

CITY OF FLORENCE PLANNING COMMISSION
July 10, 2018 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson John Murphey called the meeting to order at 5:30 p.m. Roll call: Chairperson John Murphey, Vice Chairperson Sandra Young, Commissioner Michael Titmus, Commissioner Phil Tarvin, and Commissioner Eric Hauptman were present. Commissioner Ron Miller and Commissioner Brian Jagoe were absent and excused. Also present: Planning Director Wendy FarleyCampbell and Admin Assistant Vevie McPherren.

APPROVAL OF AGENDA

Vice Chairperson Young motioned to approve the agenda. Commissioner Titmus seconded. By voice, all ayes. The motion passed.

APPROVAL OF MINUTES

Commissioner Titmus motioned to approve the minutes of February 26 & March 26 2018 Planning Commission / City Council work sessions. Commissioner Hauptman seconded. By voice, all ayes. The motion passed.

Review and Vote on the June 12, 2018 minutes was postponed.

Vice Chairperson Young motioned to approve the minutes of April 10, 2018. Commissioner Tarvin seconded. By voice, all ayes. The motion passed.

PUBLIC COMMENTS

There were no comments.

There were no public comments.

PUBLIC HEARING

Chairperson Murphey announced there were two public hearings before the Planning Commission that evening. The hearings would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearings tonight, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualifications of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudice, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.

RESOLUTION PC 18 20 VAR 01 – Ames Setback Variance: An application from Larry Ames for approval for a setback variance to 10' in the front and 5' in the rear to place a manufactured home or construct a stick-built residence. The garage and driveway will remain at 20' in length. The site is located at 26 Sand Dollar Drive, Assessor's Map 18-12-23-32, Tax Lot 01911 in the Coast Village District regulated by FCC Title 10 Chapter 29.

No Commissioner declared a conflict of interest or bias. There were no challenges.

Chairperson Murphey opened the public hearing at 5:35 PM.

PD FarleyCampbell presented the staff report on the subject of Mr. Ames application for a variance (see attachment). Public testimony received prior to the public hearing included one of support and one of opposition. There were no referral comments received. Staff stated that the proposed application met the requirements of City Code and recommended approval with the conditions of approval. There were no questions for staff.

Applicant – Larry Ames – 26 Sand Dollar Drive, Florence

Mr. Ames gave his presentation that included his conflicts with the Coast Village Board regarding the original agreement of CCR's that pertained to the location of the street/adjacent versus abutting, the lot lines, the setbacks, and the green belt. Mr. Ames also gave a detailed explanation of why he felt the setback variance was necessary.

No public testimony given. Commissioner Titmus asked the applicant if he had a signed agreement with Coast Village Board and Mr. Ames responded that he did not. Vice Chairperson Young pointed out her setback figures and made clarification of the reversed site plan. Commissioner Tarvin asked for clarification of the type of home the applicant intended to install and the applicant responded he was not sure but, indicated it would be FHA approved. In response to Mr. Ames's concerns regarding the green belt and setbacks PD FarleyCampbell explained the interpretation of the terms adjacent versus abutting and how it related to FCC 4.1. She restated staff recommended approval with the conditions of approval given.

Chairperson Murphey closed the public hearing at 6:08PM.

There was no commission deliberation.

Commissioner Titmus motioned to approve **RESOLUTION PC 18 20 VAR 01 – Ames Setback Variance**; Commissioner Hauptman seconded.

There was no discussion.

By roll call vote: Commissioner Tarvin, "Yes"; Vice Chairperson Young, "Yes"; Commissioner Hauptman, "Yes"; Chairperson Murphey, "Yes"; Commissioner Titmus, "Yes". Motion passed 5-0.

RESOLUTION PC 18 19 EAP 02 – FAHS Storage Container Extension: A request for an extension of a previously granted approval period, which will end July 14, 2018 for Resolution PC 15 12 CUP 07 – FAHS Thrift Store Storage Container - a request for a conditional use permit to place a temporary metal storage container to serve as a temporary mobile building space for storage for the Florence Area Humane Society. The site is located at 1193 Bay Street, Assessor's Map 18-12-34-12, Tax Lot 06900, 07000, & 07100 in the Old Town/Area A District regulated by FCC Title 10 Chapter 17.

No Commissioner declared a conflict of interest or bias. There were no challenges to impartiality

Chairperson Murphey opened the public hearing at 6:11PM.

PD FarleyCampbell presented the staff report on the subject of Florence Area Human Society request for an extension (see attachment). There were no public testimonies or referral comments received. Staff stated that the proposed application met the requirements of City Code and recommended approval with the conditions of approval. There were no questions for staff.

Commissioner Titmus inquired if there had been any code enforcement issues regarding the outside storage around the storage container and PD FarleyCampbell responded there had not. Vice Chairperson clarified the modification of the resolution to reflect the July 10, 2019 expiration date.

Applicant – Jack Hannigan, President of Oregon Coast Humane Society

Mr. Hannigan gave his presentation that included an overview of the current condition of FAHS properties and stated that the extension of the storage container would allow the FAHS the necessary time for property improvements and to make a decision on the reuse of the existing property.

Commissioner Titmus emphasized the importance of condition 3.3 regarding No nuisances – clean and clutter free. Mr. Hannigan assured that condition would be observed.

No public testimony was given.

Staff restated that the proposed application met the requirements of City Code and recommended approval with the conditions of approval and the modification of condition 3.1 and the resolution to reflect the correct expiration date of July 10, 2109 and the correction of the date of approval. There were no questions for staff.

Chairperson Murphy closed the public hearing at 6:26PM.

There was no commission deliberation. PD FarleyCampbell pointed out the date of approval on the resolution should also reflect July 10, 2018.

Vice Chairperson Young motioned to approve **RESOLUTION PC 18 19 EAP 02 – FAHS Storage Container Extension**; with the modification of the resolution to reflect the correct expiration date of July 10, 2019 and the date of approval to July 10, 2018. Commissioner Titmus seconded.

There was no discussion.

By roll call vote: Chairperson Murphey, “Yes”; Commissioner Tarvin, “Yes”; Vice Chairperson Young, “Yes”; Commissioner Titmus, “Yes”; Commissioner Hauptman, “Yes”. Motion passed 5-0.

PLANNING COMMISSION DISCUSSION ITEMS

There were none.

PLANNING DIRECTOR’S REPORT/CALENDAR

PD FarleyCampbell reported the cancellation of the July 24, 2018 meeting. She announced the Power of Florence event and the discussed the schedule of the upcoming August Planning Commission hearing.

Chairperson Murphey adjourned the meeting at 6:31PM.

Chairperson, John Murphey
Florence Planning Commission

Date

Ames Setback Variance

PC 18 20 VAR 01



Criteria

Florence City Code, Title 10:

Chapter 1: Zoning Administration, Section 1-6-3
Chapter 2: General Zoning Provisions, Section 2-13
Chapter 5: Zoning Variances, Sections 1 through 5
Chapter 29: Coast Village District, Sections 1 through 3, 5, and 6

26 Sand Dollar Drive Setback Variance - PC 18 20 VAR 01

07/10/2018 #2

Introduction

- **2014** – Applicant constructed garage east of the location of the already-located recreational trailer.
- **2016** – Since garage completion, the applicant has decided to place a permanent home on the site
- **June 12, 2018** – Variance application submitted
- **June 19, 2018** – Application deemed complete
- **June 19, 2019** – Public Notice Mailed

26 Sand Dollar Drive Setback Variance - PC 18 20 VAR 01

07/10/2018 #3

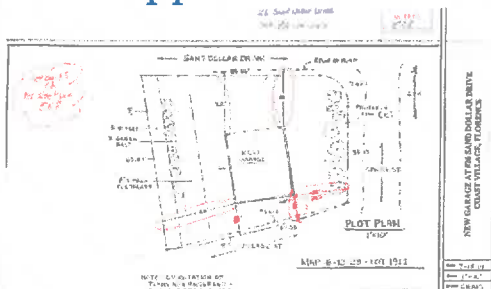
Aerial of Site



26 Sand Dollar Drive Setback Variance - PC 18 20 VAR 01

07/10/2018 #4

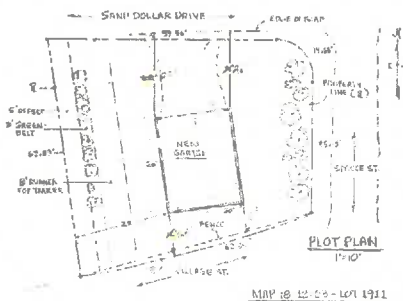
2016 Approved Site Plan



26 Sand Dollar Drive Setback Variance - PC 18 20 VAR 01

07/10/2018 #5

Proposed Site Plan



26 Sand Dollar Drive Setback Variance - PC 18 20 VAR 01

07/10/2018 #6

Site Photo-Spruce St.



• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Site Photo



• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Variance Criteria

Basis:

- Lot is atypically shaped, even for those within Coast Village.
- Property is bordered by three streets making the location of a home difficult due to the noise and traffic.
- With setbacks and greenbelts taken into account, this leaves only 30 feet of buildable space.
- Residential zones front setbacks reduced to 10' and determination of reduced front setbacks is currently taking place in Coast Village.

• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Comments/Testimony

- Dr. Roger Emigh, President, CVPOC, Architecture Committee Chairman, supported the granting of the variance.
- Darren Gordon & Pamela Woods, 9 Village Street, opposed the granting of the variance.

• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Conditions of Approval

2. Signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit and apply for all building permits necessary for this proposal.
3. Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact SHPO or CTCLUSI. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative.

• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Conditions of Approval

- 4.1. Applicant granted a 10-foot variance to the front yard and a two-foot variance to the rear yard setback. The eight total feet of setback for greenbelt (five feet) and fire clearance (three feet) along the rear lot line shall be maintained. No variance is granted for side setbacks.
- 4.2. Demarcation of northern front setback line by a licensed professional surveyor prior to application for a building permit. This survey line shall remain until the final inspection is conducted.
5. Variance shall become effective at the close of the appeal period and is void after July 10, 2019 unless a building permit has been issued and substantial construction has taken place.

• 26 Sand Dollar Drive Setback, Variance - PC 18-20 VAR 01

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Alternatives

1. Approve the application;
2. Modify the findings, reasons, or conditions and approve the proposal;
3. Deny the application, or
4. Continue the Public Hearing to a date certain if more information is needed.

• 26 Sand Dollar Drive Setback Variance - FC 18.20 VAR 01

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Staff Recommendation

Staff finds that the proposed application meets the requirements of City Code with the conditions, and recommends approval of the application.

• 26 Sand Dollar Drive Setback Variance - FC 18.20 VAR 01

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Questions?



• 26 Sand Dollar Drive Setback Variance - FC 18.20 VAR 01

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Humane Society Thriftstore Temp. Mobile Building Space

PC 18 19 EAP 02



Introduction

Conditional Use
Permit

Extension

- Application received June 1, 2015
- CUP granted July 14, 2015
- Application received June 7, 2018
- Noticed June 19, 2018

• OCHS CUP Storage Container Extension

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Criteria

Florence City Code, Title 10:

Chapter 1: Zoning Administration, Sections 1-4 & 1-6-3
Chapter 4: Conditional Uses, Section 4-8

• OCHS CUP Storage Container Extension

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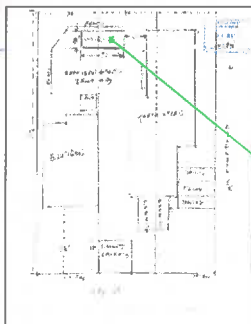
Aerial of Site



• OCHS CUP Storage Container Extension

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Site Plan



• OCHS CUP Storage Container Extension

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Testimony

Public Testimony:

- None Received

Referral Comments:

- None Received

• OCHS CUP Storage Container Extension

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Extension Criteria

- Made in writing prior to expiration
 - June 7th for July 14th expiration
- Special or Unusual Circumstances
 - Building unused & organization identifying best use for property. Container needed for storage.
- No material changes of surrounding land uses or zoning has occurred.
 - No zone changes since 2015
 - No material change of land use—ODOT contractor vacating CUP east of Kingwood.

• OCHS CUP Storage Container Extension

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Staff Recommendation

Staff finds that the application meets the applicable criteria of City Code and **recommends approval** of the application with the following conditions of approval:

• OCHS CUP Storage Container Extension

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Conditions of Approval

- 3.1. Approval ends: July 12, 2019.
- 3.2. Abide by applicable conditions of PC 15 12 CUP 07.
 - Applicable-#5 Replacement of lighting fixtures
 - Not applicable-#1, 2, 3, & 4.
- 3.3. No nuisances – clean and clutter free.

• OCHS CUP Storage Container Extension

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Alternatives

1. **Approve the application with conditions;**
2. Deny the application;
3. Modify the findings, reasons, or conditions & approve the proposal; or
4. Continue the Public Hearing to a date certain if more information is needed.

• OCHS CUP Storage Container Extension

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Questions?

• OCHS CUP Storage Container Extension

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