



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

4/16/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Florence Plan Amendment
DLCD File Number 001-10

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: Thursday, April 29, 2010

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Melissa Anderson, City of Florence
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner
Thomas Hogue, DLCD Regional Representative

<paa> YA



PROF 2

DLCD

Notice of Adoption

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STAMP

DEPT OF

APR 09 2010

LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Florence**

Local file number: **PC 10 01 ZC 01 & PC 10 02 TA 01 & PC 10 07 CPA 01**

Date of Adoption: **April 5, 2010**

Date Mailed: **April 8, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 1/21/10

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

The adopted package amends the zoning map boundaries and code requirements for industrial properties within and around the Pacific View Business Park. The proposal also includes a housekeeping changes to the Comprehensive Plan. Changes include amendments to Florence City Code Title 10, Chapters: 1 - Zoning Admin, 4 - Conditional Use, 6 - Design Review, 20 - Limited Industrial District, 28 - Pacific View Business District, 32 - Industrial District, and 34 - Landscaping. In general, the proposed changes 1) consolidate the Pacific View Business Park and the adjacent 40-acre parcel owned by the Port of Siuslaw under one zoning district; 2) expand the land uses allowed and add land use category definitions, 3) relax some development standards; 4) implement the Comp Plan buffering standards and 5) streamline the permit process.

Does the Adoption differ from proposal? Yes, Please explain below:

The following specific changes were incorporated into the final adopted package of amendments:

1. Conditional Use Chapter (FCC 10-4) added:
 - a. Specific conditions for "Residential Caretaker Units;"
2. Limited Industrial (FCC 10-20) and Pacific View Business Park Districts (FCC 10-28) added:
 - a. "Animal Daycare and Overnight Boarding Facility" as a conditional use;
 - b. A provision to ensure landscaping and trees do not obstruct the airport's approach path;
 - c. A provision to restrict signs to externally lit monument signs only;
3. Limited Industrial District (FCC 10-20), added:
 - a. Added standards for trash enclosures, similar to other districts.
4. Pacific View Business Park District (FCC 10-28), added:
 - a. "Crematories and Associated Mortuaries and Funeral Homes" as a permitted use;
 - b. An increase in the buffering requirement between commercial or industrial uses and residential districts from 15 feet to a 20-foot buffer;
 - c. A reference to Title 6 standards to mitigate unnecessary noise and public nuisance (e.g. odors and vibrations).
5. Modified the buffering requirements between non-residential and residential land uses in the landscaping chapter for consistency with the Comprehensive Plan.
6. Changed the reference to the zoning district of the Port property in the Comprehensive Plan for consistency with the new zoning district.

DLCD File No. 001-10(18075) [16078]

Plan Map Changed from:

to:

Zone Map Changed from: **Limited Ind.& Industrial Distr.** to: **Pacific View Business Park District**

Location: **Kingwood Street**

Acres Involved: **76.83**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. _____

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

FAA, ODA, DLCD, ODOT, Lane County, Port of Siuslaw, Central Lincoln PUD, Charter Communications, Qwest, Siuslaw Valley Fire & Rescue District

Local Contact: **Melissa Anderson**

Phone: **(541) 997-8237** Extension: _____

Address: **250 Hwy. 101 N.**

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

City: **Florence** Zip: **97439**

E-mail Address: **Melissa.anderson@ci.florenc.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to**

**CITY OF FLORENCE
ORDINANCE NUMBER 4, SERIES 2010**

IN THE MATTER OF QUASI-JUDICIAL ZONING MAP AMENEDMENTS AND LEGISLATIVE AMENDMENTS TO THE FLORENCE CITY CODE TITLE 10 AND COMPREHENSIVE PLAN RELATING TO INDUSTRIAL AREAS WITHIN AND AROUND THE PACIFIC VIEW BUSINESS PARK AND DECLARING AN EMERGENCY.

WHEREAS, the City Council established a goal in 2010 to address zoning issues within and around the Pacific View Business Park (PVBP);

WHEREAS, the City contracted with Iron Wolf Community Resources and Group Mackenzie who conducted an analysis of the industrial zones and prepared a report titled "Airport/Pacific View Business Park Project Report" in September, 2009;

WHEREAS, the report recommended consolidating the industrial zoning districts in order to eliminate confusion, expand the allowed land uses and streamline the land use approval process;

WHEREAS, the City Council initiated amendments to the industrial zoning districts by motion on January 19, 2010, after multiple work-sessions and receiving input from interested parties, including the Port of Siuslaw;

WHEREAS, the City sent notice of the proposed code amendments to the Department of Land, Conservation and Development on January 21, 2010, not less than 45 days prior to the first evidentiary hearing as required by state law and the Florence City Code;

WHEREAS, the City sent notice to affected and surrounding property owners of the Planning Commission work-session and public hearing and posted the information on the web site and at City Hall on February 2, 2010;

WHEREAS, the Planning Commission held a work-session that was open to the public on the proposed rezone and code amendments on February 9, 2010;

WHEREAS, the City published a notice of hearing in the Siuslaw News on February 24, 2010 prior to the Planning Commission conducting a public hearing March 9, 2010;

WHEREAS, the Planning Commission closed the public hearing and deliberated to a decision for a recommendation to the City Council on March 9, 2010;

WHEREAS, the City posted a notice on the Port of Siuslaw property and on the Pacific View Business Park on March 15, 2010;

WHEREAS, the City sent notice of the City Council public hearing to affected and surrounding property owners and people who had commented during the Planning Commission public hearing process on March 18, 2010;

WHEREAS, the City posted notice on the website and at City Hall on March 18, 2010 and published the notice in the Siuslaw News on March 20, 2010;

WHEREAS, the City Council held a public hearing, closed the public record and deliberated to a final decision on April 5, 2010;

WHEREAS, the zoning map amendments consolidate the industrial zoning districts, and the proposed text amendments to Title 10 expand the allowed land uses, provide land use category definitions, relax development standards and streamline the permitting process;

WHEREAS, the City Council finds the proposed text, zoning map and Comprehensive Plan amendments are consistent with applicable criteria in Florence City Code, Realization 2020 Florence Comprehensive Plan, Statewide Planning Goals, Oregon Administrative Rules and Oregon Revised Statutes;


NOW, THEREFORE, THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

- Section 1. Adopt the Findings of Fact (Exhibit A);
- Section 2. Amend the Zoning Map (Exhibit B);
- Section 3. Amend FCC, Title 10 Chapter 1, Zoning Administration (Exhibit C);
- Section 4. Amend FCC, Title 10 Chapter 4, Conditional Uses (Exhibit D)
- Section 5. Amend FCC, Title 10 Chapter 6, Design Review (Exhibit E);
- Section 6. Amend FCC, Title 10 Chapter 20, Limited Industrial District (Exhibit F);
- Section 7. Amend FCC, Title 10 Chapter 28, Pacific View Business Park District (Exhibit G);
- Section 8. Delete FCC, Title 10 Chapter 32, Industrial District (Exhibit H);
- Section 9. Amend FCC, Title 10 Chapter 34, Landscaping (Exhibit I);
- Section 10. Amend Realization 2020, Florence Comprehensive Plan Chapter 2, Land Use (Exhibit J)
- Section 11. Inasmuch as it is necessary to expand the allowed land uses and streamline the land use approval process of the Pacific View Business Park for economic development, an emergency is hereby declared to exist and this Ordinance shall take effect immediately following its adoption by the Council and approval by the Mayor.

Passed by the Florence City Council this 5th day of April, 2010.

AYES 5 Councilors Franzen, Xavier, Burns, Roberts, Mayor Brubaker
NAYS _____
ABSTAIN _____
ABSENT _____

APPROVED BY THE MAYOR, this 5th day of April, 2010.



Phil Brubaker, MAYOR

ATTEST:



Pat Heinze, CITY RECORDER

**CITY COUNCIL FINDINGS
FLORENCE COMMUNITY DEVELOPMENT DEPARTMENT
Exhibit A**

City Council

Public Hearing Date: April 5, 2010

Planner Name: Melissa Anderson

Ordinance: Ordinance 4, Series 2010

Files: CC 10 01 ZC 01, CC 10 02 TA 01 and CC 10 07 CPA 01

I. PROPOSAL

The City of Florence is proposing to amend the zoning map boundaries and code requirements for industrial properties within and around the Pacific View Business Park. These industrial areas include the Pacific View Business Park, the adjacent 40-acre parcel owned by the Port of Siuslaw and the Airport Industrial Park, all of which have the same Comprehensive Plan Designation of "Business/Industrial Park." The specific amendments are presented in Exhibits B through J and summarized as follows. The proposal:

- Consolidates three zoning districts into one zoning district;
- Expands the land uses allowed in the Pacific View Business Park and the Port property, maintains generally the same type of land uses already allowed in the Airport Industrial Park, and provides additional land use category definitions;
- Relaxes requirements on lot size and coverage for properties proposed for the Pacific View Business Park zoning district;
- Implements Comprehensive Plan buffering standards; and
- Streamlines the permit process by removing requirement for a public hearing on new construction and instead allows administrative (staff) review for permitted uses.

The proposal includes both zoning map and code changes, as well as a housekeeping amendment to the Comprehensive Plan. These are described below.

Zoning Code Amendments (File CC 10 02 TA 01): The proposed zoning code changes are legislative amendments to the Florence City Code (FCC) Title 10 Chapters: 1 – Zoning Administration, 4 – Conditional Uses, 6 – Design Review, 20 – Limited Industrial District, 28 – Pacific View Business Park District, 34 – Landscaping and deletion of 32 – Industrial District.

Zoning Map Amendments (File CC 10 01 ZC 01): The proposed zoning map changes are quasi-judicial amendments, and the specific properties proposed to be rezoned are illustrated in a map and described in a table in Exhibit B. The proposed map amend-

ments:

- Rezone the 40-acre Port of Siuslaw property from "Limited Industrial" (FCC 10-20) to the "Pacific View Business Park District" (FCC 10-28); and
- Rezone properties within the southern area of the Pacific View Business Park, currently zoned "Industrial District" (FCC 10-32) to the "Pacific View Business Park District" (FCC 10-28).

Comprehensive Plan Amendment (File CC 10 07 CPA 01): The proposed housekeeping change is a legislative amendment to Realization 2020, Florence Comprehensive Plan, Chapter 2, Land Use. Due to the fact that the Port property is proposed to be rezoned from "Limited Industrial" District to "Pacific View Business Park" District, the reference to the zoning district of the Port property is changed for consistency with the proposed zoning district; however, this housekeeping revision does not affect the Comprehensive Plan map designation of the Port property, which is "Business/Industrial Park."

II. BACKGROUND

The proposal implements one of the City Council goals for 2010, which is to address the industrial zoning districts within and around the Pacific View Business Park. The Council began discussing issues surrounding the Pacific View Business Park at a round-table discussion in April of 2008, and followed-up with a work session on the subject in June of that year. Some of the issues identified were the economic viability, allowed land uses and conflicts with the zoning code and the Covenants, Conditions and Restrictions (CC&Rs) of the Pacific View Business Park. Since these initial discussions, the Council has approved amendments to the allowed land uses within the zoning district and eliminated the CC&Rs. However, a comprehensive evaluation of the industrial zones within and around the Pacific View Business Park had not yet been completed.

Therefore, the City contracted with Iron Wolf Community Resources and Group Mackenzie to analyze these industrial lands and their report¹ was completed in September, 2009. The study concluded that the zoning is separated into three zoning districts, which has complicated both the identity and desired development for these industrial areas. To address this, the report recommended consolidating these industrial zoning districts in order to eliminate confusion, streamline the land use approval process and create a "*fast, friendly and flexible*" development process.

Therefore, after multiple work sessions and collecting input from interested parties, including the Port of Siuslaw, the City Council initiated proposed zoning map and code amendments on January 19, 2010. In general, the Council initiated amendments to expand the allowed land uses, streamline the development permit process and consolidate the industrial zoning districts within and around the Pacific View Business Park.

Following Council's initiation, the Planning Commission held a work session on February 9, 2010 to review and discuss the proposed amendments. Prior to the work session,

¹ "Airport/Pacific View Business Park Project Report" prepared by Iron Wolf Community Resources and Group Mackenzie (Sept., 2009)

a notice was mailed to property owners notifying them of the work session and the future public hearing. At the work session, the Planning Commission directed staff to make some changes for clarification and consistency. These changes have been incorporated into the proposal. Outstanding issues either brought up by the Planning Commission at the work session or through agency or public comment were discussed at the public hearing on March 9, 2010 and changes were incorporated into the recommendation to City Council.

III. NOTICE AND REFERRALS

1. Notice:

The notice of the Planning Commission work session and public hearing was mailed to affected and surrounding property owners on February 2, 2010 and posted on the City web site and at City Hall on February 2, 2010, as well as published in the Siuslaw News on February 24th, 2010 as required by State law and the Florence City Code.

Prior to the City Council public hearing, the City posted a notice on the Port of Siuslaw property and on the Pacific View Business Park on March 15, 2010. The notice of the City Council public hearing was mailed to affected and surrounding property owners and people who had commented during the Planning Commission public hearing process on March 18, 2010. The City also posted notice on the website and at City Hall on March 18, 2010 and published the notice in the Siuslaw News on March 20, 2010.

2. Referrals:

Notice of the proposed City Code Amendments was sent to the Department of Land, Conservation and Development (DLCD) on January 21, 2010 not less than 45 days prior to the proposed first evidentiary hearing of March 9, 2010, as required by State law and the Florence City Code.

On January 26th, 2010 referrals were also sent to:

- Florence Municipal Airport
- Florence Police Department
- Florence Code Enforcement
- Florence Building Official
- Florence Public Works Department
- Century West Engineering (City's Engineer for the Florence Airport)
- Central Lincoln PUD
- Charter Communications
- Qwest
- Lane County Land Management
- Siuslaw Valley Fire & Rescue
- Florence Area Chamber of Commerce
- Port of Siuslaw

Oregon Coast Military Heritage Museum
State of Oregon Department of Land, Conservation and Development
State of Oregon Department of Transportation
State of Oregon Department of Aviation (ODA)
Federal Aviation Administration (FAA)

IV. APPLICABLE CRITERIA

1. **Florence City Code (FCC) Title 10: Zoning Regulations**
 - Chapter 1, Zoning Administration:
 - Section 1-3 Amendments and Changes:
 - Section B Quasi-Judicial Changes
 - Section C Legislative Changes
 - Section 1-1-5 Land Use Hearings
 - Section 1-2-2 Change of Boundaries on Zoning Map
2. **Florence Realization 2020 Comprehensive Plan**
 - Chapter 1: Citizen Involvement
 - Chapter 2: Land Use
 - Chapter 9: Economic Development
 - Chapter 12: Transportation
3. **Statewide Planning Goals:**
 - Goal 1: Citizen Involvement [OAR 660-015-0000(1)]
 - Goal 2: Land Use [OAR 660-015-0000(2)]
 - Goal 9: Economic Development [OAR 660-015-0000(9)]
4. **Oregon Administrative Rules (OAR)**
 - OAR 660-012-0060: Plan and Land Use Regulation Amendments
5. **Oregon Revised Statutes (ORS)**
 - ORS 197.610: Local government notice of proposed amendment or new regulation; exceptions; report to commission
 - 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

V. FINDINGS

Florence City Code (FCC)

Title 10 Zoning Regulations, Chapter 1 Zoning Administration

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

- A. **Hearings are required for quasi-judicial land use matters requiring Planning Commission review.**

Finding: The proposal is consistent with this criterion because the Planning Commission held a work session on February 9, 2010 and then a public hearing on the proposed rezone and code changes March 9, 2010, prior to making a recommendation on the matter to the City Council for a final decision.

B. Notification of Hearing:

1. **At least twenty (20) days prior to a quasi-judicial hearing, notice of hearing shall be posted on the subject property and 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.**
 - a. **Notice shall also be provided to the airport as required by ORS 227.175 and FCC 10-21-2-4.**
 - b. **For a zone change application with two or more evidentiary hearings, notice of hearing shall be mailed no less than ten (10) days prior to the date of the Planning Commission hearing and no less than ten (10) days prior to the date of the City Council hearing.**
 - c. **For an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.186 and ORS 227.175(8).**

Finding: The proposal is consistent with these criteria because notice of hearing was sent to all industrial property owners and owners of record of property within 300 feet of the Pacific View Business Park, Airport Industrial Park and the 40-acre Port of Siuslaw property, on February 2, 2010, at least 20 days prior to the first evidentiary hearing with the Planning Commission and was posted on the City's web site and at City Hall on February 2, 2010.

Additionally, prior to the City Council public hearing, the City posted a notice on the Port of Siuslaw property and on property in the Pacific View Business Park on March 15, 2010. Notice was also mailed to all industrial property owners and owners of property within 300 feet of the Pacific View Business Park, Airport Industrial Park and the 40-acre Port of Siuslaw property, as well as those people who had commented during the Planning Commission public hearing process on March 18, 2010, no less than 10 days prior to the date of the City Council hearing. The City also posted notice of the Council hearing on the website and at City Hall on March 18, 2010 and published a notice in the Siuslaw News on March 20, 2010.

- a. **Notice and request for comment was sent to the Florence Municipal Airport, Oregon Department of Aviation and Federal Aviation Ad-**

- ministration on January 26, 2010, consistent with ORS 227.175.
- b. Notice of hearing was sent on February 2, 2010 to all owners of record of property that are proposed to be rezoned in accordance with ORS 227.186; the criteria of ORS 227.186 are addressed in a following section and those findings are incorporated herein.
 - c. The properties proposed to be rezoned do not include mobile homes or manufactured home parks; therefore, ORS 227.175(8) does not apply.
2. **Prior to a quasi-judicial hearing, notice shall be published one (1) time in a newspaper of general circulation.**

Finding: The proposal is consistent with this criterion because a public notice was published in the Siuslaw News on February 24, 2010, prior to the initial evidentiary hearing with the Planning Commission on March 9, 2010. Notice was published again in the Siuslaw News on March 20, 2010, prior to the hearing with the City Council on April 5, 2010.

10-1-2-2: CHANGE OF BOUNDARIES ON ZONING MAP: The basic purpose of this Title is to indicate the zoning districts into which the City is divided and to set forth the uses permitted in each zone. The zoning districts are shown on the Zoning Map which is an integral part of this Title. The map shall be prepared from base maps which clearly indicate property lines as well as lot, block and street lines. Once adopted, one copy of the Zoning Map shall be filed with the City Recorder and never destroyed or altered in any way. Amendments to the map (zone boundary changes) shall be indicated on subsequent maps, dated and filed with the map originally adopted. Each map shall bear the signature of the Planning Commission chairman who shall testify to their authenticity.

Finding: The proposal to rezone property to the Pacific View Business Park District is consistent with these criteria because:

- The new zoning map boundaries shall be filed with the adopting ordinance with the City Recorder and kept in perpetuity;
- Future amendments to the zoning map boundaries will be indicated on subsequent maps and filed with the City Recorder; and
- The new zoning map boundaries shall be signed by the Planning Commission Chair.

10-1-3: AMENDMENTS AND CHANGES:

A. Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes or amendments shall be made in accordance with the procedures in this Section.

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.

Finding: The proposal to rezone properties to the Pacific View Business Park District is a quasi-judicial change and consistent with this criterion because the City Council initiated the amendments by motion at their regularly scheduled meeting on January 19, 2010.

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.

Finding: The proposal to rezone properties to the Pacific View Business Park District is consistent with this criterion because the notice for public hearing was prepared in accordance with the criteria of FCC 10-1-1-5, which was addressed in the previous section and those findings are incorporated herein.

C. Legislative Changes:

1. **Initiation:** A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission or by a request of the Council to the Planning Commission that proposes changes be considered by the Commission and its recommendation returned to the Council, or by an application for an amendment by a citizen.

Finding: The proposed text amendments to the zoning code are a legislative change and consistent with this criterion because the City Council initiated the amendments by motion at their regularly scheduled meeting on January 19, 2010. The Planning Commission held a public hearing on March 9, 2010, prior to making a recommendation on the proposed amendments and returning the matter to the City Council for a final decision.

2. **Notice and Public Hearing:** Such notice and hearing as prescribed by State law and the Comprehensive Plan then in effect.

Finding: The proposal is consistent with this criterion because:

- Notice for public hearing was prepared in accordance with the criteria of FCC 10-1-1-5, which was addressed in the previous section and

- those findings are incorporated herein;
- Notice of hearing was prepared and sent to all affected owners of property in accordance with ORS 227.186; the criteria of ORS 227.186 are addressed in a following section and those findings are incorporated herein; and
- Notice of the proposed amendments was sent to DLCD in accordance with ORS 197.610; the criteria of ORS 197.610 are addressed in a following section and those findings are incorporated herein.

Realization 2020, Florence Comprehensive Plan

Plan Adoption, Amendments, Review and Implementation

Adoption of the Plan represents a commitment by the City to attempt the achievement of what the Plan proposes and is considered by other governmental units, the courts and the public to be a statement of policy. City ordinances covering development and land use must be consistent with the intent of the Plan. Federal, State, County and Special District land use actions must also be consistent with the Plan. (pp. 2-3)

Finding: The proposed amendments to the City ordinances relate to the industrial zoning districts within and around the Pacific View Business Park. The applicable Plan policies for the proposed amendments are addressed in the policies that follow. These findings are incorporated herein.

Chapter 1: Citizen Involvement

Citizen Involvement Goal: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policies:

- 4. Official City meeting shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment. (pg. I-1)**

Finding: The proposal is consistent with this policy because the notice of the Planning Commission work session and public hearing was mailed to affected and surrounding property owners on February 2, 2010 in accordance with FCC 10-1-1-5 and ORS 227.186 and was published in the Siuslaw News on February 24, 2010. Additionally, the agenda and proposed amendments were posted on the City's web site, prior to the hearing. Citizens were provided the opportunity to comment on the proposed amendments and the Planning Commission made changes where appropriate to address those comments.

In addition, the City posted a notice on the Port of Siuslaw property and on the Pacific View Business Park on March 15, 2010. The notice of the City Council public hearing was mailed to affected and surrounding property owners and people who had commented during the Planning Commission public hearing process on March 18, 2010, and was published in the Siuslaw News on March 20, 2010. Additionally, the agenda and proposed amendments were posted on the City's web site, prior to the Council hearing. Citizens were provided the opportunity to comment on the proposed amendments prior to the Council's deliberation and final decision.

5. **Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public. (pg. I-1)**

Finding: The proposal for these actions is consistent with this policy because minutes of all meetings are kept at City Hall, posted on the City web site and made available on request to the public.

6. **Planning documents and background data shall be available to interested citizens. (pg. I-1)**

Finding: The proposal for these actions is consistent with this policy because the staff report is made available to the public prior to the public hearing as well as posted on the City web site.

Chapter 2: Land Use

Industrial

Goal: To develop industrially planned and zoned lands within the Florence area for suitable research and development, manufacturing, processing, assembly, storage and distribution, construction and development-related uses, and airport-related uses.

Policies:

1. **The City shall encourage development of the City's Pacific View (Kingwood) Business Park, which has been planned and zoned, and for which infrastructure is provided, to readily accommodate suitable light industrial, and research and development uses and to provide for businesses and industries that provide family wage year-round employment.**

Finding: The proposal is consistent with this policy because the zoning map and code amendments encourage the appropriate type of development within the Pacific View Business Park for the following reasons:

- The purpose statement of the Pacific View Business Park District (FCC 10-28-1) has been amended to be more consistent with this policy and reads as follows: "*The Pacific View Business Park District is intended to provide areas for offices, service businesses, light industrial and manufacturing, and research and development facilities with the goal*

of providing businesses and industries that provide family-wage year-round employment;"

- The three zoning districts within and around the Pacific View Business Park have been consolidated under one zoning district in order to eliminate confusion;
- The allowed land uses have been expanded and land use category definitions have been added;
- Development standards, such as lot size, coverage and setbacks have been relaxed; and
- The permitting process has been streamlined to allow administrative review of permitted uses rather than public hearings.

2. **The City shall encourage development of the Port of Siuslaw's industrial lands located west of the Pacific View Business Park. The City will work with the Port through a cooperative effort in planning, marketing, and providing infrastructure whenever it is in the City's interest to do so.**

Finding: The proposal is consistent with this policy because the City Council worked in cooperation with the Port of Siuslaw prior to initiating the proposed zoning map and code amendments, and continued to work with the Port throughout the planning process. The proposed amendments are intended to support development of the Port's 40-acre parcel (which is adjacent to the Pacific View Business Park) by creating a faster and more flexible permitting process.

3. **The City shall encourage continued use of the City's Airport Industrial Park for location and operation of heavy commercial and light industrial uses.**

Finding: The proposal is consistent with this policy because the majority of land uses already allowed in the Airport Industrial Park's "Limited Industrial" District zone is proposed to remain the same. Further, heavy commercial and light industrial land uses are permitted uses in the Airport Industrial Park.

4. **The City shall maintain lands planned and zoned for industrial uses within Industrial zones free from the encroachment of incompatible land uses such as residential, public or private schools and day care centers, active parks, or retail use as a principal use.**

Finding: The proposal is consistent with this policy because encroachment on industrial uses by incompatible land uses is restricted in the Pacific View Business Park and Limited Industrial Districts. For example, residential use, schools, day care centers, parks and open space, and retail uses are not allowed as a principal use, and either only allowed as an accessory use, limited in size, or not permitted in these industrial districts.

5. **The City shall encourage heavy commercial uses, such as contractors' yards; sand, gravel and landscape material supply yards (wholesale and retail); lumber yards; concrete batch plants; truck and equipment rental and leasing with outside storage of vehicles and equipment; salvage operations; and other similar uses should be encouraged to locate or relocate in the Airport Industrial Park or in the Service Industrial District on Highway 101. Expansions of such uses in other districts should be limited to expansions on the existing site only.**

Finding: The proposal is consistent with this policy because the majority of land uses already allowed in the Airport Industrial Park's "Limited Industrial" District zone is proposed to remain the same; and there are no changes proposed for the Service Industrial District. Further, heavy commercial land uses are permitted uses in the Airport Industrial Park

6. **New industrial development shall observe the City's performance standards regulating noise, glare, dust, odor, and fire hazards to insure that the City's clean air, water and other natural resources are not adversely affected by such development.**

Finding: The proposal is consistent with this policy because the proposed Pacific View Business Park District (FCC 10-28) and the Limited Industrial District (FCC 10-20) require any permitted use with potential negative impacts to be processed as a conditional use permit. Specifically, these zoning districts require that *"If any permitted building or use has the potential to be hazardous, obnoxious, offensive or unsightly by reason of emission of odor, sound, vibration, radioactivity, electrical interference, flare, liquid or solid wastes, smoke or other air pollutants, said buildings or uses shall be required to obtain a conditional use"*. Further, both of these zoning districts also require adherence to the requirements of the Airport Safety and Compatibility Overlay Zone (FCC 10-21-2), which mitigates for potential impacts of glare, outdoor lighting and industrial emissions.

Recommendations:

1. **The City should continue to support lands within City limits planned and zoned for industrial developments by providing adequate vehicle access, water, sanitary and storm sewer, and prevent the encroachment of incompatible land uses which could limit the effectiveness of such areas to attract development as planned. Developers may be required to share a portion of those costs on a pro-rated basis.**

Finding: The proposal is consistent with this recommendation because:

- The Pacific View Business Park and has already been subdivided, some lots have been developed and the infrastructure necessary to support development of those lots has either been provided or is available to extend for future services;
- The Airport Industrial Park has already been developed and the infrastructure necessary to support those lots is provided;

- The developer(s) of the 40-acre Port property will be required to provide adequate vehicle access, water, sanitary and stormwater service when the property is subdivided and developed; and
- Encroachment on industrial uses by incompatible land uses is restricted in the Pacific View Business Park and Limited Industrial Districts. For example, residential use, schools, day care centers, parks and open space, and retail uses are not allowed as a principal use, and either only allowed as an accessory use, limited in size, or not permitted in these industrial districts.

2. The City should continue to provide municipal airport access to adjoining industrial uses as a feasible alternative mode of transporting manufactured goods and supplies to and from the Florence area.

Finding: The proposal is consistent with this recommendation because the code changes support industrial land uses in the Airport Industrial Park and the Pacific View Business Park, and do not impede existing access to the municipal airport.

3. Industrially-related traffic, typically involving heavy vehicles, should not be routed to and from industrial areas through residential neighborhoods and commercial core areas with the exception of Highways 101, 126/9th Street, Kingwood, 27th and 35th Streets.

Finding: The proposal is consistent with this recommendation because the amendments do not re-route industrially-related heavy vehicle access through residential neighborhoods. Kingwood Street runs from 9th Street north through the Pacific View Business Park and the Airport Industrial Park, and terminates at 35th Street. Kingwood Street, 9th, 27th and 35th Streets provide vehicular access to these two parks. Access to the 40-acre Port property will be from the east through an extension of Pacific View Drive within the Pacific View Business Park.

4. Sufficient site planning should be conducted as part of development of an industrially zoned property to allow for adequate on-site circulation, parking and loading for autos and heavy vehicles, access for emergency vehicles, and stormwater drainage to provided facilities.

Finding: The proposal is consistent with this recommendation because:

- The Pacific View Business Park and the Airport Industrial Park has already been subdivided and either developed, or the infrastructure necessary to support development of those lots is available or has been provided;
- The developer(s) of the 40-acre Port property will be required to provide adequate vehicle access, water, sanitary and stormwater service when the property is subdivided and/or developed; and
- New development in these industrial areas will be required to comply

with the access and circulation standards of FCC 10-35.

5. **Where industrial sites front on Kingwood Street or Pacific View Drive or Highway 101, adequate measures should be taken by developers to landscape the lot frontage, and, when present, incorporate native vegetation into such plans.**

Finding: The proposal is consistent with this recommendation because properties within the Pacific View Business Park District and the Limited Industrial District must comply with the landscaping requirements of FCC 10-34, which requires landscaping to be located within the first 20 feet of a property abutting a street, in addition to incentives for preserving native vegetation.

6. **Industrial developments should provide a landscaped buffer and/or a minimum 6 foot high solid wood fence or architectural block wall as proposed in the table below when proposed abutting land planned or used for residential development.**

Adjoining Land Use / Zoning	Landscaped Buffer	Fence or Wall
Abutting single family zoning or use	35 Feet	6' solid wood fence or architectural block wall
Abutting duplex, triplex or townhouse zoning or use	25 Feet	6' solid wood fence or Architectural block wall
Abutting multiple family or condominiums	15 Feet	6' solid wood fence or Architectural block wall

Finding: The proposal is consistent with this recommendation because The existing provisions in FCC 10-28 PVBD and FCC 10-20 Limited Industrial District both require adherence to FCC 10-34 Landscaping, which requires a visual and noise buffer between an industrial use and residential districts. Specifically, landscaping code Section FCC 10-34-3-7-D requires:

- Both a 15-foot wide buffer strip in addition to a solid wood fence or block wall or a 15- to 35-foot buffer landscaped buffer, depending on the adjoining residential zone or land use;
- The landscaped buffer must screen at least 70 percent of the view between districts within five (5) years; and
- The fence or wall must be at least 6 feet and no more than 8 feet in height.

Additionally, within the Pacific View Business Park District, a minimum of a 20-foot buffer is required where a commercial or industrial use abuts a residential district.

Business/Industrial Park Map Designation

The Business/Industrial Park designation applies to the 17-acre Airport Industrial Park; the 70-acre Pacific View (Kingwood) Business Park, and the 40 acres west of the City's Pacific View Business Park owned by the Port of Siuslaw. The three implementing zoning districts for these Plan designations are, respectively: Industrial Park District, Pacific View Business Park District, and Limited Industrial District. In addition, a portion of some of these areas is subject to the City's Airport Overlay District.

Kingwood Street runs from 9th Street north through these two parks, and terminates at 35th Street. Kingwood Street, Ninth, 27th, and 35th Streets provide vehicular access to these two parks. The Pacific View Business Park is an economic development effort of the City and is intended to attract uses that bring family wage jobs to Florence in an effort to replace some of those jobs lost as a result of declines in the timber and fishing industries. Lots within this park in the area of Pacific View Drive north of 27th Street are intended for research and development, professional office, and other light industrial uses that may wish to take advantage of the scenic views of the Pacific Ocean and the Siuslaw River to the west. Pacific View Business Park has some Federal Aviation Agency stipulations regarding leasing of certain lots, and, a portion of the park is subject to the City's airport overlay district zoning regulations restricting height of buildings.

The Port of Siuslaw obtained 40 acres west of the City's Pacific View Business Park from Lane County in 1998 for economic development purposes. The Port's plans for development of this property will continue to develop during the 20-year planning period. Development of the Port-owned 40-acre site shall be sensitive to the adjoining residential land uses to the north and to the west, and shall observe any height limitations imposed in uses to the north and to the west, and shall observe any height limitations imposed in the airport clear and transitional zones. Access to this property shall be from the east, resulting from the extension of Pacific View Drive within the Pacific View Business Park. Undisturbed buffers of 100 feet shall lie between proposed industrial uses and those adjoining residential developments (beginning at the property line). Although zoned *Limited Industrial*, use of the City's planned unit development ordinance should be encouraged to promote a high quality, coordinated development of these uplands promoting extremely significant estuary, dune and ocean views. Reductions in buffers up to 50% may be considered for research and development or office uses which address compatibility issues with adjoining properties through high quality architecture, significant landscaping and screening, protection and use of existing vegetation or dunal formations, and compatible building massing.

Finding: The proposal is consistent with this recommendation because:

- The allowed land uses in the Pacific View Business Park are proposed to be expanded to allow professional office use (e.g. research and development) as a permitted use, and are proposed to continue to allow light industrial uses in the district.

- The Pacific View Business Park District and Limited Industrial District require adherence to the standards of the Airport Safety and Compatibility Overlay Zone (FCC 10-21-2), which limits building height and mitigates for potential impacts of glare, outdoor lighting and industrial emissions.
- A new development standard has been added as FCC 10-28-5-G in order to implement the buffer requirement of Comprehensive Plan. This new provision requires development on the 40-acre Port property to include an undisturbed buffer of at least 100 feet is on the between industrial uses and adjoining residential developments on the north, measured from the property line. Reductions in buffers up to 50% may be granted if specific compatibility provisions of the proposed code are met and approved by the City.
- The reference to the zoning district of the Port property is proposed to be changed from "Limited Industrial" District to "Pacific View Business Park" District for consistency with the proposed zoning district; however, this house-keeping revision does not affect the "Business/Industrial Park" map designation or the supply of industrial land.

Chapter 12: Transportation

Policies:

9. **The City shall protect the function of existing and planned transportation systems as identified in this Plan through application of appropriate land use and access management techniques.**

Finding: The proposal is consistent with this policy because Section 10-20-5-G of the Limited Industrial District and Section 10-28-5-N of the Pacific View Business Park District require compliance with the standards of FCC 10-36 "Public Facilities" and FCC 10-35 "Access and Circulation." The access standards of FCC 10-35 provide minimum standards to protect the function of existing and planned roadways; and the street standards of FCC 10-36 ensure planned roadways are designed and constructed consistent with the transportation system plan.

28. **The City shall continue to discourage new residential uses, schools, hospitals, and similar facilities in the approach zones of the airport.**

Finding: The proposal is consistent with this policy because:

- New residential uses, schools, hospitals, and similar facilities are not allowed as a principal use, and either only allowed as an accessory use, limited in size, or not permitted in these industrial districts, which includes areas within the approach zones of the airport; and
- The Pacific View Business Park District and Limited Industrial District require adherence to the standards and notification requirements of the Airport Safety and Compatibility Overlay Zone (FCC 10-21-2).

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;

Finding: 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, and 9 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.

Finding: The proposal is consistent with Statewide Planning Goal 1 because the proposal was advertised in the Siuslaw News; notice was mailed to property owners of all affected 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.

Finding: The proposal is consistent with Goal 2 because the proposed house-keeping revision to the Comprehensive Plan text is to provide consistency with the proposed zoning district for the Port property; and citizens and affected governmental units have been provided an opportunity for review and comment on the proposal.

Goal 9: Economic Development [OAR 660-015-0000(9)]

Comprehensive plans for urban areas shall provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

Finding: The proposal is consistent with Goal 9 because the proposed house-keeping revision to the Comprehensive Plan text does not affect the "Business/Industrial Park" map designation or the supply of industrial land. The Port property is proposed to be rezoned from Limited Industrial District to Pacific View Business Park District; however, the "Business/Industrial Park" map designation of the Port property and the supply of industrial land in the urban area will remain the same.

Oregon Administrative Rules

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.

Findings: The proposal is consistent with these provisions in the Transportation

Planning Rule because the proposal consolidates three existing industrial districts into one industrial district and the 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.

Oregon Revised Statutes

The procedures for legislative decisions and public hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law. The sections of State statute that relate to the proposed amendments are listed below with findings to address consistency with these State laws.

ORS 197.610: Local Government Notice of Proposed Amendment or New Regulation; Exceptions; Report to Commission.

197.610(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.

Finding: The proposal is consistent with this statute because notice to DLCD was sent on January 21, 2010 at least 45 days prior to the March 9, 2010 (first) evidentiary hearing and the notice contained the information required in this statute.

ORS 197.763: Conduct of Local Quasi-Judicial Land Use Hearings; Notice Requirements; Hearing Procedures:

Finding: The procedures for quasi-judicial land use hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law ORS 197.763. These procedures have been met as described in the criteria listed above, FCC 10-1-1-5, and are incorporated herein.

ORS 227.186: Notice to Property Owners of Hearing on Certain Zone Change; Form of Notice; Exceptions; Reimbursement of Cost.

227.186(4) At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, a city shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

Finding: The proposal is consistent with this statute because notice to property owners was mailed on February 2, 2010, which is at least 20 days but not more than 40 days before the date of the first hearing on the proposed ordinance to amend the zoning map and City code. Notice was mailed to all owners of property that the map and code amendments may affect and the notice contained the information required in this statute.

VI. CONCLUSION

The proposed amendments to the Florence City Code Title 10, zoning map and the Comprehensive Plan are consistent with the applicable criteria in the Florence City Code, Florence Realization 2020 Comprehensive Plan, Statewide Planning Goals, Oregon Administrative Rules and Oregon Revised Statutes.

Zoning Map Amendments

The specific properties proposed to be rezoned are described below with acreage and map and tax lot numbers.

Item	Map & Tax Lot No.	Acres	Existing Zone	Proposed Zone
1	18-12-22-00-00701 (Port of Siuslaw)	38.79	Limited Industrial District	Pacific View Business Park District
2	18-12-22-13-02500	1.5	Industrial District	Pacific View Business Park District
3	18-12-22-13-02600	1.39	Industrial District	Pacific View Business Park District
4	18-12-22-13-01800	NA	Industrial District	Pacific View Business Park District
5	18-12-22-42-00100	0.86	Industrial District	Pacific View Business Park District
6	18-12-22-42-00200	1.01	Industrial District	Pacific View Business Park District
7	18-12-22-42-00300	0.65	Industrial District	Pacific View Business Park District
8	18-12-22-42-00400	1.00	Industrial District	Pacific View Business Park District
9	18-12-22-42-00500	1.13	Industrial District	Pacific View Business Park District
10	18-12-22-42-00600	0.68	Industrial District	Pacific View Business Park District
11	18-12-22-42-00700	0.61	Industrial District	Pacific View Business Park District
12	18-12-22-42-00800	0.66	Industrial District	Pacific View Business Park District
13	18-12-22-42-00900	1.37	Industrial District	Pacific View Business Park District
14	18-12-22-42-01001	0.63	Industrial District	Pacific View Business Park District
15	18-12-22-42-01002	0.28	Industrial District	Pacific View Business Park District
16	18-12-22-42-01100	1.57	Industrial District	Pacific View Business Park District
17	18-12-22-42-01200	1.47	Industrial District	Pacific View Business Park District
18	18-12-22-42-01300	1.11	Industrial District	Pacific View Business Park District
19	18-12-22-42-01400	0.56	Industrial District	Pacific View Business Park District
20	18-12-22-42-01500	0.61	Industrial District	Pacific View Business Park District
21	18-12-22-42-01600	0.68	Industrial District	Pacific View Business Park District
22	18-12-22-42-01700	0.72	Industrial District	Pacific View Business Park District
23	18-12-22-43-00100	0.35	Industrial District	Pacific View Business Park District
24	18-12-22-43-00200	0.42	Industrial District	Pacific View Business Park District
25	18-12-22-43-00300	0.46	Industrial District	Pacific View Business Park District
26	18-12-22-43-00400	0.50	Industrial District	Pacific View Business Park District
27	18-12-22-43-00500	0.54	Industrial District	Pacific View Business Park District
28	18-12-22-43-00600	0.58	Industrial District	Pacific View Business Park District
29	18-12-22-43-00700	0.62	Industrial District	Pacific View Business Park District
30	18-12-22-43-00800	0.67	Industrial District	Pacific View Business Park District
31	18-12-22-43-00900	0.75	Industrial District	Pacific View Business Park District
32	18-12-22-43-01000	0.72	Industrial District	Pacific View Business Park District
33	18-12-22-43-01100	0.69	Industrial District	Pacific View Business Park District
34	18-12-22-43-01200	0.63	Industrial District	Pacific View Business Park District
35	18-12-22-43-01300	0.55	Industrial District	Pacific View Business Park District
36	18-12-22-43-01400	0.48	Industrial District	Pacific View Business Park District
37	18-12-22-43-01500	0.41	Industrial District	Pacific View Business Park District
38	18-12-22-43-01600	0.34	Industrial District	Pacific View Business Park District
39	18-12-22-43-01700	0.47	Industrial District	Pacific View Business Park District

PORT OF SIUSLAW
PROPERTY
PROPOSED REZONE
FROM LIMITED INDUSTRIAL
TO PVBP DISTRICT

PROPOSED REZONE
OF INDUSTRIAL AREAS

PACIFIC
VIEW
BUSINESS
PARK

CITY OF FLORENCE
INDUSTRIAL AREAS

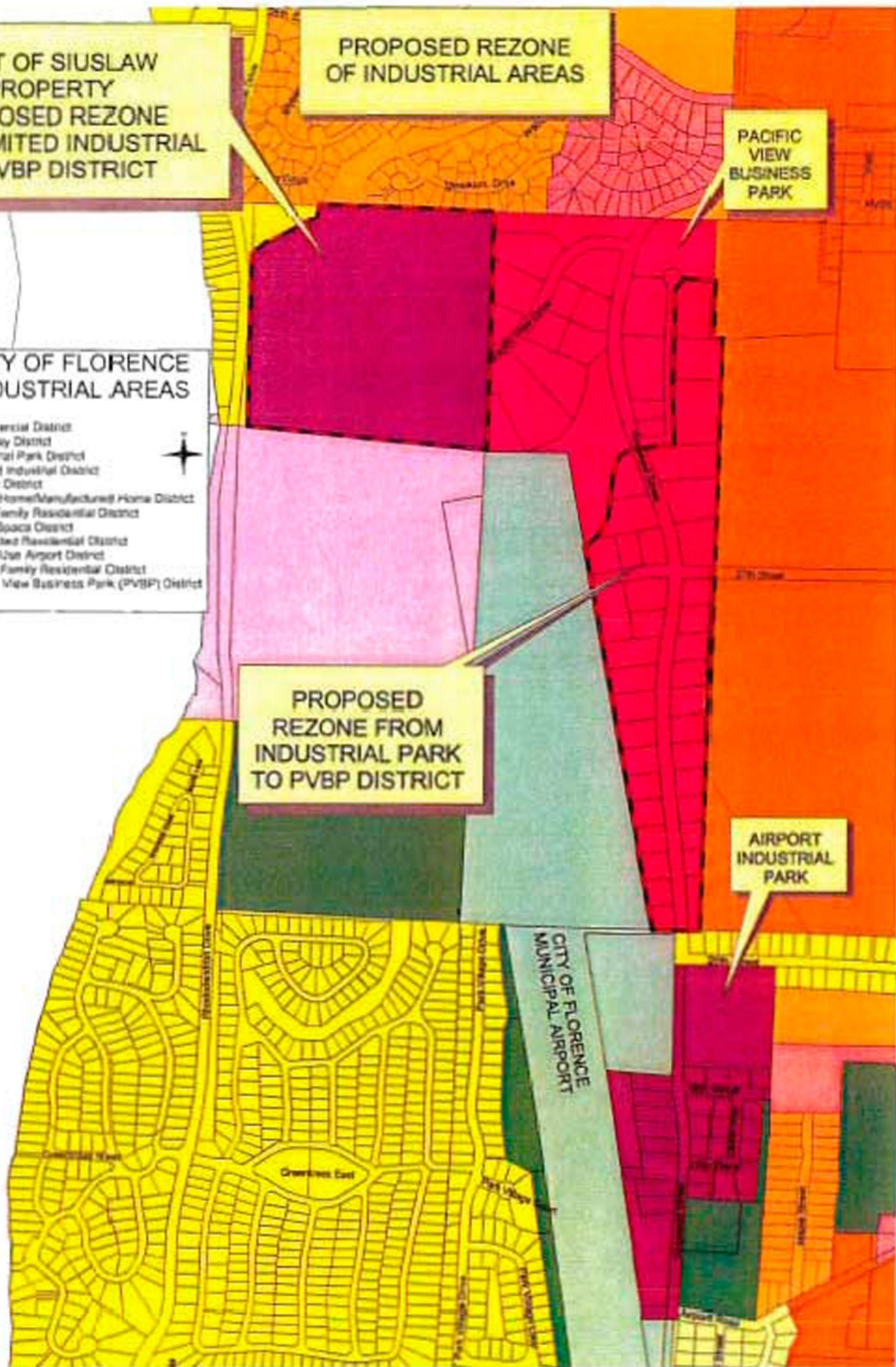
- Commercial District
- Highway District
- Industrial Park District
- Limited Industrial District
- Marine District
- Mobile Home/Manufactured Home District
- Multi-Family Residential District
- Open Space District
- Residential Residential District
- Public Use Airport District
- Single Family Residential District
- Pacific View Business Park (PVBP) District



PROPOSED
REZONE FROM
INDUSTRIAL PARK
TO PVBP DISTRICT

AIRPORT
INDUSTRIAL
PARK

CITY OF FLORENCE
MUNICIPAL AIRPORT



Title 10 Chapter 1 of the Florence City Code, Section 10-1-1-6 "Administrative Review" is proposed to be amended as listed below.

TITLE 10
CHAPTER 1

ZONING ADMINISTRATION

10-1-1-6: ADMINISTRATIVE REVIEW

- A. The Planning Director, or designated planning staff may make administrative decisions. The administrative procedure is used when there are clear and objective approval criteria and applying City standards require no use of discretion.
- B. Administrative Decisions are based upon clear compliance with specific standards. Such decisions include, but are not limited to the following:
1. Vegetation clearing permits.
 2. Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage and does not require more than five additional parking spaces.
 3. Modification to an approved Design Review of less than 1,500 square feet or less than 25% of the building square footage, whichever is less.
 4. An increase in residential density by less than 10 percent, provided the resulting density does not exceed that allowed by the land use district.
 5. A change in setbacks or lot coverage by less than 10 percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district.
 6. A change in the type and/or location of access-ways, drives or parking areas not affecting off-site traffic.
 7. Administrative review is required for all modifications to an approved landscaping plan except city staff may approve the following changes without going through the administrative review process, provided the proposed landscaping plan is consistent with the intent and character of the original approval:
 - a. plant or tree substitutions (e.g. shrub for shrub, tree for tree),
 - b. ground cover substitutions,
 - c. trading plant locations if planting beds remain the same, or
 - d. change in the location of planting beds (site plan) up to a maximum of 10% of the landscaping area. (Amended Ord. No. 9, Series 2009)
 8. Administrative Review is required for all new construction, expansions, change of use and remodels within the Limited Industrial District and Pacific View Business Park District, except city staff may approve the following changes without going through the administrative review process:
 - a. Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage and does not require more than five additional parking spaces.
 - b. Modification to an approved Design Review of less than 1,500 square feet or less than 25% of the building square footage, whichever is less.

c. A change in setbacks or lot coverage by less than 10 percent provided the resulting setback or lot coverage does not exceed that allowed by the land use district.

d. A change in the type and/or location of access-ways, drives or parking areas not affecting off-site traffic.

- C. The Director may refer a request for administrative review to the Planning Commission/Design Review Board for decision. If such a referral is made, the request shall be scheduled on the next available Planning Commission agenda, providing that time allows and subject to proper notice requirements.
- D. Notice - Information:
1. Administrative Decisions: The City will post a notice on the subject property and provide Notice of Application to owners of property within 100 feet of the entire contiguous site for which the application is made. The list of property owners will be compiled from the most recent property tax assessment roll.
 - a. Notice shall also be provided to the airport as required by ORS 227.175 and FCC 10-21-2-4.
 2. Property Owner Notice shall:
 - a. Provide a 14 day period of submission of written comments prior to the decision;
 - b. List applicable criteria for the decision;
 - c. Set forth the street address or other easily understood geographical reference to the subject property;
 - d. State the place, date and time that comments are due;
 - e. State that copies of all evidence relied upon by the applicant are available for review at no cost, and that copies can be obtained at a reasonable cost;
 - f. Include the name and phone number of local government representative to contact and the telephone number where additional information may be obtained.
- E. Request for referral by the Planning Commission Chair: The Chair of the Planning Commission may, within the 14 days notice period, request that staff refer any application to the Planning Commission for review and decision.
- F. Administrative decision requirements: The Director's decision shall address all of the relevant approval criteria. Based on the criteria and the facts contained within the record, the Director shall approve with or without conditions or deny the request, permit or action.
- G. Notice of Decision: A notice of the action or decision and right of appeal shall be given in writing to the applicant. Any party who submitted written testimony must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.
- H. Appeal process: As set forth in 10-1-1-7 or appealed by the Planning Commission.
- I. Fee: A fee shall be established to cover at least direct costs of the application. (Ord. No. 15, 2002)

Title 10 Chapter 1 of the Florence City Code (FCC) is proposed to be amended by adding a new section, FCC 10-1-5 titled "Land Use Category Definitions" (following section 10-1-4 Definitions). The new section is listed below.

10-1-5: LAND USE CATEGORY DEFINITIONS: The following are land uses and activities grouped into use categories on the basis of common functional, product, or physical characteristics and defined as follows.

Industrial Use Categories

Industrial Service: Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Manufacturing and Production: Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

Warehouse, Freight Movement, and Distribution: Warehouse, Freight Movement, and Distribution involves the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

Waste-Related Industrial Use: Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the biological decomposition of organic material. Municipal waste-related industrial uses are those solely owned by, or in partnership with the City of Florence.

Wholesale Sales: Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.

Commercial Use Categories

Educational Services: Commercial Educational Service uses are characterized by activities conducted in an office setting and generally focusing on serving students with supplemental training, education, and/or tutoring. Some examples are nursing and medical training center accessory to a hospital or college or an after school math and reading center. Educational service uses are distinct from college and school land use categories.

Office: Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical or financial services.

Parking Facility: Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility may provide surface parking lot or structured parking garage. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Parking facility.

Quick Vehicle Servicing: Quick Vehicle Servicing uses provide direct services for motor vehicles where the driver generally waits in the car before and while the service is performed. The development will include a drive-through facility, the area where the service is performed (different than Vehicle Repair). Some examples are car washes, quick lubrication services and gas stations.

Retail Sales: Retail Sales firms are involved in the sale, lease or rent of new or used products to the general public.

Retail Entertainment: Retail Entertainment firms provide consumer-oriented entertainment, activities or games to the general public. Some examples are game arcades, theaters and health clubs.

Retail Service and Repair: Retail Service firms provide personal services and/or provide product repair for consumer and business goods. Some examples are photographic studios, veterinary clinics, dance classes, locksmith and upholsterer. (different than Quick Vehicle Servicing and Vehicle Repair)

Vehicle Repair: Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed (different than Quick Vehicle Servicing). Some examples are auto repair or body shop, auto detailing and auto tire sales and mounting.

Institutional and Civic Use Categories

Basic Utilities: Basic Utilities are infrastructure services that need to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be public or privately provided. Some examples are electrical substations, water storage facility towers, sewer pump stations and bus stops.

Community Services: Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions but are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide mass shelter or short term housing where tenancy may be arranged for periods of less than one month when operated by a public or non-profit agency. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. Some examples are libraries, museums and social service facilities.

Daycare: Daycare use includes day or evening care of two or more children outside of the children's homes, for a fee. Daycare uses also include the daytime care of teenagers or adults who need assistance or supervision.

Parks and Open Areas: Parks and Open Areas are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.

Other Use Categories

Outdoor Display: The keeping, in an outdoor area, of merchandise or goods for purposes of sale or exhibit.

Outdoor Storage: The keeping, in an outdoor area, of material, supplies, or vehicles for purposes of storing or holding.

Radio Frequency Transmission Facilities: Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self supporting, guyed, or mounted on poles or buildings.

Regional Utility Corridors and Rail Lines: This category includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, oil, water, sewage, communication signals, or other similar services on a regional level; utilities and easements for on-site infrastructure to serve development is not considered regional utility corridors. This category also includes railroad tracks and lines for the movement of trains. The land may be owned or leased by the railroad.

Title 10 Chapter 4 of the Florence City Code, Section 10-4-11 "Additional Conditions" is proposed to be amended as listed below.

TITLE 10
CHAPTER 4

CONDITIONAL USES

10-4-11: ADDITIONAL CONDITIONS: Some land uses by the nature of the activity associated with them require separate and intense consideration by the Planning Commission prior to their establishment. Such uses and additional conditions are as follows:

G. Waste Related Industrial Use:

1. Any waste related industrial use shall provide and maintain a minimum vegetated buffer of twenty feet (20') from any property line which is under a different ownership and/or zoned for residential use.
2. A solid fence and/or wall a minimum of six feet (6') to a maximum of eight feet (8') in height shall be provided and located along side and rear property lines (except corner lots), behind the front yard landscaped setback and behind the side yard landscaped setback on corner lots.
3. Dangerous or hazardous materials and equipment shall be enclosed within a secure fenced area.
4. All necessary State and County permits shall be obtained to ensure the environmental health and safety of the public.

H. Residential Caretaker Unit:

1. Residential caretaker unit must be located a minimum of twenty feet (20') from any property line abutting a street.
2. Provision of a residential caretaker unit must be necessary to ensure adequate security and monitoring of the site and/or viable business operations (e.g. on-call persons, emergency maintenance).

Sections: 10-4-4; 10-4-6; 10-4-7 Amended by Ord. 26, 2008

Section: 10-4-11-F: July, 2009 (housekeeping)

Section 10-4-11 amended by Ord. No. 9, Series 2009

Title 10 Chapter 6 of the Florence City Code (FCC), Section 10-6-3 "General Conditions" is proposed to be amended as listed below.

TITLE 10
CHAPTER 6

DESIGN REVIEW

SECTION:

- 10-6-1 Purpose
- 10-6-2: Design Review Board
- 10-6-3: General Applicability Conditions
- 10-6-4: Drawings to be Approved
- 10-6-5: General Criteria
- 10-6-6: Drawing Submittal
- 10-6-7: Drawings Submitted to Design Review Board
- 10-6-8: Appeal
- 10-6-9: Lapse of Design Review Approval

10-6-1: PURPOSE: The design review process is intended to:

- A. Create an attractive appearance that will enhance the City and promote the general welfare of its citizens.
- B. Provide property owner the means to protect and conserve the architectural tone of their neighborhood.
- C. Recognize areas of existing or potential scenic value.
- D. Protect and preserve buildings and sites that are of significant architectural or historic merit. (Ord. 625, 6-30-80)

10-6-2: DESIGN REVIEW BOARD: The Planning Commission shall act as the Design Review Board. Planning Commission and Design Review action may take place simultaneously.

10-6-3: GENERAL APPLICABILITY CONDITIONS:

- A. The Design Review Board shall, in exercising or performing its duties or functions, determine whether the proposed development (other than single-family and duplex residences if allowed as a permitted use with the exception of single-family residences, is appropriate to the character of the neighborhood, according to the general criteria listed in Section 10-6-5.
- ~~B.~~ The Design Review Board shall provide this monitoring in the Multiple-Family Residential, Neighborhood Commercial, Commercial, Highway, Waterfront, Marine, ~~Limited Industrial~~ and Open Space Districts for all signs, new construction, alterations to the exterior of structures or additions involving twenty five percent (25%) or more of the floor area of a building, prior to the issuance of a building permit. In addition, all conditional use permits granted by the Planning Commission and any expansion of a pre-existing, nonconforming use requires approval by the Design Review Board. Single Family and Duplex use Permitted land uses in the Limited Industrial and Pacific View Business Park Districts are exempt from Design Review requirements, but conditional uses in those districts require Design Review.
- ~~B.~~ Conditional uses are subject to design review in accordance with Section 10-6-5 of this Chapter.
- C. When a use changes in the Commercial, Highway, Waterfront, ~~or~~ Marine ~~or Limited Industrial~~ Districts, the applicant will be required to receive approval of the site and structures in accordance with Section 10-6-5 of this Chapter.
- D. ~~The Design Review Board shall have authority to require changes in the planned appearances of proposed signs, buildings, structures and alterations in accordance with Section 10-6-1 hereof.~~
- E. The Design Review Board shall review any proposed external alteration, demolition, or change of use for any building shown on the historic resources map of the Comprehensive Plan. The Board may delay action on such a permit for a period of ninety (90) days to explore with the owner options for rehabilitation and preservation of the structure.

TITLE 10
CHAPTER 20

LIMITED INDUSTRIAL DISTRICT (LI)

SECTION:

- 10-20-1: Purpose
- 10-20-2: Permitted Buildings and Uses
- 10-20-3: Buildings and Uses Permitted Conditionally
- 10-20-4: Lot and Yard Provisions
- 10-20-5: Site and Development Provisions

10-20-1: PURPOSE: The Limited Industrial District is intended to provide areas for manufacturing, assembly, packaging, warehousing and related activities that do not create a significant detrimental impact on adjacent districts.

10-20-2: PERMITTED BUILDINGS AND USES: For the purpose of this Title, terms are defined in Title 10 Chapter 1 Section 5, "Land Use Category Definitions." if any permitted building or use would have the potential to be hazardous, obnoxious, offensive or unsightly by reason of emission of odor, sound, vibration, radioactivity, electrical interference, flare, liquid or solid wastes, smoke or other air pollutants, said buildings or uses shall be required to obtain a conditional use permit issued by the Planning Commission subject to the procedures and conditions in Chapter 4 of this Title.

~~Accessory buildings and uses normal and incidental to the buildings and uses permitted in this Section.~~

Industrial Uses:

Industrial Service

Manufacturing and Production

Plant Nurseries and similar Horticulture

Warehouse, Freight Movement and Distribution

Wholesale Sales

Commercial Uses:

Animal Clinic or Grooming Facility

Offices

Parking Facility (when not an accessory use)

Quick Vehicle Servicing

Restaurants, Cafes or Delicatessens, only in conjunction with an allowed commercial or industrial use and no greater than 15% of the total building floor area on site.

Retail Service and Repair

Vehicle Repair

Institutional and Civic Uses:

Basic Utilities

Parks and Open Areas, accessory only

Public Buildings and Facilities, other than City-owned (no schools allowed in this district)

Ambulance sales.
 Auction sales.
 Automobile painting shops.
 Automobile repair garages.
 Bakeries, wholesale.
 Blueprinting.
 Boat building.
 Building maintenance services.
 Building material sales.
 Car washes, coin-operated or mechanical.
 Equipment rental yards.
 Equipment sales.
 Feed and seed stores.
 Greenhouses and nurseries, wholesale.
 Laboratories.
 Manufacturing and assembling of precision optics.
 Manufacturing and assembling of precision testing equipment.
 Manufacturing, assembling, testing and repairing of components, devices, equipment and systems of an electronic or electromechanical nature, such as, but not limited to:
 ——— Audio systems and phonographs.
 ——— Coils, tubes, semi-conductors and similar components.
 ——— Communication, navigation, transmission and reception equipment, control equipment and systems.
 ——— Data processing equipment and systems.
 ——— Metering instruments.
 ——— Radar, infrared and ultraviolet equipment.
 ——— Radio and television equipment.
 ——— Scientific and chemical instruments.
 Manufacturing of ceramic products fired in kilns using low pressure gas or electricity (brick and tiles not permitted).
 Manufacturing, fabrication, processing or assembly of products from ferrous or nonferrous metals.
 Manufacturing, compounding, bottling, processing, packaging or treatment of food and beverage products.
 Offices for engineers, architects, landscape architects, surveyors and those engaged in the practice of designing, drafting or graphics.
 Planned unit development, industrial.
 Plumbing supplies and services.
 Printing and publishing.
 Public and private parking areas and garages.
 Public and semi-public buildings.
 Radiator service and repairs.
 Radio towers and transmitters.
 Restaurants.
 Service stations.
 Small animal hospitals.
 Trucking yards and terminals.
 Truck sales and services.
 Wholesaling, warehousing and storing of the following, provided that all outdoor storage shall be enclosed within the site obscuring fences and walls:

- ~~Automobiles, trucks and buses.~~
- ~~Consumer goods.~~
- ~~Contractors' equipment.~~
- ~~Building materials, except no on-site wrecking or burning.~~
- ~~Food products.~~
- ~~Household goods.~~
- ~~Ice.~~
- ~~Lumber, except no log storage or ponding.~~
- ~~Other items similar to the preceding. (Ord. 625, 6-30-80)~~
- ~~Woodworking and cabinet shops. (Ord. 659, 11-24-81)~~
- ~~Utility distribution plants and service yards.~~

Other Uses:

Accessory buildings and uses normal and incidental to the buildings and uses permitted in this Section.

Radio Frequency Transmission Facilities, if approved by the FAA

Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed; provided, that retail sales uses, unless specifically listed, shall only be incidental and directly related to the operation of permitted industrial uses.

10-20-3: 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:

~~Radio towers, transmitters and receiving stations.~~

Animal Daycare and Overnight Boarding Facility (excludes breeding kennels)

~~City-owned Public Buildings (no schools allowed in this district)Public buildings and facilities.~~

~~Liquid Fuel Storage.~~

~~Residential Unit, limited to one maximum of 1,000 square feet, for a caretaker or superintendent whenever it is determined by the Planning Commission that the business requires the on-site residence of such a person.~~

~~Airplane hangars, providing the lot abuts the Airport Development District.~~

Municipal Waste-Related Industrial Use

Regional Utility Corridors and Rail Lines

10-20-4: LOT AND YARD PROVISIONS:

- A. **Minimum Lot Area:** The minimum lot area shall be seven thousand five hundred (7,500) square feet.
- B. **Minimum Lot Dimensions:** The minimum lot width shall be fifty feet (50').
- C. **Maximum Lot Coverage:** Up to Eighty-five percent (85%) coverage by buildings and impervious surface, unless a preservation credit is achieved accordance with FCC 10-34-2-4.
- D. **Yard Regulations:**
 - 1. Front yards are not required except where setbacks have been established for road widening or other purposes.
 - 2. Side and rear yards are not required except:
 - a. Where setbacks have been established for road widening or other purposes.

- b. Where the commercial or industrial use abuts a residential district, see FCC 10-34-3-7-D.
- c. Where a building is not constructed on the property line, a three foot (3') minimum setback is required.

10-20-5: SITE AND DEVELOPMENT PROVISIONS

- A. Building and Structural Height Limitations:
 - 1. The maximum building height shall be thirty eight feet (38'). ~~and shall be in compliance with the Airport Obstruction Overlay District (Section 10-21-4 of this Title).~~
 - 2. Towers, spires, chimneys, machinery penthouses, water tanks, radio aerials and similar structures and mechanical appurtenances shall not exceed sixty feet (60') in height, only if approved by the FAA and shall not be used for any commercial, residential or advertising purpose.
 - 3. ~~All buildings and structures taller than thirty five feet (35') shall be set back at least one hundred fifty feet (150') from any property line that abuts a residential district.~~
- B. Fences, Hedges, Walls or Landscaping: Refer to 10-34 of this Title for general requirements. Landscaping and trees shall not obstruct the airport's approach path.
- C. Outdoor Storage: All outdoor storage shall be enclosed within a sight-obscuring fence or wall.
- DG. Parking and Loading Space: Refer to Chapter 3 of this Title for specific parking requirements.
- ED. Vision Clearance: Refer to Section 10-1-4 and 10-35-2-13 of this Title for definition and requirements.
- FE. Signs: Signs shall be in accordance with Title 10, Chapter 26 of this Code, except that free standing signs are restricted to externally lit monument signs only, and amendments thereto.
- GF. Access and Circulation: Refer to Section 10-35 of this Title for requirements.
- HG. Public Facilities: Refer to Section 10-36 of this Title for requirements.
- I. All trash receptacles shall be located inside structures or in a trash enclosure that is fully screened by a sight-obscuring fence or wall not less than 5' in height. Trash receptacle areas shall be kept clean. Trash shall not be allowed to blow about the site nor onto neighboring sites, nor shall any trash be stored in a manner to attract rodents.
- J. Administrative Review: All permitted uses in the Limited Industrial District shall be subject to administrative review, Section 10-1-1-6 of this Title.
- K. Airport Overlay Zone: Refer to Section 10-21-2 of this Title for specific requirements of the Public Use Airport Safety and Compatibility Overlay Zone.

TITLE 10
CHAPTER 28

PACIFIC VIEW BUSINESS PARK DISTRICT

SECTION

- 10-28-1: Purpose
- 10-28-2: Permitted Buildings and Uses
- 10-28-3: Buildings and Uses Permitted Conditionally
- 10-28-4: Lot and Yard Provisions
- 10-28-5: Site and Development Provisions

10-28-1: PURPOSE: The Pacific View Business Park District is intended to provide areas for offices, service businesses, light industrial and manufacturing, and research and development facilities with the goal of providing businesses and industries that provide family-wage year-round employment and supporting uses, accessory buildings and structures.

10-28-2: PERMITTED BUILDINGS AND USES:

For the purpose of this Title, terms are defined in Title 10 Chapter 1 Section 5, "Land Use Category Definitions." If any permitted building or use has the potential to be hazardous, obnoxious, offensive or unsightly by reason of emission of odor, sound, vibration, radioactivity, electrical interference, flare, liquid or solid wastes, smoke or other air pollutants, said buildings or uses shall be required to obtain a conditional use permit issued by the Planning Commission subject to the procedures and conditions in Chapter 4 of this Title. Any building or use which meets the intent of the Purpose Statement of this District, with the exception of those uses allowed as Conditional Uses in this District, and which also meet all the requirements of this District.

1. Public buildings and facilities which meet the intent of the Purpose Statement of this District.

Industrial Uses:

Industrial Service

Manufacturing and Production

Plant Nurseries and similar Horticulture

Warehouse, Freight Movement and Distribution

Wholesale Sales

Commercial Uses:

Animal Clinic or Grooming Facility

Educational Services (e.g. tutoring or training center)

Offices

Restaurants, Cafes or Delicatessens, only in conjunction with an allowed commercial or industrial use and no greater than 15% of the total building floor area on site.

Retail Service and Repair

Retail Sales – only in conjunction with an allowed commercial or industrial use and no greater than 15% of the total building floor area on site.

Retail Entertainment – only in conjunction with an allowed commercial or industrial use and no greater than 15% of the total building floor area on site

Institutional and Civic Uses:

Basic Utilities

Parks and Open Areas, accessory only

Public Buildings and Facilities, other than City-owned (no schools allowed in this district)

Other Uses:

Accessory Structures (with a permitted use)

Crematories and Associated Mortuaries and Funeral Homes

Planned Unit Developments, non-residential

Radio Frequency Transmission Facilities, if approved by the FAA

10-28-3: BUILDINGS AND USES PERMITTED CONDITIONALLY:

The Planning Commission, subject to procedures and conditions set forth in Chapter 4 of this Title, may grant a conditional use permit for the following:

1. A single Residential unit, maximum of 1,000 square feet for a caretaker or superintendent whenever it is determined by the Planning Commission that the business requires the on-site residence of such a person.

Animal Daycare and Overnight Boarding Facility (excludes breeding kennels)

Community Services

City-owned Public Buildings (no schools allowed in this district)

Daycare – on-site child day care serving their employees, accessory only

Drive-Up/Drive-Through (drive-up windows, kiosks, ATM'S, similar uses/facilities

Parking Facility (when not an accessory use)

Regional Utility Corridors and Rail Lines

Municipal Waste-Related Industrial

1. Restaurants, coffee shops and delicatessens

2. Copy shops

3. Business supply shops

4. Dry cleaners

5. Caterers

6. Florists

7. Other similar supporting businesses determined to be similar to those listed in this section, and which do not have a different or more detrimental effect upon the overall purpose and functioning of the Business Park District than those buildings and uses specifically permitted as conditional uses.

10-28-4: LOT AND YARD PROVISIONS

A. Minimum Lot Area: The minimum lot area shall be seven thousand five hundred (7,500) square feet, As platted. Any proposed division of existing lots must be approved in concept by the City Council prior to action by the Planning Commission.

B. Minimum Lot Dimensions: The minimum lot width shall be fifty feet (50'), As platted. Any proposed division of existing lots must be approved in concept by the City Council prior to action by the Planning Commission.

C. ~~Maximum Lot Coverage: Up to eighty-five percent (85%) coverage by buildings and impervious surface, unless preservation credit is achieved accordance with FCC 10-34-2-4, is permitted.~~

D. ~~Minimum Setbacks:~~

- ~~1. Front yards shall be a minimum of fifteen feet (2015').~~
- ~~2. Side and rear yards shall be a minimum of five feet (45'), except no side yard is required between attached units.~~
- ~~3. Where the commercial or industrial use abuts a residential district, see FCC 10-34-3-7-D for general requirements, except a minimum of a 20-foot buffer shall be required where a commercial or industrial use abuts a residential district.~~

10-28-5 SITE AND DEVELOPMENT PROVISIONS

A. ~~Type of Structure: Buildings and structures may not be metal clad but require the street facade to be.~~ Wood siding, brick, textured block, concrete and concrete aggregate, and other similar building exteriors materials are preferred. Buildings may be metal clad if the following provisions are met and approved by the City:

1. Metal clad structures shall be colored with muted earth-tones to blend with the rest of the structure in a compatible and unified way. Earth-tones include lighter shades of clay, brown, olive or tan; darker earth-tone colors may be used as trim; and
2. All building elevations that face a street shall be constructed with alternative building materials, such as wood siding, brick, textured block, concrete and concrete aggregate, or other similar building materials.

B. ~~Location of Business Activities: All manufacturing, processing, storage, assembly and other business activity shall be located entirely within the building or buildings on a site.~~

C. ~~Building and Structural Height Limitations~~

- ~~1. Maximum Height: Buildings and structures may not exceed 38' in height. Building and equipment heights must also comply with any applicable Airport Districts.~~
- ~~2. All buildings and structures taller than 28' shall be setback at least 40' in addition to the required setback in this District from any property line that abuts a residential district.~~

D. ~~Public Facilities: Public facilities and infrastructure shall be in accordance with Section 10-36 of this Title.~~

E. ~~Fences, Hedges, Walls or Buffers Landscaping: All screening and buffers shall be in accordance with Refer to Section 10-34 of this Title for general requirements. Dangerous or hazardous materials and equipment shall be enclosed within a secure fenced area. The area between the property line and the curb/sidewalk must be landscaped and maintained by the abutting property owner. Landscaping and trees shall not obstruct the airport's approach path. A minimum of a 20-foot buffer shall be required where a commercial or industrial use abuts a residential district.~~

F. ~~Outdoor Storage: All outdoor storage shall be enclosed within a solid fence and/or wall a minimum of six feet (6') in height. Dangerous or hazardous materials and equipment shall be enclosed within a secure fenced area. Landscaping shall be in accordance with Section 10-34 of this Title. The area between the property line and the curb/sidewalk must be landscaped and maintained by the abutting property owner.~~

G. ~~Port Property Buffer: An undisturbed buffer of at least 100 feet is required on the 40-acre property owned by the Port of Siuslaw between industrial uses and adjoining residential~~

developments on the north, measured from the property line. Reductions in buffers up to 50% may be granted if the following compatibility provisions are met and approved by the City:

1. Land uses located between 50 feet and 100 feet from the residential property line shall be limited to research and development or office use;
2. Buildings located between 50 feet and 100 feet from the residential property line shall be no taller than one story and 25 feet in height and no larger than 3,000 square feet in size;
3. Building architecture located between 50 feet and 100 feet from the residential property line shall be constructed with alternative building materials, such as wood siding, brick, textured block, concrete and concrete aggregate, or other similar building materials; and
4. A visual and noise buffer strip not less than 20 feet in width shall be established and maintained immediately adjacent to the residential property line. The buffer strip shall include existing vegetation, supplemented with landscape plantings, evergreen hedge, berm, fence, and/or wall components, such that the buffer screens at least 70 percent of the view between districts within five (5) years. Fence and wall structures shall be not less than 6 feet and no more than 8 feet in height (see also Section 10-34-5). Significant vegetation in these buffer strips may be preserved in accordance with Section 10-34-2, and replanting of local native vegetation is encouraged.

G.H. Parking and Loading: Buildings and uses must comply with the requirements of Chapter 3 of this Title. No on-street parking or loading is permitted along Kingwood Street. Curb cuts are limited to 15' for one-way, and 25' for two-way, with a maximum total cut of 40'. Curb cuts should be no closer than 100' from an intersection.

H.I. Vision clearance: The requirements of Sections 10-1-4 and 10-35--13 of this Title must be met by all uses and development.

I.J. Lighting: Lighting shall be provided as necessary to provide for safety and security of the site. However, such lighting shall not negatively impact adjacent lots, particularly adjacent residential uses. Lighting shall be down-shielded and confined to site boundaries unless otherwise required by another agency such as the Federal Aeronautics Administration.

J.K. All trash receptacles shall be located inside structures or in a trash enclosure that is fully screened by a solid fence or wall not less than 5' in height. Trash receptacle areas shall be kept clean. Trash shall not be allowed to blow about the site nor onto neighboring sites, nor shall any trash be stored in a manner to attract rodents.

K.L. Signs: All signs must comply with Chapter 26 of this Title, except that free-standing signs are restricted to externally lit monument signs only.

L.M. Noise, Odors, Vibration: Any noise, odors or vibrations shall be mitigated to avoid unnecessary noise or creation of a public nuisance per Title 6 of this Code, contained totally within the site upon which a business or use is located.

N.M. Access and Circulation: Refer to Section 10-35 of this Title for requirements.

O. Administrative Review: All permitted uses in the Pacific View Industrial Park District shall be subject to administrative review, Section 10-1-1-6 of this Title.

P. Airport Overlay Zone: Refer to Section 10-21-2 of this Title for specific requirements of the Public Use Airport Safety and Compatibility Overlay Zone.

Title 10 Chapter 32 "Industrial Park District" is proposed to be deleted.

**TITLE 10
CHAPTER 32**

INDUSTRIAL PARK DISTRICT

SECTION:

- ~~10-32-1: Purpose~~
- ~~10-32-2: Permitted Buildings and Uses~~
- ~~10-32-3: Buildings and Uses Permitted Conditionally~~
- ~~10-32-4: Lot and Yard Provisions~~
- ~~10-32-5: Site and Development Provisions~~

~~10-32-1: PURPOSE:—The Industrial Park District is intended to provide areas for manufacturing, assembly, packaging, warehousing and related activities that do not create a significant detrimental impact on adjacent districts.~~

~~10-32-2: PERMITTED BUILDINGS AND USES:~~

- ~~1. Any building or use which meets the intent of the Purpose Statement of this District, with the exception of those uses allowed as Conditional Uses in this District, and which also meet all the requirements of this District.~~
- ~~2. Public buildings and facilities which meet the intent of the Purpose Statement of this District.~~
- ~~3. Crematories, and associated mortuaries and funeral homes.~~
- ~~4. Dental clinics (added by Ord 5, 2008)~~

~~10-32-3: BUILDINGS AND USES PERMITTED CONDITIONALLY:~~

~~The Planning Commission, subject to procedures and conditions set forth in Chapter 4 of this Title, may grant a conditional use permit for the following:~~

- ~~1. Trucking yards and terminals~~
- ~~2. Utility distribution plants and service yards~~
- ~~3. Automobile painting shops~~
- ~~4. Radio towers, transmitters and receiving stations~~
- ~~5. Airplane hangars, provided that the lot abuts the Florence Municipal Airport~~
- ~~6. Building materials sales, provided that materials are stored and displayed inside enclosed structures~~
- ~~7. Public buildings and facilities not included in 10-32-2.~~
- ~~8. A single residential unit for a caretaker or superintendent whenever it is determined by the Planning Commission that the business requires the on-site residence of such a person.~~
- ~~9. Any other business or activity which have a potential for off-site impacts, but which meet the purpose of the Industrial Park District.~~

~~10-32-4: LOT AND YARD PROVISIONS~~

- ~~A. Minimum Lot Area: As platted. Any proposed division of existing lots must be approved in concept by the City Council prior to action by the Planning Commission.~~
- ~~B. Minimum Lot Dimensions: As platted. Any proposed division of existing lots must be approved in concept by the City Council prior to action by the Planning Commission.~~
- ~~C. Maximum Lot Coverage: Up to eighty five percent (85%) coverage by buildings and impervious surface is permitted.~~
- ~~D. Minimum Setbacks: Front, side and rear yards shall be a minimum of 5'; except that yards abutting residential uses/districts shall be a minimum of 15'.~~

~~10-32-5: SITE AND DEVELOPMENT PROVISIONS~~

~~A. Building and Structural Height Limitations~~

~~1. Maximum Height: Buildings and structures may not exceed 38' in height. Building and equipment heights must also comply with any applicable Airport Districts.~~

~~2. Towers, spires, chimneys, machinery penthouses, water tanks, radio aeriels, and similar structures and mechanical appurtenances shall not exceed 60' in height, and shall not be used for any commercial, residential or advertising purpose. Such devices must comply with the Airport Obstruction Overlay District.~~

~~B. Public Facilities: Public Facilities and Infrastructure shall be in accordance with Section 10-36 of this Title.~~

~~C. Fences, Hedges, Walls or Buffers: All screening and buffers shall be in accordance with Section 10-34 of this Title. Dangerous or hazardous materials and equipment shall be enclosed within a secure fenced area.~~

~~D. Landscaping shall be in accordance with Section 10-34 of this Title. The area between the property line and the curb/sidewalk must be landscaped and maintained by the abutting property owner.~~

~~E. Parking and Loading: Buildings and uses must comply with the requirements of Chapter 3 of this Title. No on-street parking or loading is permitted. Curb cuts are limited to 15' for one way, and 25' for two way, with a maximum total cut of 40'. Curb cuts should be no closer than 100' from an intersection.~~

~~F. Vision clearance: The requirements of Sections 10-1-4 and 10-35-2-13 of this Title must be met by all uses and development. (Ord. 26, 2008)~~

~~G. Lighting: Lighting shall be provided as necessary to provide for safety and security of the site. However, such lighting shall not negatively impact adjacent lots, particularly adjacent residential uses. Lighting shall be down-shielded and confined to site boundaries unless otherwise required by another agency such as the Federal Aeronautics Administration~~

~~H. All trash receptacles shall be located inside structures or in a trash enclosure that is fully screened by a solid fence or wall not less than 5' in height. Trash receptacle areas shall be kept clean. Trash shall not be allowed to blow about the site nor onto neighboring sites, nor shall any trash be stored in a manner to attract rodents.~~

~~I. Signs: All signs must comply with Chapter 26 of this Title, except that free-standing signs are restricted to monument signs only.~~

~~J. Access and Circulation: Refer to Section 10-35 of this Title for requirements.~~

Ord. No. 4, Series 2003, effective April 7, 2003
Amended by Ord 5, Series 2008, effective March 21, 2008
Section 10-32-5, F - Amended by Ord. 26, Series 2008
Section 10-32-5 Amended by Ord. No. 9, Series 2009

**Title 10 Chapter 34 of the Florence City Code (FCC), Section 10-34-3-7-D
"Abutting Land Use Buffers" is proposed to be amended as listed below.**

TITLE 10
CHAPTER 34

LANDSCAPING

10-34-3-7: Buffering and Screening. Buffering and screening are required under the conditions listed below. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with FCC 10-35-2-13. (See Section 10-34-5 for standards specific to fences and walls.)

- D. Abutting Land Use Buffers. When a commercial, industrial, or other non-residential use abuts a residential district or residential land use, a visual and noise buffer shall be established and maintained immediately adjacent to the residential property line, consistent with the standards listed in the table below. ~~In no case shall the~~ buffer strip ~~shall be not~~ less than 15 feet in width unless reduced by the Planning Commission where a lesser distance will provide adequate buffering. The buffer strip may include existing vegetation, landscape plantings, evergreen hedge, berm, fence, and/or wall components. Fence and wall structures shall be not less than ~~56~~ feet and no more than 8 feet in height (see also Section 10-34-5). The landscaped buffer shall effectively screen at least 70 percent of the view between districts within five (5) years. Significant vegetation in these buffer strips may be preserved in accordance with Section 10-34-2, and replanting of local native vegetation is encouraged.

<u>Adjoining Land Use / Zoning</u>	<u>Landscaped Buffer and/or Fence or Wall</u>
<u>Abutting single family zoning or use</u>	<u>15 foot buffer with 6' solid wood fence or block wall</u> or <u>35 foot landscaped buffer</u>
<u>Abutting duplex, triplex or townhouse zoning or use</u>	<u>15 foot buffer with 6' solid wood fence or block wall</u> or <u>25 foot landscaped buffer</u>
<u>Abutting multiple family or condominiums</u>	<u>15 foot buffer with 6' solid wood fence or block wall</u> or <u>15 foot landscaped buffer</u>

Realization 2020, Florence Comprehensive Plan, Chapter 2 "Land Use" is proposed to be amended as listed below.

Realization 2020, Florence Comprehensive Plan

Chapter 2: Land Use Industrial

Business/Industrial Park Map Designation (pp. II-16 to II-17)

The Business/Industrial Park designation applies to the 17-acre Airport Industrial Park; the 70-acre Pacific View (Kingwood) Business Park, and the 40 acres west of the City's Pacific View Business Park owned by the Port of Siuslaw. The three implementing zoning districts for these Plan designations are, respectively: Industrial Park District, Pacific View Business Park District, and Limited Industrial District. In addition, a portion of some of these areas is subject to the City's Airport Overlay District.

Kingwood Street runs from 9th Street north through these two parks, and terminates at 35th Street. Kingwood Street, Ninth, 27th, and 35th Streets provide vehicular access to these two parks. The Pacific View Business Park is an economic development effort of the City and is intended to attract uses that bring family wage jobs to Florence in an effort to replace some of those jobs lost as a result of declines in the timber and fishing industries. Lots within this park in the area of Pacific View Drive north of 27th Street are intended for research and development, professional office, and other light industrial uses that may wish to take advantage of the scenic views of the Pacific Ocean and the Siuslaw River to the west. Pacific View Business Park has some Federal Aviation Agency stipulations regarding leasing of certain lots, and, a portion of the park is subject to the City's airport overlay district zoning regulations restricting height of buildings.

The Port of Siuslaw obtained 40 acres west of the City's Pacific View Business Park from Lane County in 1998 for economic development purposes. The Port's plans for development of this property will continue to develop during the 20-year planning period. Development of the Port-owned 40-acre site shall be sensitive to the adjoining residential land uses to the north and to the west, and shall observe any height limitations imposed in uses to the north and to the west, and shall observe any height limitations imposed in the airport clear and transitional zones. Access to this property shall be from the east, resulting from the extension of Pacific View Drive within the Pacific View Business Park. Undisturbed buffers of 100 feet shall lie between proposed industrial uses and those adjoining residential developments (beginning at the property line). **Although zoned Limited Industrial Pacific View Business Park District, use of the City's planned unit development ordinance should be encouraged to promote a high quality, coordinated development of these uplands promoting extremely significant estuary, dune and ocean views. Reductions in buffers up to 50% may be considered for research and development or office uses which address compatibility issues with adjoining properties through high quality architecture, significant landscaping and screening, protection and use of existing vegetation or dunal formations, and compatible building massing.**

City of Florence
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Florence OR 97439

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