



Oregon

Theodore R. Kubangoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

03/03/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Florence Plan Amendment
DLCD File Number 005-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, March 17, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Wendy Farley, City of Florence
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<paa> YA/

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF LAND CONSERVATION AND DEVELOPMENT FEB 25 2009 For DLCD Use Only

Jurisdiction: City of Florence

Local file number: CC 09 01 CPA 01

Date of Adoption: 2/17/2009

Date Mailed: 2/24/2009

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 11/26/2008

- Comprehensive Plan Text Amendment, Land Use Regulation Amendment, New Land Use Regulation, Comprehensive Plan Map Amendment, Zoning Map Amendment, Other

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend Florence Realization 2020 Comprehensive Plan Map from Medium Density to High Density (original #--PC 08 37 CPA 02). Map amendment involved 0.5 acres making the property's plan designation consistent with the remaining 3.5 acres and creating a more logical plan designation boundary by removing the line from the middle of a tax lot.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: Medium Density Residential to: High Density Residential

Zone Map Changed from: Single Family Residential to: Multi-Family (Pending)

Location: 1137 Maple St., NE corner of Laurelwood Ct. Acres Involved: .5

Specify Density: Previous: 6500 sf lots New: 5000 sf lots

Applicable statewide planning goals:

- Goals 1-19 with checkboxes, some checked (1, 2, 10, 11, 12)

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

- 45-days prior to first evidentiary hearing? If no, do the statewide planning goals apply? If no, did Emergency Circumstances require immediate adoption?

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Oregon Housing and Community Services, Lane County, DLCD, Confederated Tribes, Siuslaw Valley Fire and Rescue, Central Lincoln PUD, Oregon Department of Aviation

Local Contact: **Wendy Farley**

Phone: (541) 997-8237 Extension:

Address: **250 Highway 101**

Fax Number: **541-997-4109**

City: **Florence**

Zip: **97439**

E-mail Address: **wendy.farley@ci.florence.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF FLORENCE
Ordinance No. 3, Series 2009

AN ORDINANCE FOR THE ADOPTION OF AN AMENDMENT TO THE CITY OF FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN MAP DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY THAT INCLUDES THE LAURELWOOD HOMES COMMUNITY CENTER ON A PORTION OF MR 18-12-27-41 TL 00800 IN AN AREA NORTH OF 11TH STREET WEST OF LAURELWOOD COURT AND EAST OF MAPLE STREET.

WHEREAS, Florence City Code (FCC) Title 10, Chapter 1, Section 3 provides that a quasi-judicial Comprehensive Plan change may be initiated by application of a property owner within the affected area; and the applicant Housing and Community Services Agency initiated this Comprehensive Plan Map change by submitting an application on October 29, 2008;

WHEREAS, the Comprehensive Plan designation of the property on the City of Florence Realization 2020 Comprehensive Plan Map of Medium Density Residential is inconsistent with the adjacent and nearby zoning, plan designation and development patterns, and the configuration of the legal lot;

WHEREAS, a Comprehensive Plan Map designation of High Density Residential for the subject property is consistent with the adjacent and nearby zoning, plan designation and development patterns, and the configuration of the legal lot;

WHEREAS, the Planning Commission held a duly advertised public hearing on January 13, 2009 in accordance with FCC 10-1-1-5 to consider the amendment; and

WHEREAS, the City Council held a duly advertised public hearing on February 17, 2009 in accordance with FCC 10-1-1-5 to consider the amendment;

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan map designation of Medium Density Residential shall be changed to High Density Residential as shown in Exhibit I.

Section 2. This amendment is based on the Findings of Fact in Exhibit II and the evidence in record for property located at MR 18-12-27-41 TL 00800, as shown in the attached map, (and, where there is a question as to consistency between the map and the specific tax lot number listed in this ordinance, the map shall be the area subject to this action).

Section 3. The City Recorder is hereby directed to file certified copies of this Ordinance with the Lane County Assessment and Taxation Office and the Lane Council of Governments.

Section 4. The City Recorder is hereby directed to update the "Local Adopting Ordinances" Table on page 1 and the Comprehensive Plan Map, Figure 2-1 on page II-31 of the Florence Realization 2020 Comprehensive Plan.

Section 5. This Ordinance will take effect 30 days from adoption.

Passed by the Florence City Council this 17th day of February, 2009

AYES: 5 – Councilors Burns, Franzen, Roberts, Xavier and Mayor Brubaker

NAYS: 0

IN ABSENTIA: 0

ABSENT: 0

APPROVED BY THE MAYOR, this 17th day of February, 2009



Phil Brubaker, MAYOR

ATTEST:



Barbara Miller, CITY RECORDER

AGENDA ITEM SUMMARY

ITEM NO.: 4

FLORENCE CITY COUNCIL

Meeting Date: February 17, 2009
Department: Community Development

ITEM TITLE: Public Hearing and Adoption of Ordinances No. 3 & 4 Series 2009

AN ORDINANCE FOR THE ADOPTION OF AN AMENDMENT TO THE CITY OF FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN MAP CHANGING THE PLAN DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR THE PROPERTY THAT INCLUDES THE LAURELWOOD HOMES COMMUNITY CENTER AND;

AN ORDINANCE FOR THE ADOPTION OF AN AMENDMENT TO THE CITY OF FLORENCE ZONING MAP CHANGING THE ZONING FROM SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL FOR LAURELWOOD HOMES PROPERTIES AND 1374 12TH ST. AND 1147 MAPLE ST.

DISCUSSION/ISSUE:

The Housing and Community Services Agency (HACSA) proposes two amendments, a zoning map amendment and a comprehensive plan designation map amendment for their developed properties known as Laurelwood Homes. The Laurelwood properties are mostly plan-designated "High Density" and zoned "Single Family Residential". The requested zoning change initiates a housekeeping edit for that area. Staff included two additional properties (one developed with a single family dwelling and one developed with a duplex) adjacent to and north of the HACSA property are part of this "housekeeping area". The rezone portion of the application will allow development consistent with their 2002 adopted High Density designation.

HACSA also requests a comprehensive plan map amendment for a portion of their Laurelwood Homes property on MR 18-12-27-41 Tax Lot 800 to change the plan designation from medium density to high density. Tax Lot 800 is a 133,729 sq. ft. lot north of 11th and Laurel Streets and bisected by Laurelwood Court (Habitat for Humanity subdivision). Tax Lot 800 is developed with 6 single-story apartments, 4 single family detached dwellings, a community building and parking. The portion of Tax Lot 800 subject to this plan designation request is approximately 29,500 sq. ft. and located east of Laurelwood Court and is partially vacant with the community building and parking on the remainder. HACSA seeks plan designation consistency (High Density) for the whole housing development.

The Planning Commission held a public hearing on the Comprehensive Plan and Zoning Map Amendments on January 13, 2009. The Commission voted 5-0 to recommend Council approve the proposed amendments.

FISCAL IMPACT: The Plan Designation and Zoning of this property will have minimal impact to the city. The zoning affects the allowable density. A higher density could result in higher assessed property values which in turn would lead to a greater collection of property tax. However, the majority of the properties, because they are government owned, are exempt from property taxes. Also, with increased densities would come a corresponding increase in city services funded through property taxes. Likewise, increased density may yield more utility customers, so the system development funds and enterprise funds for water, sewer, and wastewater would gain a slight increase in revenues which would be offset by the increase in service.

ALTERNATIVES:

- 1 – Adopt the Comprehensive Plan and Zoning Map amendments by passing the Ordinances and attached findings as presented.
 - 2 – Adopt the Comprehensive Plan and Zoning Map amendments with changes to the Ordinances and/or attached findings.
 - 3 -- Adopt the Zoning Map amendment to exclude TL 800 with changes to the Ordinances and/or attached findings and deny the Comprehensive Plan amendment and direct staff to prepare an Ordinance(s) for denial based on the Council's findings.
 - 4 – Deny the Comprehensive Plan and Zoning Map amendments and direct staff to prepare Ordinances for denial based on the Council's findings.
 - 5 – Continue the hearing to a date certain or leave the record open for additional testimony if more information is needed.
-
-

PLANNING COMMISSION RECOMMENDATION: Adoption of the Comprehensive Plan Map Amendment and Zoning Map Amendment.

CITY MANAGER'S RECOMMENDATION: Approve/Disapprove/Other

EXHIBITS TO THIS MEMO:

Planning Commission Resolution

- A. Findings of Fact
- B. Zone Change Map
- C. Comprehensive Plan Change Map
- D. Proposed Development Layout for Laurelwood Homes
- E. Proposed Elevations for units east of Laurelwood Court
- F. Land Use Application
- G. Referral Comments & Public Testimony
 - 1. Julie Riggins, 1374 12TH St., December 23, 2008

2. Dave Perry, DLCD, December 31, 2008
3. Maurice Sanders, Florence Police, December 31, 2008
4. Arrow Coyote, Confederated Tribes Coos, Lower Umpqua, and Siuslaw, 12/31/08
5. Carl Ronning, 1136 Maple St., January 08, 2009

Ordinance No. 3, Series 2009

Exhibit I – Comprehensive Plan Change Map

Exhibit II – Findings of Fact

Ordinance No. 4, Series 2009

Exhibit I – Zoning Change Map

Exhibit II– Findings of Fact

**EXHIBIT II
FINDINGS OF FACT
ORDINANCE NO. 3, SERIES 2009**

I. PROPOSAL DESCRIPTION

1. Proposal:

The requested actions are to amend the Florence Realization 2020 Comprehensive Plan Map to change the Comprehensive Plan designation from Medium Density Residential to High Density Residential for a portion of one lot, TL 18-12-27-31 TL 800.

2. Tax Lots and Property Owners:

At the time of adoption of these ordinances, the following tax lots and owners were identified. In the event there is a discrepancy between the tax lot information below and the maps, the maps shall be the area that is subject to this request:

Comprehensive Plan Map Amendment:

Lane County:

Map 18-12-27-41 TL 00800 (portion)

3. Tax Lot Sizes (In Square Feet)*:

Comprehensive Plan Map Amendment:

Map 18-12-27-41 TL 00800: **@29,500 portion of 133,729**

*Source: Lane County Assessor's Records December 30, 2008

4. Location:

NW corner of 11th and Maple Streets excluding properties west of Laurelwood Court.

**6. Comprehensive Plan
Map Designation:**

Medium and High Density Residential

7. Land Uses/Zoning:

Comprehensive Plan Map Amendment:

Site: Community building and parking / Single Family Residential (RS)

North: Vacant / RS

South: Multi-Family dwellings / RS

East: Multi-Family dwellings, parking / RS

West: Single Family Dwellings (Habitat for Humanity) / RS

II. NOTICE AND REFERRALS

1. Notice:

Notice of the proposed Comprehensive Plan Amendment was sent to DLCDD on November 26, 2008, not less than 45 days prior to the proposed first (Planning Commission) evidentiary hearing of January 13, 2008, as required by state law. The Planning Commission's public hearing was noticed in the Siuslaw News on January 3rd, 7th, and 10th as required by state law and the Florence City Code. Notice was mailed to property owners within 300 feet of the site and occupants within 100 feet of the site on December 23, 2008 and the additional notice required by ORS 227.186 was mailed to all owners of property subject to this proposal on December 23, 2008.

Notice of the Council's public hearing was mailed on January 28, 2009 to affected property owners and those within 300 feet of the affected properties. Public notice was published in the Siuslaw News on February 8, 11, and will be published on February 14, 2009.

Comments were submitted by two citizens, Julie Riggins, who owns 1374 12th St., MR 18-12-27-41 TL 801 and Carl Ronning, who owns 1136 Maple Street. Ms. Riggins whose comments were received December 23, 2008 is one of the owners of property included in the re-zone portion of the application by staff as part of the housekeeping edits. She and city staff were in contact about the proposal prior to noticing. In her e-mail correspondence she indicated that in the future she might be interested in adding another unit to her existing lot. She stated that she was probably interested in being included in the re-zone. Her only concern was the potential for a tax increase. Carl Ronning, whose letter was received January 8, 2009, owns property not included as part of these applications but was concerned about the impact to his property value when the adjacent westerly property is rezoned to Multi-Family. His property is currently zoned Multi-family. No other written comments related to noticing were received.

2. Referrals:

Referrals were sent to the Oregon Department of Land Conservation and Development (DLCD), Florence Police Department, Central Lincoln Public Utility District, Qwest, Charter Communications, Lane County Planning Department, Florence Building Department, Florence Public Works Department, Florence U.S. Postal Service, the Siuslaw Valley Fire and Rescue District, and the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI).

Dave Perry of DLCD responded back in favor of the proposals stating strong support for the increased development density in such close proximity to commercial and service centers. CTCLUSI responded with no concerns since no development was proposed. Florence Police Department responded back with concern for the type of public housing, citing specific concern for an additional housing development for the mentally disabled in such close proximity to the one located at 8th and Laurel. As of this writing, no other referral responses have been received.

III. APPLICABLE CRITERIA

1. Florence Realization 2020 Comprehensive Plan

- Plan Adoption, Amendments, Review and Implementation, Population
- Chapter 1: Citizen Involvement
- Chapter 2: Land Use, "Residential"
- Chapter 10: Housing Opportunities
- Chapter 11: Utilities and Facilities
- Chapter 12: Transportation

2. Florence City Code (FCC) Title 10: Zoning Regulations

- Chapter 1: Zoning Administration, Section 1-5: Land Use Hearing; Section 1-2-2: Change of Boundaries on Zoning Map
- Chapter 11: Single Family Residential District
- Chapter 13: Multi-Family Residential District

3. Oregon Revised Statutes

- ORS 197.763: Conduct of local quasi-judicial land use hearings; notice requirements; hearing procedures;
- ORS 227.186: Notice to Property Owners of Hearing on Certain Zone Change; Form of Notice; Exceptions; Reimbursement of Cost;
- ORS 197.610: Local government notice of proposed amendment or new regulation; exceptions; report to commission; and
- ORS 197.175: Cities' and counties' planning responsibilities; compliance with goals.

4. Statewide Planning Goals:

- Goal 1: Citizen Involvement [OAR 660-015-0000(1)]
- Goal 2: Land Use; [OAR 660-015-0000(2)]
- Goal 10: Housing [OAR 660-015-0000(10)]
- Goal 11: Public Facilities and Services [OAR 660-015-0000(11)]
- Goal 12: Transportation [OAR 660-015-0000(12)] and OAR 660-012-0060: Plan and Land Use Regulation Amendments

IV. FINDINGS

Applicable criteria are shown in bold and findings are in italics, below.

REALIZATION 2020 FLORENCE COMPREHENSIVE PLAN

INTRODUCTION

PLAN ADOPTION, AMENDMENTS, REVIEW AND IMPLEMENTATION

Amendments to the Plan may be initiated by citizens, citizen groups, the Citizen Advisory Committee, the Planning Commission or the City Council. In any amendment proceedings, the City Council shall obtain the recommendation of the Planning Commission and the Citizen Advisory Committee before taking action on a proposed major amendment. Minor changes which do not have significant effects beyond the immediate area of the change require the recommendation of the Planning Commission. Minor changes may be initiated at any time. The Department of Land Conservation and Development requires notice of a public hearing for a proposed plan amendment at least 45 days prior to the first Planning Commission hearing. (Florence Realization 2020 Comprehensive Plan, page 3)

Application CC 09 01 CPA 01 proposes to amend the comprehensive plan map by changing the plan designation from medium to high density. The proposal is consistent with this Comprehensive Plan text because:

- *The proposal was initiated by owners of the property, Housing and Community Services Agency (citizens) on October 29, 2008;*
- *This is a minor change which does not have significant effects beyond the immediate area of the change and the Planning Commission made a recommendation to the City Council for approval on January 13, 2009; and*
- *Notice of the public hearing was sent to DLCD on November 26, 2008, at least 45 days prior to the January 13 date for the first Planning Commission hearing.*

POPULATION

The population data and projections in the Florence Realization 2020 Comprehensive Plan were updated in March 2004 with the adoption of Comprehensive Plan amendments to incorporate the updated "Florence Residential Buildable Land Analysis" into the Comprehensive Plan and into Appendices 2 and 14. The updated analysis concluded:

"This analysis indicates that there is enough buildable residential land supply within the Florence urban growth boundary to meet the projected 22-year housing demand."

Comprehensive Plan Map Amendment: The proposal is consistent with this conclusion because the re-designation of 29,500 sq. ft. (20,000 vacant) of residential land to high density is negligible in its impact of subtracting from the inventory of other types of residential land or from the supply of land in other land use categories. In other words, the re-designation of the subject properties will increase the potential supply of low-income residential units within the Florence city limits further substantiating this conclusion of the supply and demand analysis. Furthermore, the 2004 Residential Buildable Lands Inventory (BLI) did not include publicly owned lands in its methodology for tallying the numbers of available vacant lands. Only privately held lands were utilized.

The net effect of the proposed change would allow the potential development of multi-family units. The applicant has indicated its intention of rebuilding 3 single family attached housing units in the vacant portion of tax lot 00800 east of the Habitat for Humanity homes on Laurelwood Court. The proposed housing style and density are permitted in the existing medium density plan designation and RS zoning with side yard setback variances. The minimum lot sizes allowed for this tax lot under the Single Family Residential zoning classification are 6,500 square feet, resulting in 3 potential lots. The Multi-Family minimum lot sizes are also set at 6,500 sq. ft. for this tax lot. The impact to density allowances on an area this small is negligible. The applicant requests plan designation and zoning consistency with the remainder of the Laurelwood development.

Chapter 1 CITIZEN INVOLVEMENT

Policies

- 4. Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.**

Notice of the proposed Comprehensive Plan Amendment was sent to DLCD on November 26, 2008, not less than 45 days prior to the proposed first (Planning Commission) evidentiary hearing of January 13, 2008, as required by state law. The Planning Commission's public hearing was noticed in the Siuslaw News on January 3rd, 7th, and 10th as required by state

law and the Florence City Code. Notice was mailed to property owners within 300 feet of the site and occupants within 100 feet of the site on December 23, 2008 and the additional notice required by ORS 227.186 was mailed to all owners of property subject to this proposal on December 23, 2008.

Notice of the Council's public hearing was mailed on January 28, 2009 to affected property owners and those within 300 feet of the affected properties. Public notice was published in the Siuslaw News on February 8, 11, and will be published on February 14, 2009.

Both the Planning Commission's and City Council's agendas were structured as public hearings allowing the opportunity for public comment.

5. Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public.

The notices, findings, and hearing materials of the Planning Commission and City Council hearings are available at the Community Development Department. The notices of both the Planning Commission and City Council included the location and contact information for finding out additional info and that all documents to be considered were available for review.

Chapter 2 LAND USE

Policies

- 1. Designation and location of land uses shall be made based on an analysis of documented need for land uses of various types, physical suitability of the lands for the uses proposed, adequacy of existing or planned public facilities and the existing or planned transportation network to serve the proposed land use, and potential impacts on environmental, economic, social and energy factors. (Florence Realization 2020 Comprehensive Plan, page II-1)**

The proposal is consistent with these criteria because the proposed re-designation to High Density Residential for the portion of Tax Lot 800 is based on:

- an analysis of documented need for land uses of various types: the property is located within the Florence Urban Growth Boundary and is designated for residential use with the designation of Medium Density Residential. Designation to High Density Residential will allow approximately 6-9 additional residential units to occur, although at potentially smaller lot densities than would be allowed with the existing zon-*

ing of Single Family Residential, meeting the City's future need for low-income housing.

- physical suitability of the lands for the uses proposed: due to the adjacent and near-by development patterns and dwelling types the portion of the land proposed for plan designation change is better suited for high density designation. Property on all but the north sides of the 800 TL is developed at high-density levels. Property north of the site is up a steep hill and so has no direct impact on this proposal. Habitat for Humanity received approval in 2004 to plat their Laurelwood subdivision west of 800 with 5,000 sq. ft. lots to ensure affordability of the homes. Many of the same uses are allowed in the Multi-Family Residential District as those of the Single Family Residential.*
- adequacy of existing or planned public facilities and the existing or planned transportation network to serve the proposed land use: no changes in use are proposed and the higher densities allowed with the High Density designation can be accommodated with the existing facilities.*
- potential impacts on environmental, economic, social and energy factors: re-designation to High Density would increase density and therefore decrease energy consumption by locating more residences with walking distance to services in downtown area and also reduce the length of commute trips. The proposed changes will allow more infill rather than outward expansion, reducing environmental impacts of growth.*

- 4. Landowner requests for Plan amendments shall meet the following criteria in order for action to be initiated:**
- a. Be based on new information that was either unavailable or overlooked at the time of Comprehensive Plan adoption;**
 - b. Include any changes necessary to maintain consistency with City, County, and regional goals, objectives, and functional plans; and**
 - c. Be of such a nature that action is required prior to the next scheduled major revision of the Plan.**
- (Florence Realization 2020 Comprehensive Plan, page II-1)**

a. HACSA staff was surprised to find that there was a difference in the plan designation on their properties. It was their understanding that the comprehensive plan designation changes were addressed during the 2002 plan adoption. Their property has been developed with high-density public housing since 1961. In early 2002 they began the process of remodeling the attached apartment units. They are at the stage of replacing the four 4-bedroom detached units off of Laurel St. with 2 bedroom attached units at the portion of 800 proposed for plan redesignation; and relocating the play ground and maintenance shop to an area adjacent to the community center. They will then redevelop the playground and 4-

bedroom dwellings site in the future with more housing units. All of the Laurelwood Homes land has been under county ownership since original development. HACSA states that their plan designation change was mostly incorporated but apparently a portion of TL 800 was overlooked. County records indicate this may have happened due to simultaneous plan map changes with tax lot consolidation. **b.** The applicant has requested a corresponding zone change for this portion of 800 and the remainder of their Laurelwood development. No other city, county or regional goals, objectives, or functional plans require any changes to support this request. **c.** The applicant's development plan for Laurelwood extends 5 or so years into the future. However, the last phase at Laurel and 10th St. requires relocation of the 4-bedroom detached units and playground to the vacant TL 800 site in order to construct the development planned for that lot. This latter phase will include units that are in the highest demand and of greatest unavailability. Waiting until the periodic review cycle would create an unnecessary hardship on the supply of needed low-income government assisted housing.

RESIDENTIAL

Policies

- 8. An adequate supply and mix of housing types (single family, duplex, multiple family) shall be maintained throughout the 20-year planning period for all projected ages and income levels.**

The Residential Buildable Lands Analysis of 2004 determined that 12% of Florence's existing housing stock is developed with multi-family housing. The report predicted that by 2025 25% multi-family housing stock will be needed. The requested comprehensive plan amendment for TL 0800 will support that projected housing need.

Medium Density Residential

The Medium Density Residential designation is intended for areas where existing lot sizes are in the neighborhood of 5,000 – 6,500 square feet, and for the majority of developable land remaining in the City, as well as urbanizable lands east of Highway 101. The corresponding zoning district is Single Family Residential. Single family homes and manufactured homes meeting certain minimum standards are allowed. Duplexes are a conditional use. (Florence Realization 2020 Comprehensive Plan, page II-7)

High Density Residential

The High Density Residential designation is intended for areas which are already developed as multi-family uses, and for development and redevelopment of areas close to parks, schools and shopping. Lot sizes are, or would be, less than 5,000 square feet per unit. The applicable zoning district is Multi-family. (Florence Realization 2020 Comprehensive Plan, page II-7)

The portion of TL 00800 subject to plan designation change from medium to high density is approximately 29,500 sq. ft. (20,000 vacant) and has frontage along Laurelwood Court. High density development could access off of either Laurelwood Court or internally from the eastern developed portion of the lot. If subdivided with its existing Medium Density/Single Family Residential Zoning, the vacant 20,000 sq. ft. is oriented and shaped to support two 6,500 sq. ft. lots with 65' of lot frontage along Laurelwood Court, resulting in a density of 4.3 units per acre. Medium density is intended to support 6-9 units per acre. The orientation and shape of the vacant portion of TL 00800 supports its suitability for High Density designation and corresponding Multi-Family Residential zoning and development. The presence of the adjacent community center, playground and parking areas support the plan change as well. The western portion of TL 00800 will redevelop to allow more multi-family type units. Laurelwood Homes is centrally located with the library, post office, shopping and schools between 500 and 3277 ft. from the site. HACSA is requesting a corresponding zoning change to the applicable zoning district of Multi-Family Residential for the entire Laurelwood Homes development.

Chapter 10 HOUSING OPPORTUNITIES

Goal **To provide the opportunities and conditions to meet housing needs within the City of Florence and the Urban Growth Boundary.** (Florence Realization 2020 Comprehensive Plan, page XI-1)

Policies

- 1. The Zoning Ordinance shall provide for varying density levels, land use policies, and housing types in support of this goal.** (Florence Realization 2020 Comprehensive Plan, page XI-1)

The proposal is consistent with this goal and policy because the re-designation of the subject parcels will add high density levels of multi-family housing to the area. The proposal requests that the subject properties be allowed to develop at densities of 5,000 sq. ft. or less per unit. The adjacent properties on two sides are already designated High Density and zoned Multi-Family Residential which allow the same minimum lot sizes and varying housing types. The five Laurelwood Court, Habitat for Humanity homes to the west of Laurelwood Court and zoned Single Family Residential are already developed at 5,000 sq. ft. densities compatible with the proposed High Density plan designation application.

- 3. Sufficient land within the Florence area shall be made available for high density housing development where public services are adequate and where higher densities and traffic levels will be compatible with the surrounding area.**

The Residential Buildable Lands Inventory (BLI) states, "The BLI inventories the supply of buildable residential land, including only privately-owned land that is planned for residential development, inside Florence's urban growth boundary (UGB), both inside and outside the city limits." Therefore the HACSA property at Laurelwood Homes was not included in the BLI methodology for determining available vacant land. In fact high density housing needs projections were allocated from the available privately owned vacant lands stock. Conversion of HACSA's publically owned lands to High Density plan designation to allow additional high density housing development supports the policy to make such land available. This request if approved would make additional high density land available in an area where public services are adequate and traffic levels are compatible with the surrounding high density designated area.

4. The City shall implement policies and practices that insure equal housing opportunity for all the City's residents.

The comprehensive plan designation application requests a change from Medium to High Density residential in an area already developed with high density uses.

HACSA states that Laurelwood Homes has a waiting list of 50 qualified individuals for one-bedroom units. A one-bedroom unit has not been available for two years. HACSA cites that the majority of the individuals on the waiting list are disabled, elderly or both. There is clearly a deficit of housing available to these populations in the Florence community. They are underserved. Approving the High Density plan designation change would support a practice that provides equal housing opportunities for low income individuals many of whom are elderly and disabled.

5. The City shall recognize mobile homes and multiple family dwellings as an important part of the overall housing stock if well situated.

The Laurelwood Homes development is centrally located in the north western downtown area. Nearby amenities include shopping, post office, library, police services, and health services. Additional development in this area would continue to capitalize on its close proximity to social and economic resources.

Recommendations

1. Housing programs to meet the needs of the City's elderly and low-income families should be pursued.

Laurelwood Homes is a government subsidized housing project. HACSA seeks the plan designation and zoning changes to add more low-income housing units. Florence already has a waiting list for families needing housing in this development. Support of this plan designation amendment

would support HACSA's housing program that provides dwelling units to meet the needs of Florence' elderly and low-income families.

3. **The City should encourage innovative design techniques (such as clustering, townhouses or condominiums) in appropriate areas, as a method to preserve open space, to lower the costs of housing and public facilities, and to maintain vegetative cover.**

Laurelwood Homes is a government subsidized low income housing project. It is developed with single story apartments and single family detached housing, clustered together between 10th and 12th Streets and Maple and Kingwood Streets. The project includes play ground area and a community center. Infilling their development as proposed is an efficient use of public lands and facilities. The site does not have significant vegetation cover.

Chapter 11

UTILITIES AND FACILITIES

The findings in this section of the staff report address policies in Chapter 11 of the Realization 2020 Comprehensive Plan in the following categories of utilities and facilities:

- Wastewater Collection and Treatment
- Water System Supplies and Needs
- Stormwater Management
- Parks, Recreation And Open Space
- Telephone Services and Telecommunications
- Public Safety and Health Related Services
- Fire Protection
- Police Services
- Health Care

A. WASTEWATER COLLECTION AND TREATMENT

Goal

To provide cost effective collection and treatment of wastewater consistent with projected population growth and development needs.

The proposal is consistent with this goal because the potential additional multi-family units allowed with the proposed high density plan designation will allow for the provision of more cost effective collection and treatment of wastewater than would be provided at the medium density under the current zoning; and there is sufficient capacity in the municipal wastewater treatment and collection system to

serve development at the density allowed in the proposed zoning classification. The Florence Public Works Department reports that the applicant for any development proposal in this area will need to show how sanitary sewer service will be provided; the existing 8-inch sewer line in 11th and Laurel St. has capacity; and there are a number of options to provide sewer connection to the infill areas.

B. WATER SYSTEM SUPPLIES AND NEEDS

Goal

To continue to provide an adequate supply of potable water for domestic, business, and industrial needs, as well as sufficient water for fire protection, all in a cost effective manner.

The proposal is consistent with this goal because the potential additional multi-family units allowed with the proposed High Density plan designation will allow for the provision of more cost effective delivery of water for domestic needs and fire protection than would be provided at the medium density under the current zoning; and there is sufficient capacity in the municipal water system to serve development at the density allowed in the proposed zoning classification.

The Florence Public Works Department provided the following information related to these criteria: this Laurelwood area is served by an 8-inch water main in 11th and Laurel Streets.; the 4" water lateral that extends up Laurelwood Court may need to be looped to support the infill proposed off Laurelwood Court. The area at Kingwood and 10th is adequately served by the existing 8" line.

C. STORMWATER MANAGEMENT

Goal

To provide a stormwater system that enhances and maintains livability through balanced, cost-effective solutions to stormwater management.

Policies

- 1. The City shall encourage on-site retention of stormwater. However, in instances where flows are in excess of that generated on-site, or where site conditions make this physically impracticable, a combination of piped systems and natural drainage systems may carry stormwater off-site to approved collection or dispersion facilities.**
- 2. The quality and quantity of recharge to the City's sole source aquifer shall be maintained consistent with use of the aquifer as a domestic water source.**

3. **Maintenance of stormwater facilities is critical to their functioning, especially with natural systems. The City shall ensure that adequate measures are available to provide, or to require developers and homeowners to provide, on-going maintenance.**
4. **City approved provision for controlling storm run-off shall be made before development takes place in areas that have drainage problems.**
5. **Storm drainage facilities, as approved by the City, which may include culverts, drywells, catchment basins, pretreatment facilities, natural or surface channel systems or pipelines, or other facilities developed with accepted engineering practices and standards. Such facilities shall be a part of all subdivisions, planned unit developments, street construction or improvements, commercial and industrial development or other developments which may impact storm drainage patterns.**
6. **Stormwater shall be managed to protect water quality of streams, rivers, and other waterbodies.**

The proposal is consistent with this goal and these policies because the stormwater system of the City, reflected in the adopted Stormwater Management Plan, enhances and maintains livability through balanced solutions to stormwater management in a cost-effective manner and, as reported by the Florence Public Works Department, stormwater will be addressed as the infill develop occurs and redevelop continues; and the City will require HACSA to demonstrate their ability to comply with the City of Florence Stormwater Management Plan, including compliance with all of the following:

- *the City will encourage on-site retention of stormwater; and, if water flows are in excess of that generated on-site, or site conditions make this physically impracticable, a combination of piped systems and natural drainage systems will be installed to carry stormwater off-site to approved collection or dispersion facilities;*
- *the quality and quantity of recharge to the City's sole source aquifer will be maintained consistent with use of the aquifer as a domestic water source;*
- *the City will ensure that adequate measures are available to provide, or to require developers and homeowners to provide, on-going maintenance;*
- *City approved provision for controlling storm run-off shall be made before development takes place in areas that have drainage problems;*
- *storm drainage facilities, as approved by the City, may include culverts, drywells, catchment basins, pretreatment facilities, natural or surface channel*

systems or pipelines, or other facilities developed with accepted engineering practices and standards; and such facilities will be a part of all developments and street construction in this area; and

- *Stormwater will be managed to protect water quality of streams, rivers, and other waterbodies.*

D. PARKS, RECREATION AND OPEN SPACE

Policies

- 6. Within the Florence urban growth boundary, the City and Lane County shall designate lands for possible park development purposes. Lands so designated shall be reserved for future park system expansion upon annexation.**

The proposal is consistent with this policy because the subject parcels are currently within city limits; they are currently designated for residential use in the Florence Realization 2020 Comprehensive Plan; and they were previously designated for residential use in the 1988 Florence Comprehensive Plan, prior to and following annexation to the City.

E. TELEPHONE SERVICES AND TELECOMMUNICATIONS

No specific policies in this section of Chapter 11 apply to this proposal.

F. PUBLIC SAFETY AND HEALTH RELATED SERVICES

Policies

- 7. Street names and addresses shall be assigned so as not to duplicate existing street names or have similar sounding names to assist emergency responders in locating addresses in times of needs. All new street names shall be reviewed by the Fire Marshall.**

The proposal is consistent with this policy because no new streets are proposed or anticipated in this area and, if any new streets are proposed, street names and addresses will be assigned so as not to duplicate existing street names or have similar sounding names; and all new street names will be reviewed by the Fire Marshall.

G. FIRE PROTECTION

No specific policies in this section of Chapter 11 apply to this proposal.

H. POLICE SERVICES

No specific policies in this section of Chapter 11 apply to this proposal. Chief Sanders indicated however that the Police Department would be concerned if additional mental disability client housing were developed in such close proximity to the existing housing at 8th and Laurel. HACSA has indicated no such intent.

I. HEALTH CARE

No specific policies in this section of Chapter 11 apply to this proposal.

Chapter 12 TRANSPORTATION

The proposal is consistent with the Transportation System Plan because:

- *The plan designation change is proposed to correspond with the existing development pattern on the subject and neighboring lots;*
- *The comprehensive plan designation change proposal will result in the potential increase of multi-family residential units, but at a density already existing adjacent to and on-site;*
- *the area is served by Kingwood, Maple, 11th, 10th and Laurel Streets all local streets;*
- *no transportation impact analysis is required for this proposal because the plan designation change will not result in an appreciable impact to the transportation system.*

FLORENCE CITY CODE (FCC) TITLE 10: ZONING REGULATIONS

CHAPTER 1: ZONING ADMINISTRATION

SECTION 3: AMENDMENTS AND CHANGES

FCC 10-3-B: QUASI-JUDICIAL CHANGES

1. **Initiation:** A quasi-judicial zoning change and related Comprehensive Plan changes may be initiated by application of a property owner within the affected area, by a person having substantial ownership interest in the property, by resolution of the Planning Commission or motion of the City Council, and also by individual citizens or citizen groups during Plan update as provided in The Comprehensive Plan.
3. **Notice and Public Hearing:** Notice and public hearing for quasi-judicial changes to this Code and the Comprehensive Plan shall be in accordance with Code Section 10-1-1-5.

The proposal is consistent with the criteria in FCC 10-3-B, subsections #1

and #2 because:

- *The proposal is a quasi-judicial plan designation change that affects one property in a small, defined area;*
- *The proposal was initiated by application of a property owner within the affected area; and*
- *Notice of the proposed change was provided in accordance with Code Section 10-1-1-5:*

FCC 10-1-1-5: LAND USE HEARINGS:

- A. Hearings are required for quasi-judicial land use matters requiring Planning Commission review.**
- B. Notification of Hearing:**
- 1. At least twenty (20) days prior to a quasi-judicial hearing, notice of hearing shall be provided to the applicant and to all owners of record of property within 100 feet of the subject property, except in the case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record of property within 300 feet of the subject property.**
 - 2. For a zone change application, notice of hearing shall be published three (3) times in a newspaper of general circulation, the last not more than ten (10) days prior to the date of the hearing.**

The proposal is consistent with these criteria because:

- *the Planning Commission and City Council held a public hearings on the request;*
- *notice was sent to all owners of record of property within 300 feet of the subject property; and*
- *notice was sent to all occupants of record of property within 100 feet of the subject property; and*
- *notice of the hearing was published three (3) times in the Siuslaw News, a newspaper of general circulation, the last not more than ten (10) days prior to the date of the hearing.*

ORS 227.186 NOTICE TO PROPERTY OWNERS OF HEARING ON CERTAIN ZONE CHANGE; FORM OF NOTICE; EXCEPTIONS; REIMBURSEMENT OF COST.

- (3) Except as provided in subsection (6) of this section, at least 20 days but not more than 40 days before the date of the first hearing on an**

ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause a written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

The proposal is consistent with ORS 227.186 because:

- *at least 20 days but not more than 40 days before the date of the Planning Commission hearing (first hearing) on the adopting ordinance to amend the comprehensive plan map, the City mailed a written individual notice of a land use change to the owners of each of the properties included in this proposal;*
- *the notice was approved by the City and described in detail how the proposed ordinance would affect the use of the properties;*
- *the notice contained the text required in ORS 227.186; and*
- *the proposal is to adopt an ordinance that will limit or prohibit land uses previously allowed in the affected zone.*

ORS 197.610: LOCAL GOVERNMENT NOTICE OF PROPOSED AMENDMENT OR NEW REGULATION; EXCEPTIONS; REPORT TO COMMISSION.

(1) A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption. The proposal forwarded shall contain the text and any supplemental information that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing.

The proposal is consistent with ORS 197.610 because notice to DLCD was sent on November 26, 2008, at least 45 days prior to the November 13, 2009 (first) Planning Commission public hearing and the notice contained the information required in this statute.

FCC Title 10

Chapter 13: MULTI-FAMILY RESIDENTIAL DISTRICT

Note: The criteria cited in the findings in this section of the staff report are limited to those criteria that apply to the request for a plan designation change from Medium Density Residential to High Density Residential, and not to a specific development request.

FCC 10-13-1: PURPOSE:

The Multiple-Family Residential District is intended to provide a quality environment for high density, urban, residential uses together with other compatible land uses determined to be desirable and/or necessary. (Ord. 625,6-30-80)

10-13-2: PERMITTED BUILDINGS AND USES;

Duplexes

Multiple-family dwellings, including townhouses, apartments, clusters and condominiums.

Planned unit developments (Chapter 22 of this Title).

Home occupations.

Gardens and greenhouses for the raising and harvesting of fruit, vegetables and flowers for noncommercial use.

Accessory buildings and uses to the extent necessary and normal in a residential neighborhood. Accessory buildings are not permitted in the front yard of single-family or duplex dwellings. (Ord. 625, 6-30-80; amd. Ord. 669, 5-17-82)

10-13-3: BUILDINGS AND USES PERMITTED CONDITIONALLY: The Planning Commission, subject to the procedures and conditions set forth in Chapter 4 of this Title, may grant a conditional use permit for the following buildings and uses:

Single-family dwellings.

Mobile home/manufactured home subdivisions.

Mobile homes/manufactured homes - medical hardship.

Mobile home/manufactured home parks.

Professional offices.

Neighborhood commercial.

Public parking areas.

Hospitals.

Nursing homes.

Group care homes.

Day nurseries, provided the residential character of the building is maintained.

Public or parochial schools.

Churches, except rescue missions or temporary revivals.

Public and semi-public buildings such as fire stations, reservoirs, pump stations, etc., that are essential to the physical, social and economic welfare of an area.

Public parks, playgrounds, community centers and recreational facilities. (Ord. 8, Series 1985, 5-28-85)

The proposal is consistent with this criterion because the existing and proposed units in the Laurelwood Homes development are listed as permitted uses. The two additional lots north of Laurelwood Homes and included in this application are developed with a duplex and a single family dwelling. The single family

dwelling would become a conditional use but does not become a non-conforming use. Conditional Uses are not allowed outright in any zone; the Planning Commission would be required to grant a Conditional Use Permit in order for any of the conditional uses in this section to be permitted; and no application for a Conditional Use permit has been submitted or is anticipated. The Conditional Uses listed in this section would only be allowed if the Planning Commission determined, through a separate public hearing process, that any such use met the criteria for Conditional Use approval.

STATEWIDE PLANNING GOALS

ORS 197.175: CITIES' AND COUNTIES' PLANNING RESPONSIBILITIES; RULES ON INCORPORATIONS; COMPLIANCE WITH GOALS.

(2) Pursuant to ORS Chapters 195, 196 and 197, each city and county in this state shall: (a) Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission;

The proposal is consistent with ORS 197.175 because this staff report contains findings to conclude that the proposed comprehensive plan revisions are in compliance with the goals approved by the commission. Statewide Planning Goals 1, 2, 10, 11, and 12 apply to this proposal. A finding of "Not Applicable to this Proposal" is incorporated into these findings for all other Statewide Planning Goals not specifically cited below.

Goal 1: Citizen Involvement [OAR 660-015-0000(1)]

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

The proposal is consistent with Statewide Planning Goal 1 because the proposal was advertised three times in the Siuslaw News; notice was mailed to occupants of property within 100 feet of the subject properties and to property owners within 300 feet of the subject properties; and citizens were given the opportunity to comment on the proposal in writing or in person at public hearings before the Planning Commission and the City Council.

Goal 2: Land Use [OAR 660-015-0000(2)]

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances,

in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

The proposal is consistent with Goal 2 because citizens and affected governmental units have been provided an opportunity for review and comment on the proposal. The proposed revision to the Comprehensive Plan map is interpreted as an oversight when the remainder of the site was reviewed during the last comprehensive plan review adopted in 2002;and

Goal 10: Housing [OAR 660-015-0000(10)]

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

The proposal is consistent with Goal 10 because the proposed change in Plan designation will allow higher residential densities which will increase the number of multi-family residences, a needed housing unit type, on land already developed for public housing use, thus providing affordable housing needed for low-income residents.

Goal 11: Public Facilities and Services [OAR 660-015-0000(11)]

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The proposal is consistent with Goal 11 because the subject area is within the Florence city limits and the proposal is to re-designate the area from Medium to High Density Residential in the Realization 2020 Comprehensive Plan and to apply the corresponding zoning classification of Multi-Family Residential; and key facilities and services can be provided to the area upon development, including water, wastewater, stormwater, and transportation, consistent with the policies in the Florence Realization 2020 Comprehensive Plan.

Goal 12: Transportation [OAR 660-015-0000(12)]

To provide and encourage a safe, convenient and economic transportation system.

OAR 660-012-0060

Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned

transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The proposal is consistent with Goal 12 and these provisions in the Transportation Planning Rule because the proposal corrects a map error in an adopted plan and the additional multi-family residences allowed by the proposed plan map and zoning map amendments will not significantly affect a transportation facility, as follows:

- (a) They will not cause a change in the functional classification of an existing or planned transportation facility;*
- (b) they do not change standards implementing a functional classification system; or*
- (c) as measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) they do not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) they do not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*

(C) they do not worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

VI. CONCLUSION

The proposed Comprehensive Plan Map amendment is consistent with applicable criteria in Florence Realization 2020 Comprehensive Plan, Florence City Code, Statewide Planning Goals, and Oregon Revised Statutes.

12th Street

Maple Street

11th Street

10th Street

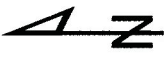
Laurelwood Court




Laurel Street

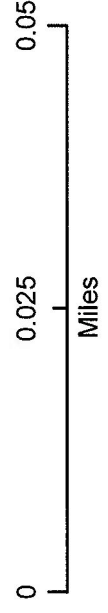
Kingwood Street

Exhibit I

City of Florence
**Comprehensive Plan Amendments
 Ordinance # 3, Series 2009**

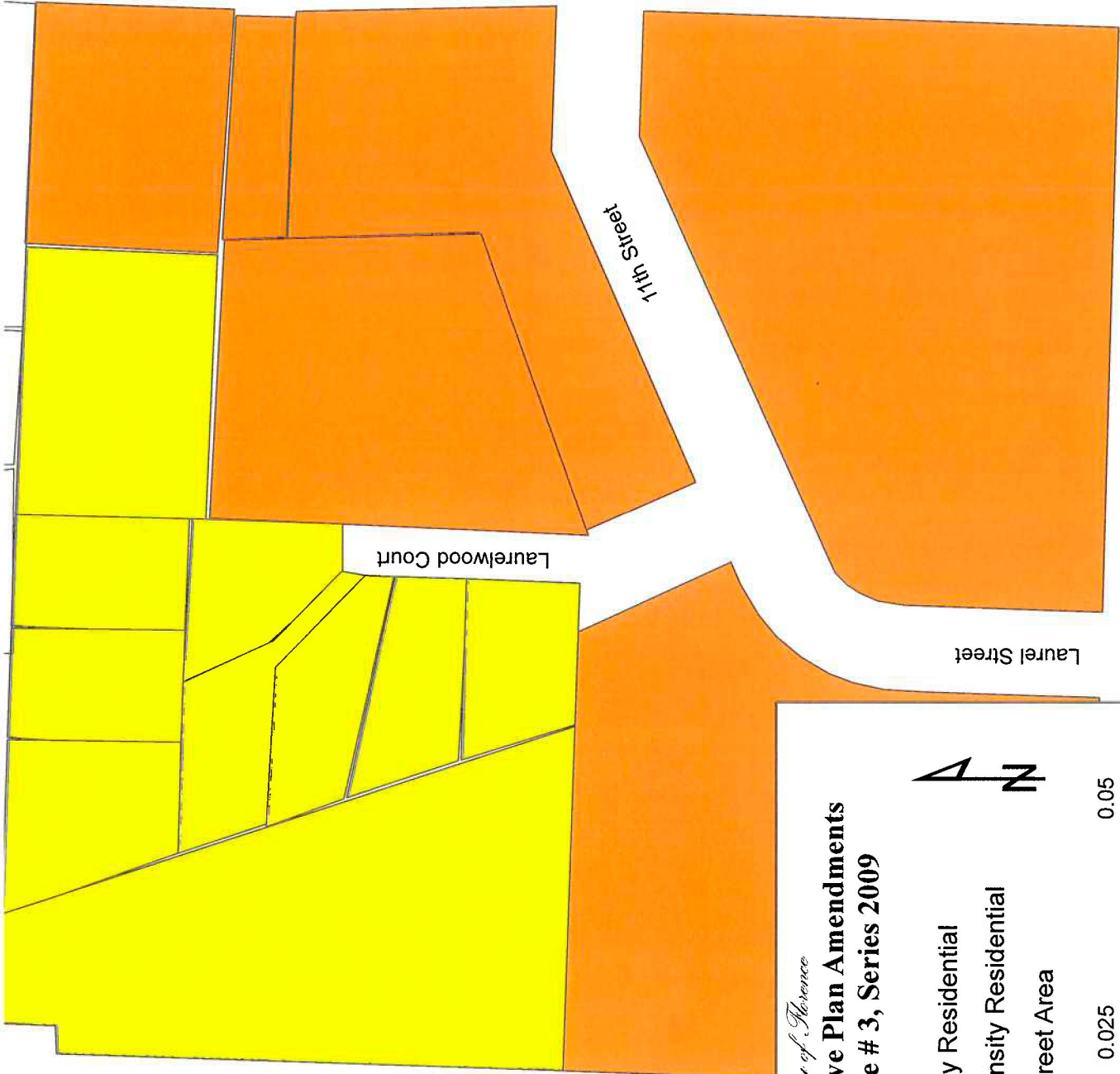


-  High Density Residential
-  Medium Density Residential
-  West 9th Street Area



Miles

February 10, 2009
 Map # 2 Series 2009-2



City of Florence
Community Development Department
250 Hwy 101
Florence, OR 97439

Attention: Plan Amendment Specialist
Department of Land Conservation
& Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

 neopost
N046J81006899
\$0 1.680
02/24/2009
Mailed From 97439
00118437