feet from property line to prevent impeding traffic on 10th St. (to be added)

Conclusion:

- Expansion of a pre-existing nonconforming use is permitted up to 25%
- New chain link fence area shall be less than 25% or,
- A conditional use permit shall be applied for
- Can meet code with Condition of Approval 3.

Issues

1. **Existing barbed wire did not receive approval.**
 - Quince St. barbed wire added between 2012 and 2019
 - Hwy 126 barbed wire added after 2019
 - Constitutes a nuisance for code enforcement
 - PC can review and consider as part of the request
2. **The amount of chain link expansion exceeds 25%.**
 - Request requires a CUP - not applied for or noticed.
 - If approved, expansion to be reduced to less than 25%
 - Or, a CUP to be applied for and received

Public Testimony & Referrals

Public Testimony – None

Referrals –

Florence Police Department:

- Provided call List

Florence Code Enforcement:

- Confirmed transient activity in the area

Siuslaw Valley Fire and Rescue:

- No issues or concerns

Alternatives

1. Approve the request for new barbed wire and expansion of the pre-existing, non-conforming use of the chain link fence building materials with the Conditions of Approval, or
2. Review and recommend changes to the findings and approve as amended,
3. Deny the request for new barbed wire fencing and new chain link fence enclosure based on findings of fact and lack of evidence that the proposal meets or could meet with conditions, or
4. Continue the Public Hearing to a date certain of December 12, 2023,
5. Add the existing barbed wire to the approval.

Staff Recommendation

Option 1 & 5:

Approve the request for the barbed wire and expansion of the pre-existing, non-conforming use of the chain link fence building materials with the existing Conditions of Approval. Add the existing barbed wire to the approval

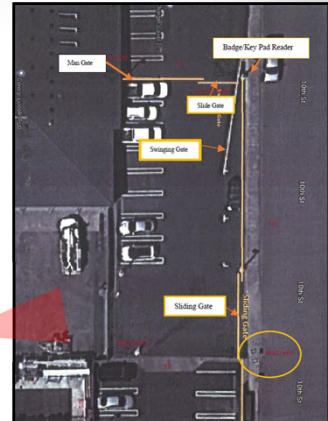
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Questions?



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