
AGENDA ITEM SUMMARY / STAFF REPORT
FLORENCE PLANNING COMMISSION

ITEM NO: 4
Meeting Date: December 10, 2024

ITEM TITLE:

Resolution PC 24 01 CUP 01 – Siuslaw Bay View Attached SUDs

OVERVIEW:

Application: This application requests approval of residential use in a commercial zoning district with a proposal to construct ten single-unit dwellings (SUD), five buildings with two units each. The entire site is 1.15 acres. The tax lot includes a combination of 16 complete and partial platted lots, a half width of vacated 10th St., and a vacated alley from the original Gallaghers Plat. Ten of the lots have street frontage, nine on Hwy 126 (south), and one on the undeveloped Vine St. ROW (west), one of the ten abuts both Hwy 126 and Vine Street. Six lots have no street frontage available. Lane County vacated the alley and street in the 1960's and 80's prior to the annexation. Florence City Code requires that buildable lots within the city have street frontage. Therefore, the applicant proposes ten buildable lots by combining the lots abutting Hwy 126 with the abutting portions of lots and vacated 10th St. and the alley. The Work Statement (Exhibit C) states that a covenant to ensure street frontage will be pursued if required (pg. 4 of 30). The project proposal is for the use of a single shared driveway access from Hwy 126 ROW entering within two of the home lots (Lots 14 and 15) then extending east and west through all of the lots or portions thereof.

Process and Review: This request is a Type III land use application requiring a quasi-judicial public hearing. The Florence Planning Commission is the review body as set out in the [Florence City Code \(FCC\) Title 10 Chapter 4](#). The resolution, findings of fact, and application materials are attached to this AIS. Additionally, testimony and, at times, parts of the application are included as separate attachments and are not included as part of the resolution exhibits. The applicable criteria are listed in the "Applicable Criteria" section of the findings. Only the code sections, comprehensive plan policies, and appendices are the policy considerations that may be applied in the decision-making process. Application materials, public testimony, and agency referrals that speak to the criteria may also be considered.

The findings include a review of the application against the applicable criteria and incorporate public testimony and agency referral comments or concerns where applicable. The attached findings are in draft format and require additional review of application materials and revision.

Additional Items Needed or Considerations: Below is a list of additional items needed or concerns for consideration by the Planning Commission. These items are included as a list and will be topics of discussion during the public hearing.

ISSUES/DECISION POINTS: *The issues and decision points include the section and starting page number where they can be located in the draft Findings of Fact.*

1. Is there adequate vacant commercial land in the City Limits and UGB to warrant exclusive residential use in the Commercial Zoning District?
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- See discussion under Section FCC 10-4-C
2. An evacuation route is required to be constructed with development of multiple single unit dwellings in accordance with FCC 10-7-5.
 3. The applicant proposes a partial multi-use pathway to the northern property line in the Vine Street ROW with no connection to 11th Street. Alternatively, the route is proposed to evacuate residents along Hwy 126 to Xylo Street to the east, which puts residents closer to potential hazards. A complete evacuation method has not been proposed, to meet requirements of FCC 10-7-5.
 4. Has the applicant adequately demonstrated that the development of Vine Street is not feasible?
 - If not, then is the abutting Vine Street required to be developed with this development in accordance with FCC 10-35?
 - Is the applicant required to take access from the Vine St. ROW, or is the shared driveway, as proposed, an acceptable alternative to the lower classification street?
 - See Discussion under FCC 10-35 and FCC 10-36
 5. The applicant is requesting a non-remonstrance for the street frontage improvements on Hwy 126. This application does not meet the exceptions in FCC 10-35 to approve this request.
 - See discussion under FCC 10-35
 6. The driveway width is proposed to be 24 feet. However, the maximum driveway width permitted for SUD residential units is proposed to be 20 feet.
 - Shall the shared driveway be required to meet City requirements of 20 feet to be in compliance with the City Code and avoid an attractive nuisance of parking on the shared driveway and blocking the fire access lane, or
 - Increased width may provide an opportunity for parking but would likely increase maximum impervious coverage of lot seven and potentially others.
 - See Discussion under FCC 10-35

ALTERNATIVES:

1. Approve the conditional use permit based on findings of fact and evidence that the proposal meets or could meet with conditions.
 2. Review and recommend changes to the conditional use permit findings and approve the findings as amended;
 3. Deny the conditional use permit 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 if more information is required to make a decision.
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RECOMMENDATION:

1. Approve the conditional use permit based on findings of fact and evidence that the proposal meets or could meet with conditions.
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AIS PREPARED BY:

Wendy Farley Campbell, CD Director
Clare Kurth, Contract Planner

ITEM'S ATTACHED

"A" Findings of Fact (12-3-24)
"B" Applicant Memos (11-15-24, and previous)
"C" Applicant Work Statement (7-24-24)
"D" Non-Remonstrance Agreement (12-1-24)
"E" Building Elevation Plan (11-15-24/10-16-24)
"F" Landscape Plan (4-17-24)
"G" Site Plan (11-15-24)
"H" Utility Plan and Detail Plan (11-15-24 & 10-16-24)
"I" ODOT Hwy Permit & Received Notice (5-31-23 & 6-02-23) (available at City Hall)
"J" Title Report, Plat, and Vacation Records (available at City Hall)
"K" City of Florence NOIC March 1, 2024 (available at City Hall)
"L" Emails from City Staff (available at City Hall)
"M" 2018 Housing Needs Analysis and Economic Opportunity (available at City Hall)
"N" Florence Realization 2020 Comprehensive Plan p. II-12 (available at City Hall)
"O" City of Florence Zoning Map (available at City Hall)
"P" Previous Resolutions (available at City Hall)
"Q" Referral Comments
"R" Public Testimony
"S" AO Eng. Rpt and Ltr– Vine St. Constraints (11-15-24/10-10-24)
"T" Details NOAA MHW (11-15-24/10-10-24)
"U" Draft FOF, Exhibit "A" (8-27-24) (available at City Hall)
"V" Survey 2022
