



**Oregon**  
Theodore R. Kulonowski, Governor

**Department of Land Conservation and Development**  
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Salem, OR 97301-2540  
(503) 373-0050  
Fax (503) 378-5518  
[www.lcd.state.or.us](http://www.lcd.state.or.us)



**NOTICE OF ADOPTED AMENDMENT**

02/23/2011

**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 002-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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:** Wednesday, March 09, 2011

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

<paa> YA





FORM 2

DLCD

## Notice of Adoption

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

DATE  
DEPT OF  
FEB 17 2011  
LAND CONSERVATION  
AND DEVELOPMENT  
Office Use Only

Jurisdiction: **City of Florence**

Local file number: **Ordinance 2, Series 2011**

Date of Adoption: **February 7, 2011**

Date Mailed: **February 15, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: May 27, 2011

☒ 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".

1. Amend Florence Realization 2020 Comp Plan Table of Contents, Appendices, Introduction, Chps 2, 5, 8, 9, 11, 12, 14 & 17, and the Comprehensive Plan Map, 2. Amend Florence City Code (FCC) Title 10 Chps 1, 10, 11, 12, 13, 15, 16, 17, 23, 30 and 36 and Title 11 Chapters 1, 4, and 5 & the Florence Zoning Map. In general the code changes include development standards for recreation space and open space areas. Main map changes convert public parks to Public and Open Space.

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

1. Council approved the Parks & Recreation Master Plan via Resolution rather than Ordinance—it therefore is not a land use item and is withdrawn from this adoption notice. 2. Added rec. area dev. criteria for multi-family-Chps 15, 16, , 17, 30. 3. Added private rec. to res. zones-Chps 10, 11, 12, 13. 4. Added tribal coord. in Chp 5 of Comp Plan. 4. Removed pre-annexation language Ch. 2 in Comp Plan.

Plan Map Changed from: **Multiple Designations**

to: **Private Open Space & Public**

Zone Map Changed from: **Multiple Zoning**

to: **Open Space**

Location: **Multiple Sites throughout UGB**

Acres Involved: **166.45**

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  
☒ ☒ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☒ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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. 002-10 (18333) [16514]



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

**DLCD, Lane County, Port of Siuslaw, Siuslaw Valley Fire & Rescue District, Oregon State Parks and Recreation, Siuslaw School District 97J, Western Lane Ambulance District, Bureau of Land Management.**

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Local Contact: **Wendy Farley**

Phone: (541) 997-8237 Extension:

Address: **250 Highway 101**

Fax Number: **541-997-4106**

City: **Florence**

Zip: **97439**

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

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### **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 the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 16, 2010

**CITY OF FLORENCE**  
**Ordinance No. 2, Series 2011**

AN ORDINANCE ADOPTING AMENDMENTS TO THE FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN TEXT AND MAPS, FLORENCE CITY CODE TITLES 10 AND 11, AND THE FLORENCE ZONING MAP FOR CONSISTENCY WITH THE FLORENCE PARKS AND RECREATION MASTER PLAN, 2011.

**WHEREAS**, the City Council established a goal in 2009 to adopt a new park master plan; and

**WHEREAS**, amendments to the Florence Realization 2020 Comprehensive Plan and Florence City Code are needed to make the Plan and Code consistent with Resolution 4, Series 2011, approved by the City Council acknowledging the Florence Parks and Recreation Master Plan, 2011; and

**WHEREAS**, the City sent notice of the proposed amendments to the Department of Land, Conservation and Development on May 27, 2010, not less than 45 days prior to the first evidentiary hearing as required by state law and the Florence City Code; and

**WHEREAS**, the Planning Commission held public hearings on July 13 and October 26, 2010 and notice was placed in the Siuslaw News on July 7 and 10, and October 20, 2010 and property owner notification was mailed on June 3rd; and

**WHEREAS**, the City Council held a duly noticed public hearing on the proposed amendments on December 6, 2010; and

**WHEREAS**, the City Council decided on December 6, 2010 to keep the record open until 5pm December 30, 2010 and scheduled deliberations for January 18, 2011; and

**WHEREAS**, the City Council deliberated at its meeting on January 18, 2011, held a work session on February 3, and came to a final decision on February 7, 2011 finding the Comprehensive Plan and Code amendments consistent with the applicable criteria in the Florence City Code, the Comprehensive Plan, Oregon Revised Statutes and Administrative Rules, and Statewide Planning Goals;

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

**Section 1.** Adoption of Findings of Fact as shown in Exhibit A as well as in the Response to Comments in Exhibits D and E;



**Section 2.** Adoption of amendments of the Florence Realization 2020 Comprehensive Plan as shown in Exhibit B including removal of Florence Parks System Planning Report 1987 from Appendix 11 of the Comprehensive Plan.

**Section 3.** Adoption of amendments to Florence City Code as shown in Exhibit C;

**Section 4.** This ordinance shall take effect in 30 days.

Passed by the City Council this <sup>7 (gdf)</sup>~~18~~<sup>February (gdf)</sup> day of ~~January~~ 2011.

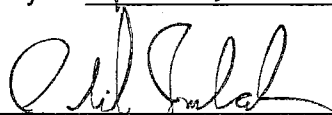
AYES: 5 Councilor Jagoe, Xavier, Roberts, Holmen, and Mayor Brubaker.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

APPROVED BY THE MAYOR, this <sup>9th</sup>~~18~~ day of FEB., 2011

  
\_\_\_\_\_  
Phil Brubaker, Mayor

ATTEST:

  
\_\_\_\_\_  
Kelli Weese, City Recorder

## EXHIBIT A – 2/7/11

### FINDINGS OF FACT

#### City Of Florence Ordinance No.2, Series 2011

(Formerly Ordinance 12, Series 2010 & Ordinance 1, Series 2011)

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#### I. PROPOSAL DESCRIPTION

The requested action is to adopt amendments to the *Florence Realization 2020 Comprehensive Plan* ("Comprehensive Plan") text and Map and Florence City Code and Zoning Map, in order to incorporate policy and projects from the *Florence Parks and Recreation Master Plan, 2011* as follows:

1. Amend the Comprehensive Plan Text and Maps (**Exhibit B**)
2. Amend Florence City Code Titles 10 and 11 and the Florence Zoning Map (**Exhibit C**)

#### **Exhibit B: Comprehensive Plan Amendments**

Proposed amendments to the Comprehensive Plan are shown in legislative format in the attached Exhibit B and are described below:

##### ■ **Amendments to Florence Realization 2020 Comprehensive Plan Chapter 8: Parks, Recreation, and Open Space**

Incorporate amendments proposed in the *Florence Parks and Recreation Master Plan, 2011* into Chapter 8 and rename that Chapter, "Parks, Recreation, and Open Space."

##### ■ **Amendments to other Florence Realization 2020 Comprehensive Plan Chapters**

Make the following amendments to other Chapters of the Plan, to make the Plan internally consistent and consistent with State law:

- Table of Contents, to reflect changes in content to Comprehensive Plan text and Maps;
- Appendix, to remove the *1987 Planning Report*.
- Introduction, to add State Goal and Rule definitions;
- Chapter 2, Land Use, to make land use policies and text consistent with parks and open space policies in Chapter 8;
- Chapter 11, Utilities and Facilities, to remove and move policies related to parks and recreation;



- Chapters 9, 11, 14, and 17 to makes these Chapters consistent with Chapter 8 and/or State law; and
- Chapter 12, Transportation, to include policies and projects from the Florence Parks and Recreation Master Plan, 2011.
- **Amendments to Comprehensive Plan Maps**
  - Replace existing Parks Map (Map 11-D1) with Map 8-1 in Chapter 8
  - Amend the Comprehensive Plan Map as described in Exhibit B and shown in Map B-1.

### **Exhibit C: Florence City Code and Zoning Map Amendments**

Proposed amendments to the Florence City Code and Zoning Map are shown in legislative format in the attached Exhibit C and are described below:

- Amendments to Title 11, various sections, to include provisions for providing parkland as part of land divisions
- Amendments to Title 10, various sections, to provide consistent definitions, and standards for parklands; and to make Planned Unit Development (PUD) provisions and, Commercial, North Commercial, and Highway District zoning consistent with these amendments
- Amendments to the Zoning Map to apply appropriate zoning classifications to properties that serve to meet parkland needs

## **II. NARRATIVE**

In October 2008 a Parks and Recreation Master Planning Committee was formed for the purpose of creating a new park master plan for the City of Florence. The committee met that fall and continued meeting over the course of the year. They recently reconvened to review and approve the draft version of the *Florence Parks and Recreation Master Plan, 2011*. The committee used the process recommended by the Oregon Parks and Recreation Department that includes substantive research and analysis conducted by the committee and staff. The committee met on April 12, 2010 and made a unanimous recommendation that Planning Commission consider review of the *Florence Parks and Recreation Master Plan, 2011* and recommendation to City Council for adoption.

A new park master plan is needed to create and implement a vision for parks and recreation that is consistent with current local and state policy direction and meets the Florence community's needs, which have changed markedly, and are projected to continue to change, over the next 20 years.

The City adopted its first "Park System Master Plan," in 1985 and updated it in 1986 and 1987. The 1987 Planning Report needs to be completely updated and revised for three reasons: 1) the existing 1985/1987 Parks Plans were never

fully implemented; 2) the existing Parks Plan and Planning Report are based on the 1982 and 1988 Comprehensive Plans, which are no longer the City-adopted and State-acknowledged Comprehensive Plans for the City; and 3) the existing Parks Planning documents no longer respond to community needs.

In addition to adoption of a new parks and recreation master plan, policies need to be reviewed within the 2020 Comprehensive Plan to reflect the direction of the master plan. Additionally, zoning text and map amendments are being proposed to implement the new master plan and the comprehensive plan policies. These changes primarily include legislative amendments. However, due to the specified map amendments there are several quasi-judicial amendments. Both legislative and quasi-judicial amendments are initiated by Planning Commission.

### **III. NOTICE AND REFERRALS**

Public hearings were held on July 13<sup>th</sup>, for quasi-judicial and legislative amendments, October 26<sup>th</sup> for legislative amendments and on December 6, 2010 for quasi-judicial and legislative amendments.

#### **1. Notice:**

Notice of the proposed Comprehensive Plan, Code, and Map Amendments was sent to Department of Land, Conservation and Development on May 27, 2010, not less than 45 days prior to the first (Planning Commission) evidentiary hearing as required by state law. The hearing was published in the Siuslaw News on July 7<sup>th</sup> 2010 as required by State law and the Florence City Code.

Notice of the proposed revised legislative amendments in the Comprehensive Plan and Code, was published in the Siuslaw News on October 20, 2010. Renotice was sent to DLCD on October 20<sup>th</sup>, 2010.

The City Council hearing was published in the Siuslaw News on December 1<sup>st</sup>, 2010.

Owners of property affected by the proposed Comprehensive Plan Map and Zoning Map changes were mailed notification of the hearings on June 3, 2010 and November 26, 2010 in accordance with State law. The proposal to amend the text of the Comprehensive Plan and Code is a legislative change because it affects all properties in the city.

#### **2. Referrals:**

Referrals were sent to the Florence Police Department, Central Lincoln PUD, Florence Public Works, Siuslaw Valley Fire and Rescue, Oregon Department of Transportation, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Florence Building Department, Department of Land and Conservation, Lane County Parks, Lane County Land Manage-



ment, Lane County Transportation, Bureau of Land Management, Florence Code Enforcement, Oregon Parks and Recreation: Recreational Trails Division and Planning Division, Siuslaw School District, Port of Siuslaw, Oregon Department of State Lands, Oregon Department of Aviation, and the Federal Aviation Administration.

**IV. APPLICABLE CRITERIA**

- 1. **Florence Realization 2020 Comprehensive Plan**
  - Introduction: Plan Adoption, Amendments, Review and Implementation;
  - Chapter 1: Citizen Involvement
  - Chapter 2: Land Use
  - Chapter 9: Economic Development
  - Chapter 10: Housing Opportunities
  - Chapter 11: Utilities, Facilities, and Services
  - Chapter 12: Transportation
- 2. **Florence City Code (FCC) Title 10: Zoning Regulations**

Chapter 1: Zoning Administration, Sections: 10-1-1-5 Land Use Hearings; Section 10-1-2-2, Change of Boundaries on Zoning Map; 10-1-3 Amendments and Changes.
- 3. **Oregon Revised Statutes:** ORS 227.186; ORS 197.610; ORS 197.175; ORS 197.763
- 4. **Statewide Land Use Planning Goals:** Goal 1, Citizen Involvement [OAR 660-015-0000(1)]; Goal 2, Land Use Planning [OAR 660-015-0000(2)]; Goal 8, Recreational Needs [OAR 660-015-0000(8)]; Goal 10, Housing [OAR 660-015-0000(10)]; Goal 12, Transportation [OAR 660-015-0000(12)].

**V. FINDINGS**

Applicable criteria are shown in bold and findings are in plain text below.

**REALIZATION 2020 FLORENCE COMPREHENSIVE PLAN**

**Introduction  
Plan Adoption, Amendments, Review and Implementation,  
Page 3**

**Amendments to the Plan may be initiated by citizens, citizen groups, the Citizen Advisory Committee, the Planning Commission or the City Council. In any amendment proceedings, the City Council shall obtain the recommendation of the Planning Commission and the Citizen Advisory Committee before taking action on a proposed major amendment. Minor changes**

which do not have significant effects beyond the immediate area of the change require the recommendation of the Planning Commission. Minor changes may be initiated at any time. Notice to the Oregon Department of Land Conservation and Development (DLCD) of a public hearing for a proposed plan amendment shall be required at least 45 days prior to the first Planning Commission hearing.

...Required inventory information that was not available during the development of this Plan shall be incorporated into this Plan as it becomes available through the Periodic Review and update process.

The proposed amendments to the Comprehensive Plan are consistent with this policy because the amendments were initiated by Planning Commission Resolutions PC 10 08 ZC 02 & PC 10 09 CPA 01 on May 11, 2010; the City Council obtained the recommendation of the Planning Commission before taking action on the proposed major amendments; notice to the Oregon Department of Land Conservation and Development (DLCD) of the public hearing for the proposed Plan amendments was provided at least 45 days prior to the first Planning Commission hearing and renoticed due to proposed changes on October 19, 2010; and the required inventory information in the Parks and Recreation Master Plan is proposed to be incorporated into the Comprehensive Plan.

## **Chapter 1: Citizen Involvement**

### **Policies**

- 3. The City Council shall ensure that a cross-section of Florence citizens is involved in the planning process, primarily through their appointments to the Planning Commission, Design Review Board, Citizen Advisory Committee and other special committees.**
- 4. Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.**
- 5. Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public.**
- 6. Planning documents and background data shall be available to interested citizens.**
- 8. Citizen involvement shall be assured in the review and update of the Comprehensive Plan.**

The proposal is consistent with policies three through six and eight of Chapter 1 because the City Council ensured that a cross-section of Florence citizens was involved in the planning process through appointment of the Parks and Recreation Commission and its formation of a Parks and Recreation Master Planning Committee: all meetings were publicized and held at regular times; agendas pro-



vided the opportunity for citizen comment; records of all meetings where official action was taken are kept at City Hall and made available on request to the public; planning documents and background data are available to interested citizens; and citizen involvement was assured in this review and update of the Comprehensive Plan.

## **Chapter 2: Land Use**

### **Policies**

1. **Designation and location of land uses shall be made based on an analysis of documented need for land uses of various types, physical suitability of the lands for the uses proposed, adequacy of existing or planned public facilities and the existing or planned transportation network to serve the proposed land use, and potential impacts on environmental, economic, social and energy factors.**
3. **The quality of residential, commercial and industrial areas within the City shall be assured through the enforcement of City zoning, design review, applicable conditions of development approval, parking and sign ordinances, and the enforcement of building, fire, plumbing and electrical codes.**

The proposed Plan designations and zoning classifications in the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with these policies because the designation and location of the planned parks and parklands was based on an analysis of documented need for parks and open space and the physical suitability of the lands for the uses proposed, adequacy of existing or planned public facilities, and the existing or planned transportation network to serve the proposed land use, and potential impacts on environmental, economic, social and energy factors; and the quality of residential, commercial and industrial areas within the City will be assured through development approvals based on the proposed Code changes to Titles 10 and 11 in Exhibit C.

## **Chapter 9: Economic Development**

### **Policies**

3. **The City shall work with appropriate parties to increase tourism revenues.**
4. **The City shall work to improve networks of all kinds within the county, the region, and the state in support of economic and business development.**

The proposal is consistent with these policies because the Comprehensive Plan amendments in Exhibit B include policies directing that the City shall work with

appropriate parties to improve recreational opportunities for visitors which will increase tourism revenues. It also includes policies directing that the City coordinate with all regional parties in these efforts which will support of economic and business development.

## **Chapter 10: Housing Opportunities**

### **Policies**

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

The 2004 Residential Buildable Lands Inventory (BLI) did not include publicly owned lands in its methodology for tallying the numbers of available vacant lands. Only privately held lands were utilized. Therefore, the amount of lands identified for residential high density housing development is not reduced through the rezoning and plan redesignation of public parklands. The BLI projected 1,267 multi-family units could be accommodated with the lands available from 2003-2025. The BLI further projected that only 49% or 615 multi-family units would be needed during the planning period. The proposed Comprehensive Plan Map and Zoning text and Map amendments are consistent with Policy #3 because sufficient land within the Florence area will continue to be available for high density housing development where public services are adequate and where higher densities and traffic levels will be compatible with the surrounding area.

## **Chapter 12: Transportation**

- 4. The City shall develop systematic annual maintenance plans for streets, bike, pedestrian and air facilities.**
- 6. The City shall continue to require new development to pay its share of costs of development of, or improvements to, transportation facilities which will serve the proposed development.**
- 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.**
- 10. At the time of land development or land division, the City shall require right-of-way or easements consistent with the adopted TSP in order to maintain adequate street widths, bikeways and walkways and to accommodate transit facilities.**



12. The City shall consider the potential to establish or maintain bike-ways and/or walkways prior to vacating any public easement or right-of-way.
13. Convenient access for motor vehicles, transit, bicycles and pedestrians shall be provided to major activity centers, including public buildings and schools, shopping areas, parks and places of employment.
14. Streets, bikeways and walkways shall be designed to meet the needs of pedestrians and cyclists to promote safe and convenient bicycle and pedestrian circulation within the community. To promote bicycling and walking, all new collector and arterial streets should have bicycle lanes, and all new streets, except short, very low volume local streets, should have sidewalks.

The proposed amendments to the Comprehensive Plan Text and Map, Code, and Zoning Map are consistent with the above applicable policies in Chapter 12 because the proposed policies and amendments to the Comprehensive Plan:

- are supported by plans for bike facilities;
- will require new development to pay its share of costs of development of, or improvements to, trails, easements, and bike lanes and paths which will serve the proposed development;
- will protect the function of existing and planned transportation systems as identified in this Plan through application of the proposed land use Code and map amendments;
- will maintain adequate bikeways and walkways;
- consider the potential to establish or maintain bikeways and/or walkways prior to vacating any public easement or right-of-way;
- promote bicycling and walking by continuing to require that all new collector and arterial streets have bicycle lanes, and all new streets have sidewalks.

## **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.
- B. Notification of Hearing:
  1. 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).
- 2. Prior to a quasi-judicial hearing, notice shall be published one (1) time in a newspaper of general circulation.
- C. Notice Mailed to Surrounding Property Owners - Information provided:
- D. Hearing Procedure: All quasi-judicial hearings shall conform to the procedures of Florence City Code Title 2 Chapter 10.
- E. Action by the Planning Commission:
  - 1. At the public hearing, the Planning Commission shall receive all evidence deemed relevant to the issue. It shall then set forth in the record what it found to be the facts supported by reliable, probative and substantive evidence.
  - 2. Conclusions drawn from the facts shall state whether the ordinance requirements were met, whether the Comprehensive Plan was complied with and whether the requirements of the State law were met.
  - 3. In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.
  - 4. There is no duty upon the Planning Commission to elicit or require evidence. The burden to provide evidence to support the application is upon the applicant. If the Planning Commission determines there is not sufficient evidence supporting the major requirements, then the burden has not been met and approval shall be denied.

#### 10-1-3: AMENDMENTS AND CHANGES

- B. Quasi-Judicial Changes:
  - 1. Initiation: A quasi-judicial zoning change and related Comprehensive Plan changes may be initiated by ...resolution of the Planning Commission...



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.
4. **Planning Commission Review:** The Planning Commission shall review the application for quasi-judicial changes and shall receive pertinent evidence and testimony as to why or how the proposed change is consistent or inconsistent with and promotes the objectives of the Florence Comprehensive Plan and Zoning Ordinance and is or is not contrary to the public interest. The applicant shall demonstrate that the requested change is consistent with the Comprehensive Plan and Zoning Ordinance and is not contrary to the public interest.

**10-1-3-C: Legislative Changes:**

1. **Initiation:** A legislative change in zoning district boundaries, in the text of this Title, 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 proposed changes be considered by the Commission and its recommendation returned to the Council.
2. **Notice and Public Hearing:** Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect. (Amd. by Ord. 30, Series 1990).

The proposed amendments in Exhibits B and C are both legislative and quasi-judicial: amendments to the text of the Plan and Code are legislative and amendments to the Plan Maps and Zoning Map are quasi-judicial. The proposal is consistent with all the criteria in FCC 10-1-1-5, 10-1-2-2, and 10-1-3, pertaining to quasi and legislative amendments, as follows:

- The Planning Commission initiated the amendments on May 11, 2010 through Resolution PC 10 08 ZC 02 and PC 10 09 CPA 01;
- The Florence Planning Commission held public hearings on July 13 and October 26, 2010 and the City Council held a public hearing on December 6, 2010;
- Notice of the public hearings was sent consistent with the Comprehensive Plan, as described in findings for Chapter 1, below, and with state law, as described in findings of compliance with state law, below. Notice to owners of property to be rezoned and surrounding property owners, and other property owners with potential to be affected was mailed on June 3, 2010 for Planning Commission's hearing and November 26, 2010 for City Council's hearing. Hearings were advertised in the Siuslaw News on July 7, 2010, July 10, 2010, and October 20, 2010 for Planning Commission and December 1, 2010 for City Council. All City water utility customers received a flyer notice of the

- hearing and open house in the City of Florence utility bill mailed June 2, 2010. On June 25, 2010 the airport received notice consistent with 10-1-1-5-a & b.
- The Planning Commission found the proposed changes to be consistent with the Comprehensive Plan and Zoning Ordinance.
  - The Planning Commission found that public need exists for zoning city parks "Open Space" as a means of protecting and identifying public lands for their intended public recreational use and enjoyment. Additionally the proposed changes are not contrary to the public interest.
  - All proceedings, decisions, and notice of decisions were conducted in accordance with the requirements in FCC, the Comprehensive Plan and state law.

#### **OREGON REVISED STATUTES**

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

- (3) Except as provided in subsection (6) of this section, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause a written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

The proposal is consistent with ORS 227.186 as it pertains to the proposed amendments to the Comprehensive Plan Parks Resources Map, Comprehensive Plan Map, and Zoning Map because:

- On June 3, 2010 at least 20 days but not more than 40 days before the date of the Planning Commission hearing (first hearing) on the adopting ordinance to amend the comprehensive plan map, the City mailed a written individual notice of a land use change to the owners of each of the properties included in this part of the proposal;
- the notice was approved by the City and described in detail how the proposed ordinance would affect the use of the properties;
- the notice contained the text required in ORS 227.186.

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

- (1) A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption. The proposal forwarded shall contain the text and any supplemental infor-

mation that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing.

The proposal is consistent with ORS 197.610 because notice to DLCD was sent on May 27, 2010; at least 45 days prior to the July 13, 2010 (first) Planning Commission public hearing and the notice contained the information required in this statute.

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

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

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

**ORS 197.763 CONDUCT OF LOCAL QUASI-JUDICIAL LAND USE HEARINGS; NOTICE REQUIREMENTS; HEARING PROCEDURES.**

The following procedures shall govern the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations:...

The proposed Comprehensive Plan Map and Zoning Map amendments are consistent with ORS 197.763 because notice and the conduct of the hearings and the availability of documents and reports were consistent with all of the requirements in ORS 197.763.

**STATEWIDE PLANNING GOALS**

**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 Revi-**

### **sions in the Plan, and Implementation Measures.**

The proposal is consistent with Statewide Planning Goal 1 because the following opportunities for citizens to be involved were noticed or available:

- In September, October and December 2004 four public workshops were held soliciting public input on parks and recreation in the Florence area.
- In September 2008, the city solicited volunteers via the Siuslaw News for the Parks and Recreation Master Planning Committee.
- During March 2009 the Parks and Recreation Master Planning Committee offered a parks and recreation survey available on-line and at various public locations,
- In April 27, 2009 the Parks and Recreation Master Planning Committee held a community forum on parks and recreation needs and issues in the Florence Area.
- On June 8, 2010 the City held an Open House on the proposed changes related to the City of Florence Park and Recreation Master Plan, 2010.
- The Planning Commission hearing of July 13, 2010 was advertised twice in the Siuslaw News.
- Notice of the Plan and Zoning Map amendments was mailed to property owners within 300 feet of the properties and as to those property owners as required under ORS 197.047.
- Inserts were included in all June 2010 water utility customer billings announcing the July 13, 2010 hearing and the June 8, 2010 City of Florence Park and Recreation Master Plan public open house
- 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 shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.**

The proposed Comprehensive Plan amendments are consistent with Goal 2 because the amendments and supporting documents include identification of issues



and problems, inventories and other factual information for each applicable statewide planning goal, an evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs; the required information is contained in the *Florence Parks and Recreation Master Plan, 2011*, the supporting document which is filed in Florence public offices and is easily accessible to the public; the proposed Plan amendments are the basis for the proposed amendments to the Code and Zoning Map, the specific implementation measures; these measures are consistent with and adequate to carry out the proposed Plan amendments; and the proposed amendments were coordinated with the plans of affected governmental units.

**All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.**

The proposal is consistent with Goal 2 because the proposed revisions to the Comprehensive Plan text and Map, Florence City Code, and Zoning Map were adopted after public hearing and opportunities were provided for review and comment by citizens and affected governmental units during the proposed revisions to the Plan, Code, and Maps.

#### **GOAL 8: RECREATIONAL NEEDS [OAR 660-015-0000(8)]**

**To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts."**

#### **RECREATION PLANNING**

**The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.**

The proposed Comprehensive Plan and Code amendments are consistent with this section of Goal 8 for the following reasons:

1. The provisions in Goal 8 pertaining to destination resorts do not apply because no destination resorts exist or are planned to be located within the Florence urban growth boundary (UGB).

2. The Parks Plan was developed by the City of Florence, the governmental agency having responsibility for recreation areas, facilities and opportunities within City limits; and the Plan has been coordinated with Lane County, the governmental agency having responsibility for recreation areas, facilities and opportunities outside City limits within the UGB.
3. The Parks Plan was developed over a period of 18 months in coordination with private enterprise: a Parks Committee, which included local business owners as well as private citizens.
4. The Parks Plan was developed in coordination with the Oregon State Parks and Recreation Planning documents published as of June 2010 and relevant to the Florence Park and Recreation Planning Area.
5. The parks and recreational facilities proposed in the Plan are in proportion to the need for such facilities, as determined in the detailed Community Needs Analysis in the Plan.
6. Parks and recreational facilities are planned for the quantity, quality and locations that are consistent with the availability of the City's and County's resources to meet such requirements, as outlined in Chapter VI of the Parks Plan and discussed below in the section, Funding and Financing.
7. The Parks Plan followed the methods and guidelines in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) to identify local and regional recreational needs.

#### **DEFINITIONS**

**Open Space -- means any land that is retained in a substantially natural condition or is improved for recreational uses such as golf courses, hiking or nature trails or equestrian or bicycle paths or is specifically required to be protected by a conservation easement. Open spaces may include ponds, lands protected as important natural features, land preserved for farm or forest use and lands used as buffers. Open space does not include residential lots or yards, streets or parking areas."**

**Overnight Lodgings -- are permanent, separately rentable accommodations that are not available for residential use. Overnight lodgings include hotel or motel rooms, cabins, and time-share units. Tent sites, recreational vehicle parks, manufactured dwellings, dormitory rooms, and similar accommodations do not qualify as overnight lodgings for the purpose of this definition. Individually owned units may be considered overnight lodgings if:**

- (1) With respect to lands not in Eastern Oregon, as defined in ORS 321.805, they are available for overnight rental use by the general public for**

at least 45 weeks per calendar year through a central reservation and check-in service, or

(2) With respect to lands in Eastern Oregon, as defined in ORS 321.805, they are available for overnight rental use by the general public for at least 38 weeks per calendar year through a central reservation system operated by the destination resort or by a real estate property manager, as defined in ORS 696.010."

**Recreation Areas, Facilities and Opportunities -- provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelers; sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities."**

**Recreation Needs -- refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities."**

**Visitor-Oriented Accommodations -- are overnight lodging, restaurants, meeting facilities which are designed to and provide for the needs of visitors rather than year-round residents."**

The proposed amendments to the Realization 2020 Comprehensive Plan (Comprehensive Plan) are consistent with this section of Goal 8 because the portions of these definitions that are applicable within the Florence UGB are to be incorporated into the Definitions in Chapter I of the Comprehensive Plan through the amendments in this Plan.

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

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

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

The proposal is consistent with Goal 10 for the following reasons.

1. Buildable lands for residential use were inventoried in the 2004 Florence Residential Buildable Lands Analysis adopted by the City Council as part of the Comprehensive Plan.
2. The policies and various residential Plan designations in the Florence Comprehensive Plan encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

surate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

3. The proposals in Exhibits B and C do not affect the supply of buildable residential lands in the urban growth boundary. The proposed Plan designation changes affect only publicly owned lands and the Sandpines golf course, both of which were expressly excluded from the 2004 Buildable Lands Analysis. The residential land that will be used for open space and parkland as required in the proposed amendments in Exhibit C is excluded from the 2004 Buildable Lands Analysis because the analysis assumes that 20% of the buildable residential land supply will be used for non-residential uses, including parkland.

The proposals in Exhibits B and C are therefore consistent with Statewide Planning Goal 10.

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

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

**OAR 660-012-0060**

**Plan and Land Use Regulation Amendments**

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

**(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

**(b) Change standards implementing a functional classification system; or**

**(c) As measured at the end of the planning period identified in the adopted transportation system plan:**

**(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**

**(B) Reduce the performance of an existing or planned transportation**



**facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or**

**(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.**

The proposal is consistent with Goal 12 and these provisions in the Transportation Planning Rule because the proposal 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) They do not 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.

## **VI. CONCLUSION**

The proposal to adopt amendments to the Florence Realization 2020 Comprehensive Plan text and Maps, Florence City Code, and Zoning Map is consistent with applicable criteria in Florence Realization 2020 Comprehensive Plan, Florence City Code, Oregon Revised Statutes and Administrative Rules, Statewide Planning Goals, and is not contrary to the public interest.

**EXHIBIT B – 2/7/11  
CITY COUNCIL ORDINANCE 2, SERIES 2011**

**Amendments to Florence Realization 2020  
Comprehensive Plan Text and Maps for Consistency with  
*Florence Parks and Recreation Master Plan, 2011***

The following amendments are proposed:

- Florence Realization 2020 Comprehensive Plan Text Amendments
- Florence Realization 2020 Comprehensive Plan Map Amendments

**Florence Realization 2020 Comprehensive Plan Text  
Amendments**

*This is the original exhibit presented to City Council under ordinance on January 18, 2011 with changes requested of the public and the City Council incorporated. Deletions of original comprehensive plan text are shown in ~~strike-out~~ and additions to the comprehensive plan text are indicated by double underline. The following amendments to the Florence Realization 2020 Comprehensive Plan are recommended for approval by the Florence City Council:*

**1. Amend the Comprehensive Plan Table of Contents, as follows:**

**“Chapter 8: Recreational Needs Parks, Recreation, and Open Space**

**Chapter 11: Utilities, and Facilities and Services**

Wastewater Collection and Treatment  
Water System Supplies and Needs  
Stormwater Management  
Parks, Recreation, and Open Space  
Telephone Services and Telecommunications  
Public Safety and Health Related Services”

**“Part II: Comprehensive Plan Appendices**

*(Located in binder in Community Development Department, Florence City Hall)*

**8. Recreational Needs (Combined with Goal 11) Parks, Recreation, and Open Space**

**11. Utilities and Facilities and Services**

- a. City of Florence: Wastewater Facilities Plan, Brown and Caldwell, October, 1997 (under separate cover)
- b. City of Florence: Water Facilities Plan, September 1998 (under separate cover)
- c. City of Florence Wellfield and Water Treatment Expansion Project, February, 2001
- d. City of Florence: Stormwater Management Plan, October 2000 (under separate cover)

e. Planning Report 1987, A Recommended Guide to Park Development

2. **Amend Introduction, Definitions, Page 8, to add the following definitions from Statewide Planning Goal 8 and other Goals, as noted:**

### **Definitions**

Dedicate/dedication. The gift of land or an easement by a private person or entity to the City as part of, and a condition of, a real estate development. The City must accept the dedication before it is complete. The owner of the land does not retain any rights that are inconsistent with the complete exercise and enjoyment of the public uses to which the property has been committed.

Easement, Public. A right of use of a property given by the owner to the City for public use, and accepted for such use by or on behalf of the public.

Open Space. Any publicly or privately owned land that is retained in a substantially natural condition and incorporates an adjacent parkland improved for recreational uses such as, picnicking, nature interpretive trails or multi-use paths. Open spaces may also include seasonal lakes, lands protected as important natural resources such as wetlands or riverine areas, and lands used as buffers when such lands incorporate areas for the design features mentioned above. Open space does not include residential lots or yards, streets or parking areas.

Overnight Lodgings. Permanent, separately rentable accommodations that are not available for residential use. Overnight lodgings include hotel or motel rooms, cabins, and time-share units. Tent sites, recreational vehicle parks, manufactured dwellings, dormitory rooms, and similar accommodations do not qualify as overnight lodgings for the purpose of this definition.

Parklands. Lands that provide for human development and enrichment, and include, but are not limited to: open space and scenic landscapes that provide a place for people to exercise and interact; active recreational lands; historical, archaeology and natural science resources that incorporate a combination of interpretive signage, trails, picnicking and seating areas, and viewing areas; sports and cultural facility areas; picnicking; trails; waterway use facilities; active and passive activities.

Recreation Needs. Existing and future demand by citizens and visitors for recreation areas, facilities, and opportunities which can contribute to human health, development, and enrichment.

**3. Amend Chapter 2, Land Use, as follows:**

**Page II-3:**

**Residential**

**Goal**

To create residential living environments that satisfy a wide variety of local and regional population needs and desires and add long-term community value.

**Policies**

1. The City shall encourage the use of residential planned unit development subdivisions and may trade off some conventional zoning requirements and density limitations in order to achieve:
  - a. high quality, innovative residential lot and building design,
  - b. incorporation of unique land forms into the final subdivision design,
  - c. significant open space ~~not otherwise achievable through a conventional design,~~
  - d. on-site amenities reflecting the value need for both active and passive recreational facilities,
  - e. natural resource protection, where identified as part of a preliminary site investigation report,
  - f. a mix of dwelling unit types and densities, and a mix of residential, commercial, and recreational uses, where appropriate.
4. Residential developers shall ~~expect~~, in order to obtain subdivision approval provide streets of a suitable width and cross-section, sidewalks, and other transportation facilities consistent with the Transportation System Plan, conveyance of natural drainage flows through the site, stormwater management systems, appropriate traffic safety signs and street lights, and normal and incidental public and quasi-public utilities including water, sanitary sewer, stormwater, and underground electric, cable, telephone and potentially fiber optic cable.

**Add a new Policy #5 & #6 (renumber subsequent policies sequentially):**

5. Residential developers shall, in order to obtain planned unit development approval, to provide recreational area as a percentage of the required open space consistent with the amount indicated in Florence City Code. The recreation area shall satisfy one or more recreational needs identified in the latest Florence Parks and Recreation Master Plan.
6. New multi-family developments with four or more dwelling units on a single lot shall contribute recreation area appropriate to the needs of intended occupants as determined in the standards set out in the Florence Parks and Recreation Master Plan and Florence City Code.



**Page II-7:**

**Low Density Residential**

~~“...A portion of these lands includes privately owned sand dunes suitable for non-motorized sand related recreational activities. Since the ownership also has a sand mining permit, the life of this resource and associated recreational use is time limited. Sand mining and non-motorized recreational uses would most appropriately be included as a Conditional Use in the Restricted Residential District. Access to Highway 101 will likely be limited by ODOT. Any plans should include provision for access via the extension of Oak Street and West Munsel Lake Road.”~~

**Page II-19:**

**Other Plan Designation Categories and Background**

The following Comprehensive Plan designation categories are shown in the Plan Map and described below: Public; Private Open Space; West 9<sup>th</sup> Street Area; and Downtown.

**Public**

The Public designation is intended to identify existing public and semi-public uses including the airport, public parks, schools, community colleges, cemeteries, and other public buildings and lands as well as major utility facilities. Planned locations for such facilities are also included within this designation; however, future sites and public facility developments may take place within other plan designations subject to need and appropriate review. The implementing zoning districts for this Plan designation are: Open Space District and Public Use Airport Zone (for the airport). In addition, the Public Use Airport Safety and Compatibility Overlay Zone applies to the airport and to lands near the airport as defined in the description of the Overlay Zone in Title 10 of the Florence City Code.

**Private Open Space**

The Private Open Space designation is intended to identify areas where the predominant character is a less intense development pattern consisting of natural uses or open areas. Uses may include crop production, recreation, animal grazing, fish and wildlife habitat, and other similar uses. If development occurs in these areas, it shall be in such a manner that maintains the natural features of the site. Natural features include but are not limited to drainage ways, wetlands, scenic vistas, historic areas, groundwater resources, beaches and dunes, and habitat for sensitive species. Development within a Private Open Space area may occur subject to the Planned Unit Development process.”

**Page II-27:**

“..Any development should also be sensitive to the City's park land property located on Blocks 58 and 59. 12th Street should not be opened to vehicular traffic. 11th Street may be opened for vehicular traffic from Rhododendron Drive to provide access to this subarea, but should either be terminated at Driftwood Street right-of-way or drawn northward away from the City's park land. 11th Street shall not cross the drainage way. Driftwood Street may also be opened to 10th Street, where access from 10th can then be provided to 9th Street via Elm Street. Driftwood Street will remain unopened from 10th Street to 9th Street.”

**4. Amend Comprehensive Plan Chapter 8 by changing the name of the Chapter from “Recreational Needs” to “Parks, Recreation, and Open Space” and inserting a revised Chapter 8, set out below.**

Note: The following revised Chapter 8 is proposed to achieve consistency with the *Florence Parks and Recreation Master Plan, 2011* (Parks Plan); to create a separate Parks and Recreation Comprehensive Plan Chapter; and to rename Comprehensive Plan Chapter 8: “Parks, Recreation, and Open Space.” Specifically, the amendments reflect the following proposals:

- Move text related to parks, recreation, and open space from Chapter 11 of the Comprehensive Plan (Utilities, Facilities, and Services) to Chapter 8, re-title Chapter 8, re-arrange, and amend for consistency with the Parks Plan. This existing text is noted below, i.e., “(from Chapter 11).”
- Translate the Vision, Goals, and Objectives in Chapter 2 of the Parks Plan and the Community Needs identified in Chapter 4 of the Parks Plan into Comprehensive Plan Goals, Policies, Recommendations, and Background text amendments. These changes are shown in legislative format, below.

**“Chapter 8. Parks, Recreation and Open Space**

**Goal**

~~To provide a variety of recreational opportunities and to provide open space and protect unique areas of the City. (from Chapter 11, Goal)~~

To provide a well-functioning and well-maintained park and recreation system that enhances quality of life by offering a diversity of recreational opportunities for people of all ages and needs.

**Objectives**

1. To implement the Vision and address the Community Needs identified therein the Florence Parks and Recreation Master Plan.
2. To improve human health and well being by providing opportunities for people to exercise and interact.

3. To ensure that existing parks are refurbished with grounds and facilities that are accessible and available for use by Florence residents and visitors.
4. To reduce greenhouse gases produced through burning of fossil fuels for electricity, heating and transportation by using sustainable practices in the development of park facilities and lands.
5. To increase the level of service of parks and recreation amenities.
6. To improve, and create new, opportunities for popular and upcoming league sports.
7. To better meet the recreation needs of all segments of our community, particularly the adolescent sector, through new programs and partnerships.
8. To make public open spaces accessible to community residents and visitors.
9. To provide a comprehensive trail plan that includes bicycle, pedestrian and boating facilities.
10. To provide new sources of park and open space funding, such as system development charges, a park and recreation district, maintenance fees, and volunteer matching resource programs.
11. To ensure that parks, recreation and open space facilities have the financial resources to sustain consistent and ongoing maintenance and personnel.

## **Policies**

Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the following actions.

### **Parks and Recreation**

1. The City shall coordinate and cooperate with local public, private, and non-profit agencies and groups to:
  - a. improve public awareness of existing parks and recreation opportunities;
  - b. educate people about the health benefits of an active lifestyle;
  - c. and foster stewardship of parks and recreation resources and facilities by generating an "aura of community ownership" to raise awareness, prevent vandalism, and assist with increasing costs of upkeep.
2. The City shall enlist the participation of volunteers, when feasible and appropriate, to help maintain existing parks and recreation resources and to enhance and expand current sites and facilities.
3. Within the Florence urban growth boundary, the City and Lane County shall designate lands for possible park development purposes. Lands so

designated shall be reserved for future park system expansion upon annexation. (from Chapter 11, Policy #6)

4. The City shall ensure that the public parks system is accessible to all residents and visitors. (from Chapter 11, Policy #9)
5. The City shall use sustainable practices in developing and planning park facilities and lands, including: sustainability guidelines for design and maintenance of parks and recreation and community facilities; a natural resource interpretive and signage program; tree planting and community garden programs; and other sustainable practices.
6. As resources and opportunities exist, the City shall repair, expand and renovate park facilities to bring existing parks up to the level of community expectations.
7. Where resources permit, the City shall enhance the landscaping of all City-owned parks and recreation sites, install community gardens, and partner with other public and private entities because these actions will improve public health and nutrition, and restore wildlife habitat, in addition to improving the human recreational experience.
8. The City shall require new residential and mixed-use developments to pay systems development charges for park and recreation facilities, open space, and pedestrian access to adjacent parks and open space consistent with the capital improvement plan and recommendations identified in the latest Florence Parks and Recreation Master Plan (Parks Plan) and with the standards in Florence City Code.
9. The City shall initiate a public land acquisition program to ensure an adequate amount of park and recreation facilities are provided in existing developed areas of the city.
10. The City shall coordinate with encourage the efforts of the Siuslaw School District 97J, recognized organizations and institutions, and private sector interests to provide coordinated recreation programs and facilities for Florence area residentsyouth. (from Chapter 11, Policy #4)
11. The City shall address conflicts and issues related to on-leash and off-leash dog walking through the following actions:
  - a. provide, through an appropriate combination of Code provisions, planning, and public acquisition, more off-leash and on-leash dog-friendly areas in locations where animal waste will not present a threat to surface and groundwater quality and public health;
  - b. resolve conflicts through public education, signage, plastic bags for waste collection, and Pet Waste Disposal Stations;
  - c. provide public education on the need to collect and dispose of dog waste in specified receptacles on ocean beaches and public property to improve the experience of all users and reduce threats to water quality and public health.
12. The City shall improve the use of Miller Park through the following actions:
  - a. resolve existing conflicts among park users through the adoption, posting and distribution of rules and possible park expansion;



- b. seek funding or organize a program of volunteers for improved rest-rooms, ball fields, and storage; and
- c. implement public education and mentorship programs and improved facility design to reduce vandalism and intimidation.

#### Open Space

- 13. The City shall encourage and support public/private efforts to ensure permanent public access and views of the Siuslaw River and its scenic estuary. (moved from Chapter 11, Policy #5)
- 14. The City shall develop an interconnecting trail system, providing a full circular route around the Florence area and incorporating Rhododendron Drive, Munsel Lake, beaches, dunes, Old Town, Port and Siuslaw Estuary. The system shall also connect the various parks, residential areas, business, public places through the following actions:
  - a. Consider the potential to establish or maintain bikeways and/or walkways prior to vacating any public easement or right-of-way;
  - b. Develop and adopt a Comprehensive Trail Plan that includes bicycle and pedestrian facilities and provides for park connections;
  - c. Develop the bike lanes and multi-use paths identified in the Florence Transportation System Plan to connect bicyclists and pedestrians to parks, commercial centers and nature areas;
  - d. Develop and adopt bike and pedestrian facility design standards; and
  - e. Develop a system of trails and pathways to provide a safe network that links neighborhoods, parks, natural open space, schools, employment centers, shopping locations, recreation facilities and other key community destinations.

Designated greenways, linear parks, and bicycle and walking paths shall be developed to connect the various parks, residential areas, businesses, and public places through a community-wide trail network, consistent with the recommendations of the Transportation System Plan and Parks and Open Space Capital Improvement Plan (CIP). (from Chapter 11, Policy #7)
- 15. The City shall ensure that native vegetation is planted, retained, and maintained in parks and open space areas.
- 16. The City shall support Federal, State, County and City efforts to develop bicycle paths, such as the Oregon Coast Trail, connecting the City to nearby recreation areas shall be supported. (from Chapter 11, Policy #8)
- 17. The City shall coordinate the provision of public recreation areas and open space in the City with the protection of unique natural features to provide educational, social, environmental and economic benefits to the Florence area and greater coastal region. (from Chapter 11, Policy #10)
- 18. In reviewing property owner requests for Open Space classification for tax purposes under ORS 308A, the Florence City Council shall base its decision on the criteria in ORS 308A.309. (ORS attached for reference)

19. The City, in conjunction with the Port of Siuslaw, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians and the Siuslaw Watershed Council, shall plan and provide estuary and aquatic trails and put in and take out points along the Siuslaw River.

#### **Funding, Financing, and Volunteer Programs**

20. The City shall explore various short and long-term funding options primarily for maintaining existing parks and, as funds are available, for expanding the Florence parks system. This could include formation of a regional parks and recreation district (from Chapter 11, Policy #1)
21. In pursuing funding for parks and recreational facility maintenance and enhancement, the City shall give priority to the following, not necessarily in this order:
- a. mini parks, specifically: equipment replacement, plant maintenance and installation, and improved general maintenance (such as painting and sanding);
  - b. on- and off-leash dog play areas;
  - c. pedestrian, bicycle, and multi-use trail and path development;
  - d. feasibility study, site acquisition, planning, construction and operation of a public pool and recreation center;
  - e. improved public access to existing public open space areas through public trails, signage and education in order to reconnect youth with nature and provide more close-to-home recreational opportunities that are free of cost, consistent with the State's recreational planning priorities;
  - f. acquisition of new park and open space areas in existing developed areas;
  - g. fields for multiple recreational uses such as adult softball, soccer and disc golf;
  - h. covered children's play areas; and
  - i. lighting and public safety improvements for all parks
22. The City shall explore parks and open space funding through sources such as grants, systems development charges, use of a special levy, proceeds from street and right-of-way vacations, maintenance fees, and other available funding mechanisms. Where desirable, partnerships with federal, state, county and regional agencies, non-profit organizations, and private interests shall be formed to help secure and possibly finance land acquisition and facility development and redevelopment and maintenance of existing and proposed facilities. (moved from Chapter 11, Policy #2)
23. The City shall develop and adopt a Systems Development Charge (SDC) Ordinance to fund capital improvements for parks and recreation in accordance with the requirements of Oregon Revised Statutes 223.297 to 223.314.
24. The City shall explore the process for formation of a Regional Parks Recreation District considering partnerships with other recreation agency providers and including other residential areas in Western Lane County where facility usage is indicated..

25. ~~The City shall continue to seek resources to develop volunteer programs, such as encourage and support the "Adopt a Park," adoption of public parks within City limits by various organizations and private interests to recognize and maximize the contribution of volunteers in meeting parks and recreation needs in the community, maintain the important role of such facilities in providing the public with access to active and passive recreational opportunities, until such time as a Parks and Recreation District is formed. (from Chapter 11, Policy #3)~~

### Recommendations

1. ~~The City should prepare and adopt a update the existing capital improvement plan for parks and open space, to include the 20-year planning period. Such a plan would require sources of funding, such as grants or the establishment of a parks systems development fee. If open space resources are not included as a function of the District, then the City should develop an open space plan, and pursue conservancy options for purchase and maintenance of such properties. (from Chapter 11, Recommendation #1, in part)~~
2. The City should budget sufficient funds for the preparation and adoption of an SDC Ordinance for Parks and Recreation.
3. ~~The City should cooperate with the Parks and Recreation District, if formed, in identifying park and open space areas within the City and the Urban Growth Boundary, to be included in a regional parks and open space plan. The City should budget funds for initiation of a Regional Parks and Recreation District, including the Feasible Study. Once formed, the District and t~~The City and the District should work to ensure a smooth transition of operations and maintenance for properties transferred to the District. If open space resources are not included as a function of the District, then the City should develop an open space plan, and pursue conservancy options for purchase and maintenance of such properties. (from Chapter 11, Recommendation #1, in part)
4. ~~The City should continue to apply for transportation enhancement funds, or other available funds to develop bicycle paths connecting the City to nearby recreation areas, particularly for to:~~
  - a. ~~implement the a bike path on Rhododendron Drive Integrated Transportation Plan;~~
  - b. ~~extend additions to the Munsel Creek bike/pedestrian trail, south to Gallagher Park and north to Munsel Lake;~~
  - c. ~~development of a bike/pedestrian system in the West 9th Street area; and~~
  - 2.d. ~~improve linkages within the Oregon Coast Trail that development of routes connecting the North Jetty area with the Oregon Dunes National Recreation Area.~~~~4.(from Chapter 11, Recommendation #6)~~
5. The City should establish a program to solicit private gifts and donations to establish and maintain a high quality park system in Florence. (from Chapter 11, Recommendation #9)

6. The City should support efforts of the Port of Siuslaw to maintain the Boardwalk as a permanent public access for views of the Siuslaw River and its estuary. (from Chapter 11, Recommendation #3)
7. The City should pursue establishment of an estuary trail connecting the Boardwalk with the Munsel Creek bike/pedestrian trail. (from Chapter 11, Recommendation #4) ODOT has indicated a preference for an in-culvert pedestrian crossing under Highway 126. Absent that opportunity they prefer a surface crossing be located midblock between Redwood and Spruce Streets.
8. In order to provide the public with increased and unrestricted access to the Siuslaw River and its estuary, the City should develop its public street rights-of-way which terminate at the River as river access parks, which may include parking to meet Old Town parking needs as appropriate. (from Chapter 11, Recommendation #2)
9. The City should review the listing of rights-of-way suitable for recreation use neighborhood parks prior to vacating public rights-of-way. (from Chapter 11, Recommendation #7)
10. When the City's Public Works Department relocates its existing operations shop, water tower, and public works garage are removed from their Spruce Street location, the City should convert that property, consistent with the deed of dedication, into additional recreational space. The City should consider keeping existing buildings with the potential to provide or support recreation programs and retain a Access to Munsel Creek for the Florence Salmon and Trout Enhancement Program (STEP) should be maintained. (from Chapter 11, Recommendation #5)
11. The City should explore the use of a land conservancy to further the protection of greenway, estuary, landmark and other open space lands. (from Chapter 11, Recommendation #8)

## Background

In 2010, the Florence City Council adopted a Florence Parks and Recreation Master Plan (2010 Parks Plan). This Plan was prepared through the efforts of the Florence Parks and Recreation Mater Planning Committee, an ad hoc committee of citizens, representative of multiple sectors of the community such as youth, retirees, etc and utilization of a Florence Park and Recreation Needs Analysis completed in 2006. The 2010 Parks Plan is adopted in support this Comprehensive Plan. The Introduction of the Parks Plan gives a detailed description of the planning process, research, citizen involvement, and recommendations. The policies in this Chapter 8 of the Comprehensive Plan reflect the community vision and respond to the community needs in the Parks Plan.

Table 8-1 presents a "Summary of the Existing City Owned Park System" and Table 8-2 defines the different types of parks referenced in Table 8-1. Map 8-1 displays "Existing City-owned Parks and Park lands in Florence." Table 8-1 includes park lands that provide public open space. Open space, for the purposes

of Comprehensive Plan Chapter 8, refers to public and private lands that offer passive and active recreational opportunities. It does not include areas that provide open space in addition to significant Statewide Planning Goal 5 natural resource sites, including wetlands, riparian areas, and groundwater resources. These natural areas are addressed in Comprehensive Plan Chapter 5; and, although they may provide public open space, they are not part of an Open Space Inventory, as that term is defined in Statewide Planning Goal 5.

Parks and greenways were recognized early as important to the livability of Florence. Shortly after 1900, a greenbelt along a portion of Munsel Creek was dedicated for park use in perpetuity. Other lands were similarly dedicated by farsighted residents. Over the recent years, some additional land has been added to the park system as the value of public parklands has been increasingly recognized. In addition, public funds and citizen volunteerism have combined to develop portions of the system to better serve Florence citizens. Examples include Old Town Park, the Munsel Creek Bike Path, Pocket Park, Gallagher's Park, and Miller Park. (from Chapter 11)

Although the existing park system is substantial and recent developments efforts impressive, much remains to be done to insure an adequate, attractive and useful park system for the current and future residents of Florence, including the area within the Urban Growth Boundary. (from Chapter 11)

Unfortunately, the impetus and enthusiasm of the late 1980's and early 1990's has been tempered with the passage of property tax limitation measures Ballot Measure 5, and resultant subsequent fiscal problems for the City. Park maintenance has suffered, even with the dedicated efforts of parks volunteers and staff. Development of new facilities in existing parks from 2004 to the present has been limited to Miller Park and Singing Pines Senior Center, as well as development of new park areas, has been non-existent. However, a Parks Capital Improvement Plan was adopted by the City Council in 1998, and is incorporated in this Plan in Appendix 11. (from Chapter 11)

In 1999, the City's Parks and Recreation Committee recommended a Parks Systems Development Fee as a mechanism to establish a stable funding source for park acquisition and development. This proposal was considered by the City Council, but was not supported. Lane County is also proposing a county wide parks systems development charge which has not been supported by the City of Florence or most other cities in the County. (from Chapter 11)

In early 2000, Current efforts revolve around the effort of a private committee, the Parks and Recreation District Committee, tried to form a regional parks and recreation district that would include some or all of the City's existing parklands, as well as the construction of an aquatic center. The City Council has supported, in concept, the request by the District Committee to locate the aquatic center in Singing Pines Park at the corner of Airport Road and Kingwood. The Parks and Recreation District Committee had planned to place measures on the November 2000 ballot for formation and initial funding of the District. However, a survey completed early in 2000 showed that passage of the ballot measures was in question, and the Committee has decided to wait before pursuing approvals. In 2001, Recently (2004) the Parks and Recreation Committee joined with the Florence Boys' and Girls' Club to plan a shared facility, still proposed for Singing Pines Park. Singing Pines may be identified for recreation but other options could also be considered. (from Chapter 11)

~~Discussions are ongoing with~~among City staff and the City Council about which parklands would become District responsibilities would be part of the Feasibility Study to initiate a Parks District. ~~The District Committee has supported accepting regional facilities such as Miller Park and possibly the undeveloped 40-acre County park parcel in the UGB. Some citizens and City officials support turning all City parks over to the district, in order to eliminate a funding sector of the City budget. Map 11-D1 shows the parks in Table 11-D1. (from Chapter 11)~~



Table 8.1—Summary of Existing City Owned Park and Open Space System				
	Park	Type	Dev. Acres or Linear Miles	Undev Acres or Linear Miles
1	1 <sup>st</sup> & Ivy St. Park	Mini	.14	.14
2	18 <sup>th</sup> St. Pocket Park	Mini	.29	--
3	Munsel Road Park	Mini	.35	--
4	Pepperoaks	Mini	.31	1
5	South Munsel Creek Park	Mini	1.42	1.42
	Mini-Park Total	5 sites	2.51	2.56
6	Elm St. Park	Neighborhood	--	3.55
7	Rolling Dunes	Neighborhood	1.17	.42
8	Singing Pines	Neighborhood	6.44	--
	Neighborhood Total	3 sites	7.61	3.97
9	George Miller Park	Community	19.72	--
	Community Park Total	1 site	19.72	--
10	Gallagher's	Special Use	2.81	.69
11	Hurd Memorial	Special Use	1.82	--
12	Meares St. Beach Access	Special Use	.39	--
13	Old Town Park	Special Use	.14	--
14	Siuslaw Interpretive Site	Special Use	--	.12
15	S. Rhody Beach Access	Special Use	1.42	1.42
16	Veterans Memorial	Special Use	.38	--
	Special Use Park Total	7 sites	6.96	2.23
17	Munsel Creek Bike Path	Trail	.53 m	--
18	Ivy St. Path	Trail	--	.17 m
19	12 <sup>th</sup> St. Path	Trail	--	.56 m
20	29 <sup>th</sup> St. Trail	Trail	.29 m	--
	Linear Mileage Total	4 sites	.82 m	.73 m
21	Munsel Creek Greenway	Open Space	18	43.73
22	Pacific Pines	Open Space	--	1.99
23	Willow Dunes	Open Space	--	1.49
24	9 <sup>th</sup> & Ivy Greenway	Open Space	--	.70
25	3-Mile Prairie Reserve	Open Space	--	39.92
	Open Space Total	5 sites	18	87.83
	TOTAL		54.8 / .82	97.32 / .73

Table 8-2. Types of Parks	
<b>Miniparks</b>	Used to address limited, isolated or unique recreational needs. Recommended size may vary between 2500 square feet and one acre.
<b>Neighborhood</b>	Neighborhood park remains the basic unit of the park system and serves as the recreational and social focus of the neighborhood. Focus is on informal active and passive recreation. Recommended optimal size is three to 10 acres.
<b>School Park</b>	Depending on circumstances, combining parks with school sites can fulfill the space requirements for other classes of parks, such as neighborhood, community, sports complex and special use.
<b>Community Park</b>	Serves broader purpose than neighborhood park. Focus is on meeting community-based recreation needs, as well as preserving unique landscapes and open spaces. Recommended size usually between 30 and 50 acres.
<b>Sports Complex</b>	Consolidates heavily programmed athletic fields and associated facilities to larger and fewer sites strategically located throughout the community. Recommended size is usually a minimum of 25 acres, with 40 to 80 acres being optimal.
<b>Special Use Park</b>	Covers a broad range of parks and recreation facilities oriented toward a particular use.
<b>Park Trail</b>	Multipurpose trails located within greenways, parks and natural resource areas. Focus is on recreational value and harmony with natural environment. May be hard-surfaced single purpose, hard-surfaced multipurpose, or pedestrian nature trails.
<b>Connector Trail</b>	Multipurpose trails that emphasize safe travel for pedestrians to and from parks and around the community. Focus is as much on transportation as it is on recreation.
<b>Natural Resource Park</b>	Lands set aside for preservation of significant natural resources, remnant landscapes, open space and visual aesthetics/buffering.

5.    **Amend Chapter 9: Economic Development, as follows.**
- Add a new Recommendation #4, and renumber subsequent recommendations sequentially.
- Page IX-1:
- “Goal
- To embrace a stable, prosperous business environment focused on industry diversity, yielding family income sufficient to support education, recreation, social and cultural opportunities, comprehensive health services, affordable housing and public safety while preserving the environment and its natural beauty.”

## Recommendations

3. The City should continue to support anchor tourism destinations such as our local golf resorts, Old Town, water-related recreational opportunities, and expanded shopping opportunities.
  4. The City should continue to develop and improve recreational facilities and sites for tourists to draw more visitors to the town. Such activities may include Siuslaw Estuary Water Trail kayak launches, viewing platforms for bird watchers, trail signage, frisbee golf, in-city open space areas (such as 3 Mile Prairie), and a family recreational development in the Old Town area.
6. **Amend Comprehensive Plan Chapter 11 by changing the name of Chapter 11 and deleting references to Parks and Recreation.**

### Page XI-1:

#### **“Chapter 11: Utilities, and Facilities, and Services**

This chapter provides background and policy direction for the following utilities and facilities:

- Wastewater Collection and Treatment
- Water System Supplies and Needs
- Stormwater Management
- ~~Parks, Recreation and Open Space~~
- Telephone Services and Telecommunications
- Public Safety and Health-related Services”

### Page XI-7:

#### **~~Parks, Recreation and Open Space~~**

##### **~~Goal~~**

~~To provide a variety of recreational opportunities and to provide open space and protect unique areas of the City.~~

##### **~~Policies~~**

- ~~1. The City shall explore various short and long-term funding options primarily for maintaining existing parks and, as funds are available, for expanding the Florence parks system. This could include formation of a regional parks and recreation district.~~
- ~~2. The City shall explore parks and open space funding through sources such as grants, systems development charges, use of a special levy, proceeds from street and right-of-way vacations and other available funding mechanisms. Where desirable, partnerships with federal, state, county and regional agencies, non-profit organizations, and private interests shall be~~

~~formed to help secure and possible finance land acquisition and facility development.~~

- ~~3. The City shall continue to encourage and support the adoption of public parks within City limits by various organizations and private interests to maintain the important role of such facilities in providing the public with access to active and passive recreational opportunities, until such time as a Parks and Recreation District is formed.~~
- ~~4. The City shall encourage the efforts of the Siuslaw School District 97J, recognized organizations and institutions, and private sector interests to provide coordinated recreation programs and facilities for Florence area youth.~~
- ~~5. The City shall encourage and support public/private efforts to insure permanent public access and views of the Siuslaw River and its scenic estuary.~~
- ~~6. Within the Florence urban growth boundary, the City and Lane County shall designate lands for possible park development purposes. Lands so designated shall be reserved for future park system expansion upon annexation.~~
- ~~7. Designated greenways, linear parks, and bicycle and walking paths shall be developed to connect the various parks, residential areas, businesses, and public places through a community-wide trail network, consistent with the recommendations of the transportation system plan and parks and open space CIP.~~
- ~~8. Federal, State, County and City efforts to develop bicycle paths connecting the City to nearby recreation areas shall be supported.~~
- ~~9. The City shall ensure that the public parks system is accessible to all residents and visitors.~~
- ~~10. The City shall coordinate the provision of public recreation areas and open space in the City with the protection of unique natural features to provide educational, social, environmental and economic benefits to the Florence area and greater coastal region.~~

### **Recommendations**

- ~~3. The City should cooperate with the Parks and Recreation District, if formed, in identifying park and open space areas within the City and the Urban Growth Boundary, to be included in a regional parks and open space plan. The City and the District should work to ensure a smooth transition on operations and maintenance for properties transferred to the District. The City should update the existing capital improvement plan for parks and open space to include the 20-year planning period. Such a plan would require sources of funding, such as grants or the establishment of a parks systems development fee. If open space resources are not included as a function of the District, then the City should develop an open space plan, and pursue conservancy options for purchase and maintenance of such properties.~~

4. In order to provide the public with increased and unrestricted access to the Siuslaw River and its estuary, the City should develop its public street rights-of-way which terminate at the River as river access parks, which may include parking to meet Old Town parking needs as appropriate.
5. The City should support efforts of the Port of Siuslaw to maintain the Boardwalk as a permanent public access for views of the Siuslaw River and its estuary.
6. The City should pursue establishment of an estuary trail connecting the Boardwalk with the Munsel Creek bike/pedestrian trail.
7. When the City's public works shop, water tower, and public works garage are removed from their Spruce Street location, the City should convert that property, consistent with the deed of dedication, into additional recreational space. Access to Munsel Creek for the Florence Salmon and Trout Enhancement Program (STEP) should be maintained.
8. The City should continue to apply for transportation enhancement funds, or other available funds to develop bicycle paths connecting the City to nearby recreation areas, particularly for:
  - a bike path on Rhododendron Drive connecting the Sutton Lake area to the Siuslaw River Bridge,
  - additions to the Munsel Creek bike/pedestrian trail,
  - development of a bike/pedestrian system in the West 9th Street area.
  - development of routes connecting with the Oregon Dunes National Recreation Area.
9. The City should review the listing of rights-of-way suitable for neighborhood parks prior to vacating public rights-of-way.
10. The City should explore the use of a land conservancy to further the protection of greenway, estuary, landmark and other open space lands.
11. The City should establish a program to solicit private gifts and donations to establish and maintain a high quality park system in Florence.

## **Background**

Parks and greenways were recognized early as important to the livability of Florence. Shortly after 1900, a greenbelt along a portion of Munsel Creek was dedicated for park use in perpetuity. Other lands were similarly dedicated by farsighted residents. In recent years, some additional land has been added to the park system as the value of public parklands has been increasingly recognized. In addition, public funds and citizen volunteerism have combined to develop portions of the system to better serve Florence citizens. Examples include the Munsel Creek Bike Path, Pocket Park, Gallaghers Park and Miller Park.

Although the existing park system is substantial and recent developments efforts impressive, much remains to be done to insure an adequate, attractive and useful park system for the current and future residents of Florence, including the area within the Urban Growth Boundary.

Unfortunately, the impetus and enthusiasm of the late 1980's and early 1990's has been tempered with the passage of Ballot Measure 5, and subsequent fiscal problems for the City. Park maintenance has suffered, even with the dedicated efforts of parks volunteers. Development of new facilities in existing parks, as well as development of new park areas, has been non-existent. However, a Parks Capital Improvement Plan was adopted by the City Council in 1998, and is incorporated in this Plan in Appendix 11.

In 1999, the City's Parks and Recreation Committee recommended a Parks Systems Development Fee as a mechanism to establish a stable funding source for park acquisition and development. This proposal was considered by the City Council, but was not supported. Lane County is also proposing a county wide parks systems development charge which has not been supported by the City of Florence or most other cities in the County.

Current efforts revolve around the effort of a private committee, the Parks and Recreation District Committee, to form a regional parks and recreation district that would include some or all of the City's existing parklands, as well as the construction of an aquatic center. The City Council has supported, in concept, the request by the District Committee to locate the aquatic center in Singing Pines Park at the corner of Airport Road and Kingwood. The Parks and Recreation District Committee had planned to place measures on the November 2000 ballot for formation and initial funding of the District. However, a survey completed early in 2000 showed that passage of the ballot measures was in question, and the Committee has decided to wait before pursuing approvals. Recently (2001) the Parks and Recreation Committee joined with the Florence Boys' and Girls' Club to plan a shared facility, still proposed for Singing Pines Park.

Discussions are ongoing with City staff and the City Council about which parklands would become District responsibilities. The District Committee has supported accepting regional facilities such as Miller Park and possibly the undeveloped 40-acre County park parcel in the UGB. Some citizens and City officials support turning all City parks over to the district, in order to eliminate a funding sector of the City budget. Map 11-D1 shows the parks in Table 11-D1.



Table 11-D1 Summary of Existing Park System

Park	Location	Acres	Park Type	Development Status	Activities
Elm Street	605 10th Street	3.0	Neighborhood	Not developed	B,C,F
Gallaghers	949 Spruce	3.5	Special Use	Mostly developed	A,B,K
Miller	Oak Street	19.8	Sports Complex	Mostly developed	A,C,F,G,H,I,K
Hurd Memorial	Eden Way	1.6	Special Use	Developed	A,B,C,H,K
Old Town	1290 Bay St.	.2	Minipark	Developed	B,E,K
Munsel Creek Bike Path	Quince to W. Park Drive	3.3+	Connector Trail	Partially developed	B,C,D
Munsel Creek Greenway	27th & Willow	18.0	Natural Resource	Partially developed	A,B,C,D,F,K
Munsel Road	Munsel Lake Rd.	.2	Minipark	Mostly developed	F,J
Pepperoaks	34th Place	1.5	Minipark	Not developed	F
Pocket	2305 18th St.	.2	Minipark	Mostly developed	F,J,K
Singing Pines	1295 Airport Rd.	6.0	Neighborhood	Partially developed	A,B,C,F
Rolling Dunes	35th & Siano Lp.	1.6	Special Use	Developed	A,I,J,K

Activity code: A-picnicking, B-sightseeing, C-walking/jogging, D-bike riding, E-fishing, F-playground, G-baseball/softball, H-fitness trail, I-tennis, J-other organized sports, K-other.

Standards for Park Systems

The National Recreation and Park Association (NRPA) has established basic standards for communities to use when evaluating the need for parks. These standards are recommended goals, not requirements.

The minimum overall recommended standard is a core system of parks with a range of 6.25 to 10.5 acres of parkland /1000 population. The 2000 population within city limits was about 7,263. Therefore, according to NRPA standards, Florence should have between 45 and 76 acres of parkland. The projected 2025

population for the city limits is 13,460. Using the same recommended range, Florence should have between 84 and 141 acres of parkland by 2025.

As shown on the table above, Florence currently has 57.3 acres of parkland that is within the range of standards for the area within city limits. Beyond this general standard, there are more specific descriptions for the various types of parks in Table 11-D-2.

Table 11-D-2. Types of Parks

Miniparks	Used to address limited, isolated or unique recreational needs. Recommended size may vary between 2500 square feet and one acre.
Neighborhood	Neighborhood park remains the basic unit of the park system and serves as the recreational and social focus of the neighborhood. Focus is on informal active and passive recreation. Recommended optimal size is five to 10 acres.
School Park	Depending on circumstances, combining parks with school sites can fulfill the space requirements for other classes of parks, such as neighborhood, community, sports complex and special use.
Community Park	Serves broader purpose than neighborhood park. Focus is on meeting community-based recreation needs, as well as preserving unique landscapes and open spaces. Recommended size usually between 30 and 50 acres.
Sports Complex	Consolidates heavily programmed athletic fields and associated facilities to larger and fewer sites strategically located throughout the community. Recommended size is usually a minimum of 25 acres, with 40 to 80 acres being optimal.
Special Use Park	Covers a broad range of parks and recreation facilities oriented toward single purpose use.
Park Trail	Multipurpose trails located within greenways, parks and natural resource areas. Focus is on recreational value and harmony with natural environment. May be hard surfaced single purpose, hard surfaced multi-purpose, or pedestrian nature trails.
Connector Trail	Multipurpose trails that emphasize safe travel for pedestrians to and from parks and around the community. Focus is as much on transportation as it is on recreation.
Natural Resource Park	Lands set aside for preservation of significant natural resources, remnant landscapes, open space and visual aesthetics/buffering.

Florence parks are generally smaller than the above standards, perhaps reflecting a unique population with a 2000 median age of 55.8 years.

In 1987, the Florence Parks and Recreation Commission prepared an extensive Parks report as part of the preparation of the 1988 Comprehensive Plan. That report included an inventory of existing parkland, an assessment of needs and

detailed recommendations for meeting the needs identified. Table 11-D-3 provides an assessment of 1988 parks relative to recommended park standards and shows present deficiencies in neighborhood and linear parks and a near term need in community parks.

Table 11-D-3. Existing System Relative to Parks Standards

Park Type	Current Number	Current Rate Per 1000 People	NRPA Recommended Rate Per 1000 People
Neighborhood	4 parks	.9 parks	2.0 parks
Special Use	3 parks	.7 parks	.35 parks
Community	1 park	.2 parks	.15 parks
Linear	.6 miles	.1 miles	1.0 miles
Conservancy	498 acres	72.2 acres	80 acres

Part II of the report, *Technical Report and Action Plan*, was not adopted. The report concludes that a likely source of land for neighborhood parks is undeveloped rights-of-way, and provides a detailed inventory of rights-of-way that meet this purpose. This inventory should be reviewed when requests for vacation of right-of-way are received, even if there are no funds to develop additional neighborhood parks at this time. If this approach is used however, care must be taken to integrate surrounding development with eventual development of a neighborhood park, so that the neighborhood works as a unit. (See Appendix 11.)

The report also includes detailed lists of properties necessary to complete the Munsel Creek Greenway and to provide a system of linear corridors through the City. The report further identifies prominent landmarks, and Siuslaw riverfront and estuary properties important to the recreation and open space needs of the City. Many of the estuary properties are already in public ownership. (See Appendix 11.)

The report also includes detailed recommendations for improvements at each of the existing parks. While several of these are outdated in that the work has been completed, the recommendations should be updated so that a current list can be provided to the Parks and Recreation District, or used by the City if it is determined that some or all parks remain the City's responsibility."

7. **Amend Comprehensive Plan Chapter 12, Transportation, as follows, for consistency with the Parks Plan Vision.**

**Page XII-2**

**Policies**

8. ~~The City shall continue to require new development to pay its share of costs of development of, or improvements to, transportation facilities which will serve the proposed development. (This is a housekeeping amendment; this policy is a repeat of policy #6. Renumber subsequent policies sequentially.)~~
12. The City shall provide an inter-connected trail system as directed in Comprehensive Plan Chapter 8 policy and shown in the TSP Map. Consider the potential to establish or maintain bikeways and/or walkways prior to vacating any public easement or right-of-way.
14. Streets, bikeways and walkways shall be designed to meet the needs of pedestrians and cyclists to promote safe and convenient bicycle and pedestrian circulation within the community. To promote bicycling and walking, all new collector and arterial streets ~~should~~shall have bicycle lanes, and all new streets, ~~except short, very low volume local streets, should~~shall have sidewalks.

8. **Amend Chapter 14: Urbanization, as follows:**

**Page XIV-3:**

**Background**

“...The 80-acre Ocean Dunes adjustment addresses a jurisdictional issue and a transportation issue. The Ocean Dunes residential planned unit development lies within city limits and benefits from public services. It includes an 18-hole public golf course that provides recreational opportunities to the City in addition to providing residents with golf course frontage lots. However, part of the Ocean Dunes golf course is located in Lane County, outside the UGB. ~~Development of the golf course community often requires the developer to satisfy both the City and the County, each with their own regulatory procedures and priorities. Adding these 80 acres to the UGB will bring~~brought the entire Ocean Dunes development into the UGB, and it is now entirely within city limits. ~~most likely into the City upon annexation. Increased opportunities for residential golf course frontage lots will occurred also occur~~ in Florence through this UGB expansion and annexation, thereby adding to residents' housing choices and further promoting the tourist and retirement industries upon which Florence depends for economic development.”

9. Amend Chapter 17, Coastal Shorelands – Ocean, Estuary, and Lake Shorelands, as follows:

Page XVII-19:

Table 17.1: Beach and River Access Points Within Florence UGB

Access Points within City Limits:	
Location	Present Use
1. Harbor Street south of 1 <sup>st</sup> Street	Public boat landing
2. Nopal Street south of Bay Street	Port's docks: access to commercial fishing boat marina
3. Maple Street south of Bay Street	View access (public restrooms)
4. Old Town Park	Municipal park, viewing dock
5. Veteran's Park	View access
6. Juniper Street south of Bay Street	View access (undeveloped)
7. Ivy Street south of Bay	View access (undeveloped)
8. 8 <sup>th</sup> Street west of Rhododendron	View access (undeveloped)
9. 11 <sup>th</sup> Street west of Rhododendron	View access (undeveloped)
10. Meares Street (South of Driftwood Shores)	Public beach access, scenic view
11. Spruce Street south of Highway 126	View access (undeveloped)
12. Tamarack Street south of Highway 126	View access (undeveloped)
12. Upas Street south of Highway 126	View access (undeveloped)
13. Rhododendron Drive North of WildWinds and south of Marine Manor	Public non-motorized craft landing, view access (undeveloped)
14. Rhododendron Drive across from Peace Harbor southern entrance	View access (undeveloped)
Access Points within UGB Currently Outside City Limits:	
1. Harbor Vista Park (West of Rhododendron Street)	Access to river, scenic view
2. North Jetty	Access to river and ocean beach
3. Heceta Park (north of Driftwood Shores)	Access to ocean beach
4. North Jetty Drive Park	Access to river

---

**10. Amend Chapter 5, Open Spaces and Scenic, Historic, and Natural Resources, as follows:**

**Page V-24**

**Historic Resources**

**Policies**

4. The City shall maintain a working relationship with the Siuslaw Pioneer Museum and the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, which ~~is the~~ are repositories of much of the pre-history and history of the Florence Area.

**Recommendations**

1. The city should prepare a complete inventory of pre-historic and historic resources using local, tribal, state and federal guidelines, including the extensive resources of the Siuslaw Pioneer Museum and Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians.

**Background**

Add text to the background section to recognize and discuss the pre-historic Siuslaw Indian inhabitants within the Florence area. This would best be done in coordination with CTCLUSI representatives. The tribe has lost their archaeologist, and when the position is filled, city staff will work with the new person to complete this section..

**Florence Realization 2020 Comprehensive Plan Map Amendments**

1. Delete Map 11-D1 in Chapter 11 and replace it with Map 8-1 in Chapter 8.
2. Amend the Comprehensive Plan Map to change the Plan designations for specific publicly and privately owned properties to achieve consistency with the zoning classifications and/or with the current use of the property. In most cases, these changes result in a Plan designation of "Public" for publicly-owned lands. These changes are shown in Map B-1 of this Exhibit B and are described as follows:

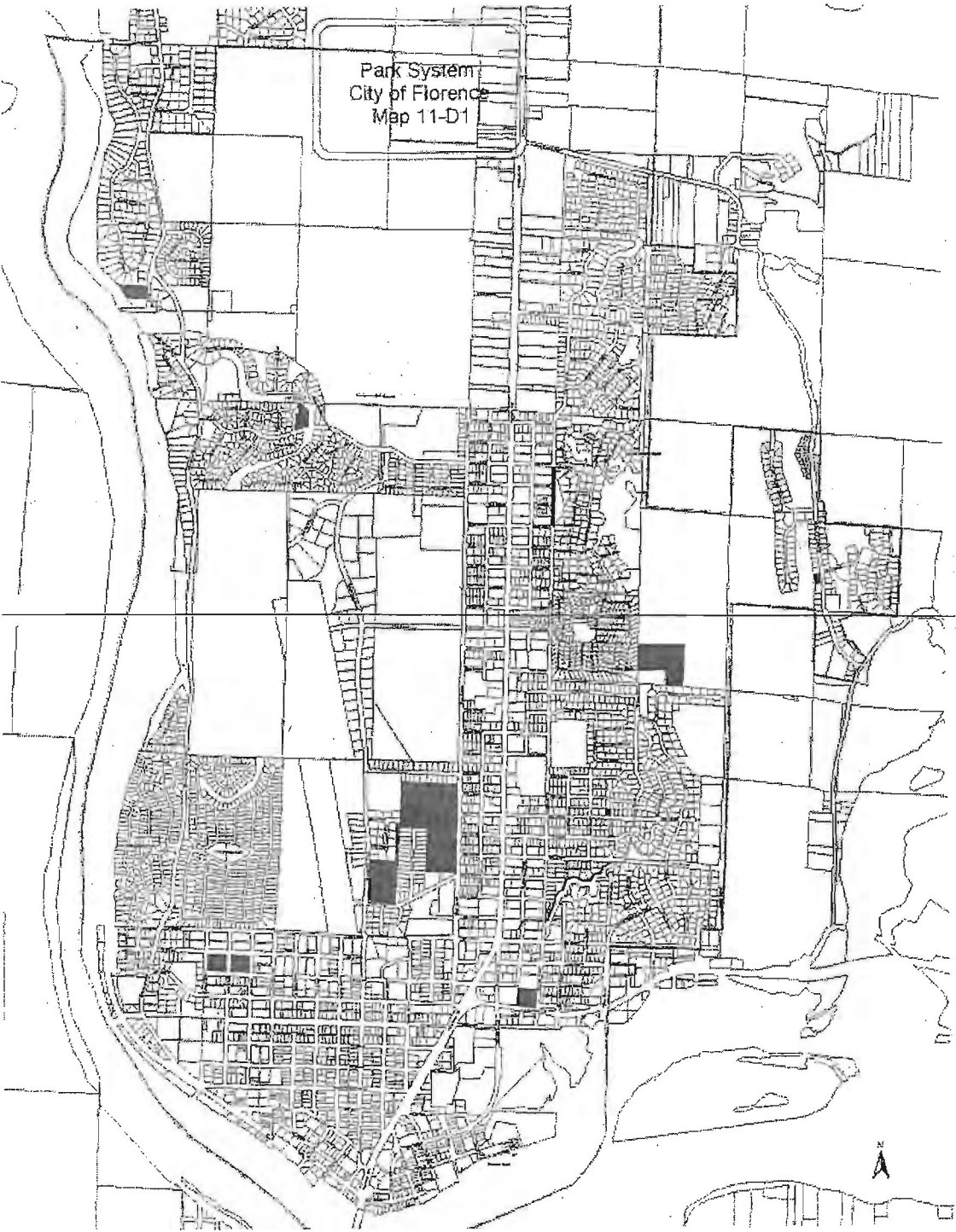
Area #1: The Meares Street right-of-way west of 1<sup>st</sup> Ave. (Commercial to Public)

Area # 2: The North 40 acre portion of the Lane County Park known as Three Mile Prairie (Medium Density Residential to Public)



- Area # 3:** The 35 acre parcel north of the land owned by BLM located north-west of the Fred Meyer shopping center (Low Density Residential to Medium Density Residential)
- Area # 4:** The western portion of the Sandpines Golf Course (Medium Density Residential to Private Open Space)
- Area # 5:** Hurd Memorial Park (Low Density Residential to Public)
- Area # 6:** Pepperoaks Park (Medium Density Residential to Public)
- Area # 7:** Pacific Pines Greenway; the parcel south of Pacific Pines Greenway owned by Lane County; the northwest portion of Munsel Creek Greenway; and the 29<sup>th</sup> Street Trail (Medium Density Residential to Public)
- Area # 8:** Munsel Road Pocket Park (Low Density to Public)
- Area # 9:** Willow Dunes Greenway and 18<sup>th</sup> Street Pocket Park (Low Density Residential to Public)
- Area # 10:** The southern portion of Munsel Creek Bike Path, South Munsel Creek Park Land, and the northern portion of Gallagher's Park (High Density Residential to Public Open Space); The northwestern portion of Gallagher's Park (Commercial to Public)
- Area # 11:** The trail connecting Miller Park to Singing Pines Park (Business Industrial Park to Public)
- Area # 12:** The northern half of the 12<sup>th</sup> Street right-of-way (Medium-Density Residential to Public); The southern portion of the 12<sup>th</sup> Street right-of-way, the western half of the Ivy Street right-of-way, and the parcel at the Northwest corner of 9<sup>th</sup> Street and the Ivy Street right-of-way (W. Ninth St. Area to Public); The eastern half of the Ivy Street right-of-way (Medium-Density Residential to Public)
- Area # 13:** The South Rhododendron Beach Access and 1<sup>st</sup> & Ivy Park Lands (Low Density Residential to Public)
- Area # 14:** Veteran's Memorial Park and Old Town Park lands (Downtown to Public)

a. Delete Map 11-D1 and replace with Map 8-1.



## ATTACHMENT FOR REFERENCE ORS 308A.309

### **ORS 308A.309 Submission of application for approval of local granting authority; grounds for denial; approval; application withdrawal.**

(1) Within 10 days of filing in the office of the assessor, the assessor shall refer each application for classification to the planning commission, if any, of the governing body and to the granting authority, which shall be the county governing body, if the land is in an unincorporated area, or the city legislative body, if it is in an incorporated area. An application shall be acted upon in a city or county with a comprehensive plan in the same manner in which an amendment to the comprehensive plan is processed. In determining whether an application made for classification under ORS 308A.300 (1)(b) should be approved or disapproved, the granting authority shall weigh:

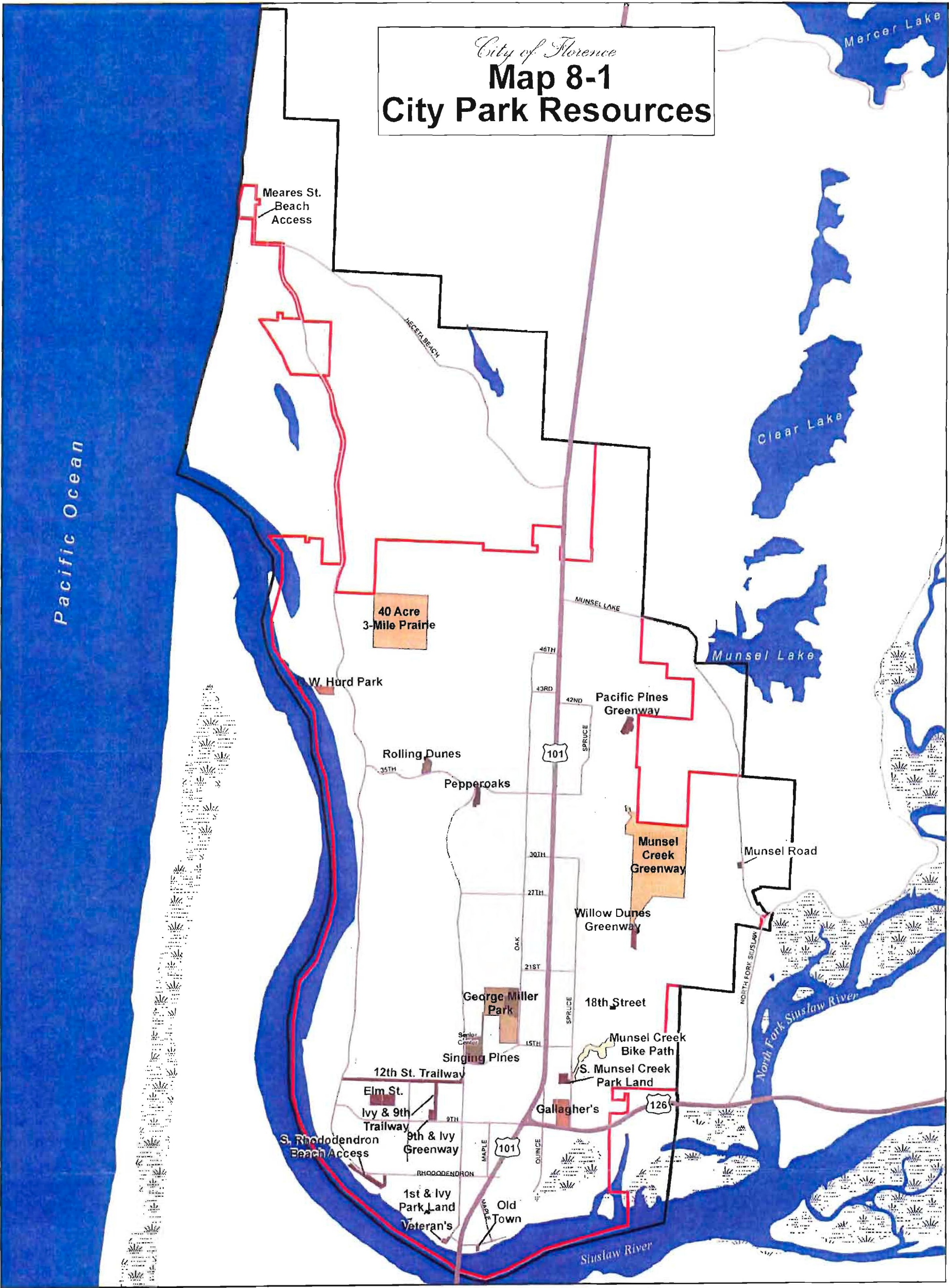
- (a) The projected costs and other consequences of extending urban services to the affected lot or parcel;
- (b) The value of preserving the lot or parcel as open space;
- (c) The projected costs and other consequences of extending urban services beyond the affected lot or parcel; and
- (d) The projected costs and other consequences, including the projected costs of extending urban services, of expanding the urban growth boundary in other areas if necessary to compensate for any reduction in available buildable lands.

(2) The granting authority shall not deny the application solely because of the potential loss in revenue that may result from granting the application if the granting authority determines that preservation of the current use of the land will:

- (a) Conserve or enhance natural or scenic resources;
- (b) Protect air or streams or water supplies;
- (c) Promote conservation of soils, wetlands, beaches or tidal marshes;
- (d) Conserve landscaped areas, such as public or private golf courses, which enhance the value of abutting or neighboring property;
- (e) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces;
- (f) Enhance recreation opportunities;
- (g) Preserve historic sites;
- (h) Promote orderly urban or suburban development; or
- (i) Affect any other factors relevant to the general welfare of preserving the current use of the property.

(3) The granting authority may approve the application with respect to only part of the land which is the subject of the application; but if any part of the application is denied, the applicant may withdraw the entire application. [Formerly 308.755]





**City Parks**

- Mini
- Neighborhood
- Community

**Geographic Elements**

- Streets
- Main Streets
- Highways
- Connector Trail
- Open Space
- Special Use
- Undeveloped

**Geographic Elements**

- City Limits
- Urban Growth Boundary (UGB)
- Water
- Marsh

0      0.5      1

Miles

*City of Florence*  
 Community Development Department  
 250 Hwy 101 N.  
 Florence, OR 97439  
 (541) 997-8237  
 January 18, 2011  
Data Source: City of Florence,  
 Lane Council of Governments, Oregon  
 Department of Transportation, US  
 Geological Survey  
 Map 92 Series 2011-1



# City of Florence

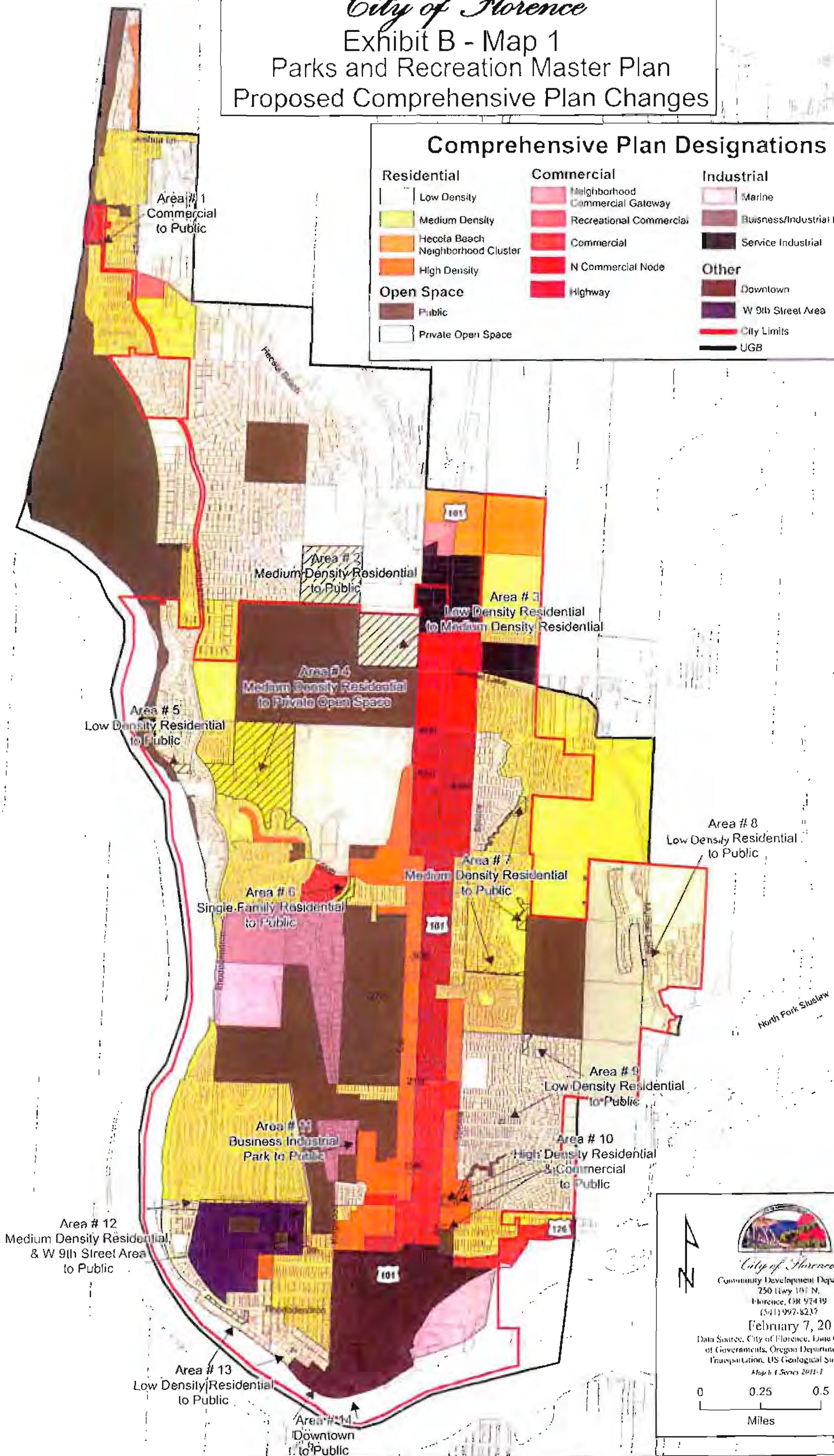
## Exhibit B - Map 1


### Parks and Recreation Master Plan

### Proposed Comprehensive Plan Changes

#### Comprehensive Plan Designations

Residential	Commercial	Industrial
Low Density	Neighborhood Commercial Gateway	Marine
Medium Density	Recreational Commercial	Business/Industrial Park
Heceta Beach Neighborhood Cluster	Commercial	Service Industrial
High Density	N Commercial Node	
	Highway	
Open Space		Other
Public		Downtown
Private Open Space		W 9th Street Area
		City Limits
		UGB





City of Florence  
Community Development Department  
250 Hwy 101 N.  
Florence, OR 97439  
(541) 997-8237

February 7, 2011

Data Source: City of Florence, Lane Council of Governments, Oregon Department of Transportation, US Geological Survey  
Map b 1 Series 2011-1

0 0.25 0.5  
Miles



**EXHIBIT C – 2/7/11  
CITY COUNCIL ORDINANCE 2, SERIES 2011**

**Proposed Amendments to Florence City Code Text and Zoning Map for Consistency with the *Florence Parks and Recreation Master Plan, 2011***

The following amendments are proposed.

- Florence City Code Text Amendments
- Florence City Zoning Map Amendments

**Florence City Code Text Amendments**

The following amendments are proposed to Florence City Code Text.

1. Title 11: Subdivision and Land Use Development Regulations
2. Title 10: Zoning Regulations

*This is the original exhibit presented to City Council under ordinance on January 18, 2011 with changes requested of the public and the City Council incorporated. Deletions of original zoning text are shown in ~~strike-out~~ and additions to the zoning text are indicated by double underline. The following proposed amendments to the Florence City Code are recommended for approval by the Florence City Council:*

1. **Amend Florence City Code Title 11, Subdivision and Land Use Development Regulations as follows:**

**Chapter 1: SUBDIVISION ADMINISTRATION, GENERAL PROVISIONS**

**11-1-1: PURPOSE: The Purpose of this Title is:**

- B: To promote the public health, safety and general welfare; lessen congestion in the streets; secure safety from fire, flood, pollution and other dangers; provide adequate light and air; prevent overcrowding of land and facilitate adequate provision for transportation, water supply, sewerage, drainage, education, parkland, multi-use paths and trails, recreation and other needs of the people of the city; to prescribe procedures to be followed in submitting plans and plats of subdivision for approval.

**11-1-3: DEFINITIONS:**

Dedicate/Dedication. The gift of land or an easement by a private person or entity to the City as part of, and a condition of, a real estate development. The City must accept the dedication before it is complete. The owner of the land does not retain any rights that are inconsistent with the complete exercise and enjoyment of the public uses to which the property has been committed.

Easement public. A right of use of a property given by the owner to the City for public use, and accepted for such use by or on behalf of the public.



Multi-Use Path. A paved 10- to 12-foot wide way that is physically separated from motorized vehicular traffic; shared with pedestrians, skaters, and other non-motorized users.

Multi-Use Trail. An unpaved path that accommodates pedestrians shared with other non-motorized users.

Open Space. Any publicly or privately owned land that is retained in a substantially natural condition and incorporates an adjacent parkland improved for recreational uses such as, picnicking, nature interpretive trails or multi-use paths. Open spaces may also include seasonal lakes, lands protected as important natural resources such as wetlands or riverine areas, and lands used as buffers when such lands incorporate areas for the design features mentioned above. Open space does not include residential lots or yards, streets or parking areas.

Parklands. Lands that provide for human development and enrichment, and include, but are not limited to: open space and scenic landscapes that provide a place for people to exercise and interact; active recreational lands; historical, archaeology and natural science resources that incorporate a combination of interpretive signage, trails, picnicking and seating areas, and viewing areas; sports and cultural facility areas; picnicking; trails; waterway use facilities; active and passive activities.

Recreation Needs. Existing and future demand by citizens and visitors for recreation areas, facilities, and opportunities which can contribute to human health, development, and enrichment.

## **Chapter 4: MAJOR PARTITION MAP, PLAT PROCEDURE**

### **11-4-2: REQUIREMENTS:**

- B. Information Required: The application itself, or the proposed subdivision plat or the major partition map, must contain the following with respect to the subject area:

- 13: Designation of all donations to the public of all common improvements including but not limited to streets, roads, parklands, multi-use trails and paths, sewage disposal and water systems, the donation of which was made a condition of approval of the tentative plat for the subdivision or major partition.

**11-4-4: APPROVAL OF MAP, PLAT:** Within ten (10) days of the receipt of all comments and recommendations requested from appropriate agencies and departments or within forty five (45) days of the receipt of a major partition map or subdivision plat application as provided for in this Title, the Planning Commission shall approve, deny or, when further information is required, postpone a decision on the application. The Planning Commission may or its designee shall approve, deny or, when further information is required, postpone a decision on the application. The Planning Commission may require its designee to submit any tentative approval to the Commission for review prior to notification of the applicant. In the event of a denial, the application shall be re-

viewed by the Planning Commission within forty five (45) days. Approval shall be granted provided affirmative findings can be made that:

- E: The plat or map contains a donation to the public of all common improvements including but not limited to streets, roads, parklands, multi-use trails and paths, sewage disposal and water supply systems, the donation of which was made a condition of the approval of the tentative plan for the subdivision or major partition or in the case of parklands could also have been voluntarily donated.

## **Chapter 5: PLATTING AND MAPPING STANDARDS**

### **11-5-2: LOTS AND PARCELS:**

B: Exceptions:

1. Subdivisions and Partitions Developed as a Unit: The Planning Commission may, in its discretion, authorize the relaxation of the lot size and frontage requirements specified herein where the applicant presents a plan satisfactory to the Planning Commission whereby the entire subdivision or partition will be designed and developed with provision for proper maintenance of open space, recreation and parklands area which ~~and~~ will be commonly available for recreation and park purposes to the residents of the subdivision or partition, and which the Planning Commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this Title.
2. **Amend Florence City Code Title 10, Zoning Regulations as follows:**

## **Chapter 1: ZONING ADMINISTRATION**

### **10-1-4: DEFINITIONS:**

Dedicate/Dedication. The gift of land or an easement by a private person or entity to the City as part of, and a condition of, a real estate development. The City must accept the dedication before it is complete. The owner of the land does not retain any rights that are inconsistent with the complete exercise and enjoyment of the public uses to which the property has been committed.

Easement, Public. A grant of the right to use a strip of land for specific purposes. A right of use of a property given by the owner to the City for public use, and accepted for such use by or on behalf of the public.

Multi-Use Path. A paved 10 to 12-foot wide way that is physically separated from motorized vehicular traffic; shared with pedestrians, skaters, and other non-motorized users.

Multi-Use Trail. An unpaved path that accommodates pedestrians; shared with other non-motorized users.

Open Space. Any publicly or privately owned land that is retained in a substantially natural condition and incorporates an adjacent parkland improved for recreational uses such as, picnicking, nature interpretive trails or multi-use paths. Open spaces may also include seasonal lakes, lands protected as important natural resources such as wetlands or riverine areas, and lands used as buffers when such lands incorporate areas for the design features mentioned above. Open space does not include residential lots or yards, streets or parking areas.

Parklands. Provide for human development and enrichment, and include, but are not limited to: open space and scenic landscapes that provide a place for people to exercise and interact; active recreational lands; historical, archaeology and natural science resources that incorporate a combination of interpretive signage, trails, picnicking and seating areas, and viewing areas; sports and cultural facility areas; picnicking; trails; waterway use facilities; active and passive activities.

Recreation Needs. Existing and future demand by citizens and visitors for recreation areas, facilities, and opportunities which can contribute to human health, development, and enrichment.

Resting and Passing Space. A turnout from a trail or path, wheelchair rest spots, trash containers, landscape and/or shelter facilities, or interpretive displays.

## **Chapter 15: COMMERCIAL**

### **10-15-5: Site and Development Provisions**

H. Open Space is required for multi-family housing developments of 4 or more units as follows:

1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.
2. In meeting the open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
3. To receive credit under this section, a common open space area shall have an average length that is not less than twenty feet (20').
4. Any common areas shall be owned as common property and maintained by a homeowners associations or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

## **Chapter 16: HIGHWAY**

### **10-16-7: Design Specifications**

M. Open Space is required for multi-family housing developments of 4 or more units as follows:

1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.
2. In meeting the open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
3. To receive credit under this section, a common open space area shall have an average length that is not less than twenty feet (20').
4. Any common areas shall be owned as common property and maintained by a homeowners associations or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

## **Chapter 23: PLANNED UNIT DEVELOPMENT (PUD)**

### **10-23-2: DEFINITIONS:**

~~Common Open Space: An area within a development designed and intended for the use or enjoyment of all residents of the development or for the use and enjoyment of the public in general.~~

~~Net Development Area: Area of property exclusive of public or private roads, or parkland.~~

~~Public Improvements: Improvements that include utilities, parklands, and facilities that will be dedicated to the public and maintained by the City.~~

### **10-23-3: DEVELOPMENT OPTIONS:** A PUD may include any of the following land uses, either singly or in combinations when they are compatible with each other and blend harmoniously with adjacent uses:

#### **A. For the Restricted Residential District:**

1. Residential units at the density of one unit for every nine thousand (9,000) square feet of building site, exclusive of private and public roadway and private or dedicated parkland:
  - a. Single-family dwellings.
  - b. Duplexes.
  - c. Multiple-family dwellings.
  - d. ~~Common public or private open space.~~ Open Space and Parklands
  - e. ~~Public and private nonprofit parks, playgrounds, community centers, recreational facilities, lakes and waterways.~~

#### **B. For all other districts:**

- a. All uses normal to the designated zoning district.
- b. Open Space and Parklands. ~~Recreational uses, such as a golf course, private park, recreational building, club house or social hall.~~
- c. Commercial uses.
- d. Temporary use of vacant lots for RV use. (Ord. 12, 1998)

**10-23-5: DEVELOPMENT STANDARDS:** To insure that a PUD fulfills the intent of this Chapter, the following standards and those of FCC 10-36 shall apply.

G. Open Space: A minimum of 20% of the net development area shall be open space and must be platted for that purpose. (Easements are not acceptable.) At least 25% of the 20% shall include an area designed and intended for recreation use and enjoyment. The required recreation area may be provided as:

- Public dedication for the use by public in general, and/or
- Property owned by the Home Owners Association (or other legal entity) for use by residents of the development.

The recreational area is required to be developed to satisfy one or more recreational needs identified in the latest Florence Parks and Recreation Master Plan. If the Master Plan or Comprehensive Plan shows a need for public recreation area in the location of the PUD (such as a trail connection or neighborhood park), the recreation area shall be dedicated to the public. If the recreation area is not meeting a need for public recreation, the city may choose not to accept dedication of the recreation area.

1. ~~Common~~ Open space will be suitably improved for its intended use, except that common open space (outside the required 25% of recreation use area) containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements to be permitted in the ~~common~~ open spaces shall be appropriate to the uses, which are authorized for the ~~common~~ open space.
2. The development schedule which is part of the development plan shall coordinate the improvement of the ~~common~~ open space and the construction of buildings and other structures in the ~~common~~ open space with the construction of residential dwellings in the planned unit development.
3. If buildings, structures or other improvements are to be made in the ~~common~~ open space, City may require that the development provide a bond or other adequate assurance that the buildings, structures and improvements will be completed. In this case, the City Council shall release the bond or other assurances when the buildings, structures and other improvements have been completed according to the development plan.
4. The following areas are not acceptable for recreational area required as part of a PUD:
  - a. Hillsides over twenty-five (25) percent slope;
  - b. Land in the floodway, floodplain, or required riparian or wetland buffer, unless trails, benches, picnic tables and similar above are incorporated;

- c. Roadside ditches;
- d. Monument entry areas and central landscaped boulevards;
- e. Stormwater retention or detention ponds that are designed to hold stormwater runoff from less than one hundred (100) year events; and
- f. Parking areas and road rights-of-way that are located within the parkland, open space, or common area, except for parking that is required specifically for use of the parkland.
- g. Yards, court areas, setbacks, and other open areas required by the zoning and building ordinances and regulations shall not be included in the computation.

**10-23-11: APPROVAL OF THE FINAL DEVELOPMENT PLAN:**

- 2. Final development plans shall include plans for proposed:
  - a. Storm drainage.
  - b. Sewer and water utilities.
  - c. Streets, and pedestrian ways, trails and paths.
  - d. Preliminary subdivision plan, if property is proposed to be divided.
  - e. Open Space and Parklands to be dedicated to the public or held in Homeowner Association ownership.

**Chapter 30: NORTH COMMERCIAL**

**10-30-5: Design Specifications**

N. Open Space is required for multi-family housing developments of 4 or more units as follows:

- 1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.
- 2. In meeting the open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
- 3. To receive credit under this section, a common open space area shall have an average length that is not less than twenty feet (20').
- 4. Any common areas shall be owned as common property and maintained by a homeowners associations or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.



**Chapter 36: PUBLIC FACILITIES**

**10-36-9: PARKLANDS:**

**A. Purpose:**

For the purpose of promoting health, safety, and the general welfare of City residents, this section provides for the provision of parkland for recreational opportunities and/or open space for passive recreational use for Florence residents. The parkland provision serves the following specific purpose:

1. To address the Community Needs identified in the Florence Parks and Recreation Master Plan (Master Plan) and to ensure that park land and open space are provided to meet the needs of residents of new residential developments.

**B Parklands:**

1. Developers are encouraged to work with the City to identify parkland facilities proposed in their service area. If the City has an interest in acquiring a portion of a proposed land division or development, or if the City has been advised of such interest by another district or public agency, and there is reasonable assurance that the steps will be taken to acquire the land, then the Planning Commission may require that those portions of the land division be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to subdivision.
2. Areas smaller than one acre for new public parkland is generally impractical. If less than one acre of public parkland is proposed, the dedication should add on to an existing park area within or adjacent to the development site or provide some special public benefit acceptable to the city such as a trail connection.

**C. Standards for Parkland:**

1. Ownership and Maintenance Requirements. Land provided for parkland shall be owned and maintained in one or more of the following ways:
  - a. Dedicated to, and accepted by, the City;
  - b. Privately owned, developed, and maintained by the property owner or Home Owners Association;
  - c. Owned and maintained by a land conversation entity, such as The Nature Conservancy;
  - d. Accessible to the public through a public easement.

**Chapter 10: RESTRICTED RESIDENTIAL**

**10-10-3: Buildings and Uses Permitted Conditionally:**

- B. Public and private parks, playgrounds, community centers and recreation facilities.

## **Chapter 11: SINGLE FAMILY RESIDENTIAL**

### **10-11-3: Buildings and Uses Permitted Conditionally:**

- I. Public and private parks, playgrounds, community centers and recreation facilities.

## **Chapter 12: MOBILE HOME/MANUFACTURED HOME REGULATIONS**

### **10-12-1-3: Buildings and Uses Permitted Conditionally:**

Public and private parks, playgrounds, community centers and recreation facilities.

## **Chapter 13: MULTI-FAMILY RESIDENTIAL DISTRICT**

### **10-13-3: Buildings and Uses Permitted Conditionally:**

Public and private parks, playgrounds, community centers and recreation facilities.

**10-13-5-I** Open Space: Each Multiple-family developments of 4 or more units shall provide and maintain at least one common open space for the use of all occupants.

## **Chapter 17: OLD TOWN DISTRICT**

### **10-17B-3-E: Lot and Yard Provisions for Area B:**

&

### **10-17C-3-E: Lot and Yard Provisions for Area C:**

Open Space is required for any multi-family housing developments of 4 or more units as follows:

1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved ~~by deed restriction~~ as common open space.

## **FLORENCE CITY ZONING MAP AMENDMENTS**

**Amend the Zoning Map to change the Zoning Classification for the following properties to achieve consistency with the current use of the property. In most cases, these changes result in a Zoning classification of "Open Space" for publicly-owned lands. These changes are shown in Map C-1 of this Exhibit C and are described as follows:**

**Area # 1:** The Meares Street right-of-way (Commercial to Open Space)

**Area # 2:** Hurd Memorial Park (Restricted Residential to Open Space)

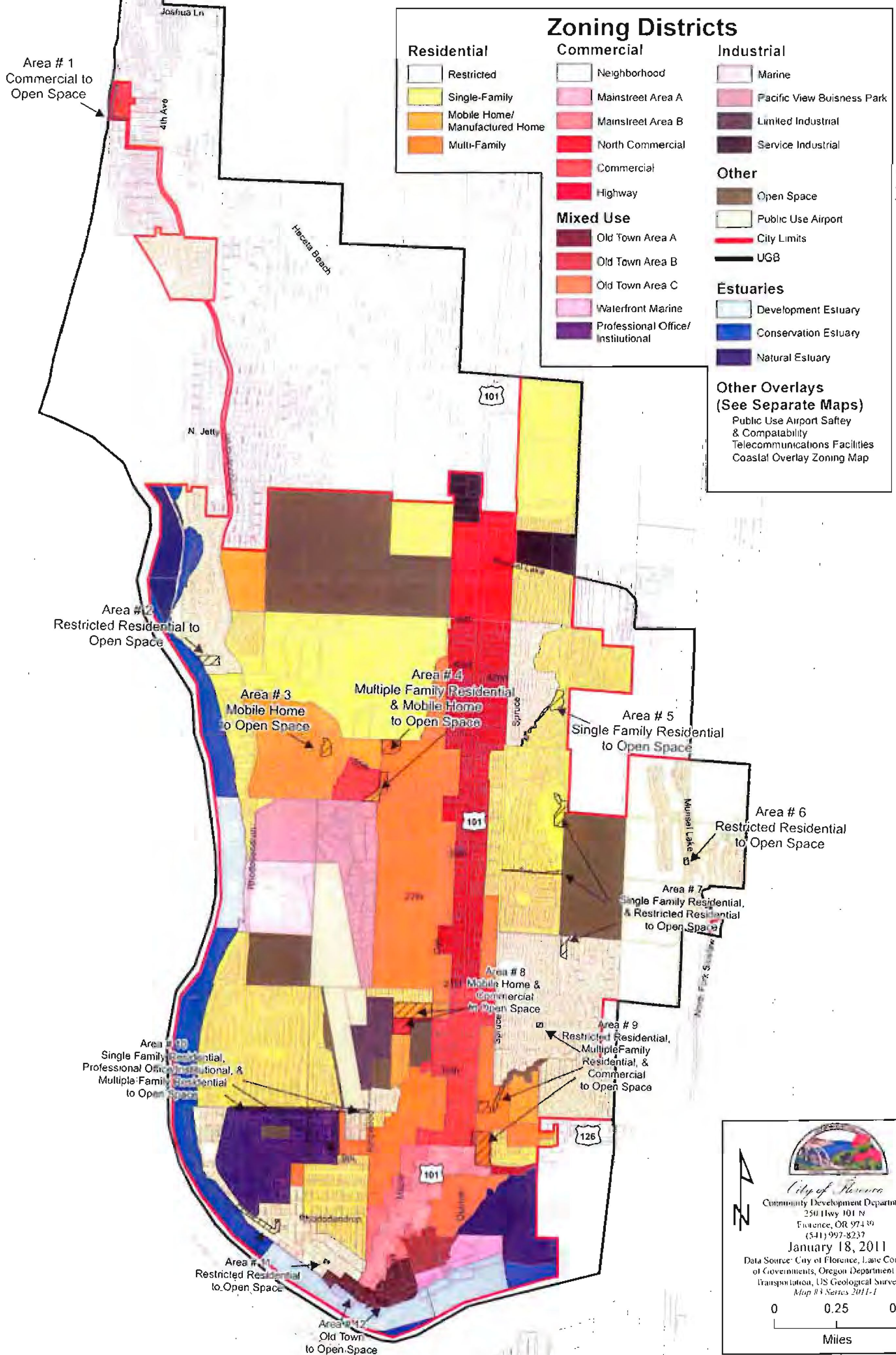
- Area # 3:** Rolling Dunes Park (Mobile Home / Manufactured Home to Open Space)
- Area # 4:** The property containing the City--owned water towers located near Sandpines Golf Course and the northern portion of Pepperoaks Park (Multiple Family Residential to Open Space); The southern portion of Pepperoaks Park (Mobile Home/Manufactured Home to Open Space)
- Area # 5:** Pacific Pines Greenway and the parcel south of Pacific Pines Greenway owned by Lane County (Single Family Residential to Open Space)
- Area # 6:** Munsel Creek Road Pocket Park (Restricted Residential to Open Space)
- Area # 7:** The northwest parcel of Munsel Creek Greenway and the 29th Street trailway (Single Family Residential to Open Space); Willow Dunes Greenway (Restricted Residential to Open Space)
- Area # 8:** The northern parcel of Miller Park (Mobile Home/Manufactured Home to Public Open Space); The central parcel of Miller Park (Commercial to Open Space)
- Area # 9:** 18th Street Pocket Park (Restricted Residential to Open Space) The southern portion of Munsel Creek Bike Path, South Munsel Creek Park Lands, and the eastern portion of Gallaghers Park (Multiple-Family Residential to Public Open Space); The northwest portion of Gallagher's Park (Commercial to Open Space)
- Area # 10:** The northern half of the 12th Street right-of-way (Single Family Residential to Open Space); The southern half of the 12th Street right-of-way, the western half of the Ivy Street right-of-way, and the parcel at the northwest corner of 9<sup>th</sup> Street and the Ivy Street right-of-way (Professional Office / Institutional to Open Space); The eastern half of the Ivy Street right-of-way (Single Family Residential to Open Space)
- Area # 11:** South Rhododendron Beach Access and 1st and Ivy Park Lands (Restricted Residential to Open Space)
- Area # 12:** Veteran's Memorial Park and Old Town Park (Old Town to Open Space)

# City of Florence

## Exhibit C - Map 1

### Parks and Recreation Master Plan

### Proposed Zoning Changes





## **Exhibit D**

### **Responses to Public Comments Submitted to City Council**

This Exhibit responds to public comments received on the proposed amendments to the *Florence Realization 2020 Comprehensive Plan* text and Map and Florence City Code and Zoning Map, and the proposed *Florence Parks and Recreation Master Plan*. City Council held a public hearing on December 6 and held the record open until 5:00 pm on December 30, 2010. In responding to each comment, staff has provided a recommendation. All of staff's recommendations have already been incorporated into the documents included in this agenda packet.

Written comments are attached to this Exhibit. They are labeled numerically with a "D" prefix. This report addresses chronologically both verbal and written testimony received from the following:

**Exhibit D-1:** Janice Welton, Florence resident, received December 5, 2010

**Exhibit D-2:** James Genereaux, Florence property owner, received December 6, 2010

Jim Hoberg, Florence resident (verbal testimony at December 6, 2010 hearing)

Katie Nelori, Florence resident, (verbal testimony at December 6, 2010 hearing)

Deacon & Hilary Matthews, Florence Area resident (verbal testimony at Dec. 6, 2010 hearing)

Erin Linton, Florence Resident, (verbal testimony at December 6, 2010 hearing)

Jim Welsh, Board of Realtors representative, (verbal testimony at December 6, 2010 hearing)

**Exhibit D-3:** Linda Lassen, Florence resident, received December 6, 2010 (9:07pm)

**Exhibit D-4:** Erin Linton, Florence resident, received December 7, 2010

**Exhibit D-5:** Erin Linton, Florence resident, received December 7, 2010

**Exhibit D-6:** Brian Rolen, Boring resident, received December 21, 2010

**Exhibit D-7:** Terry Ely, California resident, received December 21, 2010

**Exhibit D-8:** Doug Gehring, Portland resident, received December 21, 2010

**Exhibit D-9:** Shawn Roberston, Cottage Grove resident, December 21, 2010

**Exhibit D-10:** Gary McCammon, received December 22, 2010

**Exhibit D-11:** Jeff Schrick, Eagle Point resident, received December 22, 2010

- Exhibit D-12:** Richard and Pamela Palmer, Redmond residents, received December 22, 2010
- Exhibit D-13:** David and Londa Grenz, Florence area residents, received December 23, 2010
- Exhibit D-14:** Deacon Matthews, Florence property owner, received December 28, 2010
- Exhibit D-15:** Kari Westlund, Travel Lane County President, received December 28, 2010
- Exhibit D-16:** Lon Beale, Florence Business Owner, received December 27, 2010
- Exhibit D-17:** Branden Moore, Ramsey Waite General Manager, received December 29, 2010
- Exhibit D-18:** Josh & Laurel Latham, Florence area resident, received December 29, 2010
- Exhibit D-19:** Undersigned under one petition, received December 29, 2010
- |                                 |                               |
|---------------------------------|-------------------------------|
| Jeff Shrick, Portland           | Anthony Foulke, Vancouver, WA |
| Chet Kruckenberg, Milwaukie     | Dave Meintsma, Florence Area  |
| Roger & Cynthis Rolen, Lakeside | Dawnita & DJ Nealon, Salem    |
| Lance Rowland, Florence Area    | Gene Votaw, Coos Bay          |
| Bill Brund, Newport             | Jesse Blair, Salem            |
| Justin Wartenbee, Eugene        | Hung Choi, Tigard             |
| Chris Imai, Vancouver, WA       | Matthew Hanson, Albany        |
| Brian Bourne, Albany            | David Swift, Gresham          |
| Aleisha Shirley, Keizer         | Chris Deines, Boring          |
| Ryan Sullivan, Albany           | Mark Sullivan, Albany         |
| Haley Sullivan, Albany          | Isaac Bertram, Eugene         |
| Nathan Foulke, Vancouver, WA    |                               |
- Exhibit D-20:** Don Saxon, Florence area resident, received December 29, 2010
- Exhibit D-21:** Vince & James Devito, Florence property owners, received December 30, 2010
- Exhibit D-22:** Lori Grender, Secretary/Treasurer, Redwood Heights Home Owner’s Association, received December 30, 2010
- Exhibit D-23:** Redwood Heights HOA residents, undersigned under one petition, received December 30, 2010
- Lori & Gary Grender, Martha Lou Smith, Danell Kunz, Margaret & Carl Fynaut, & Ruth Eloise Cowden (Florence resident)

.....

**D-1: Janice Welton, Florence Resident**

- Comment:** Has concerns with Miller Park’s usage. Specific concerns include:
- Relay for Life layout places 24-hour stage adjacent to her house.



- Baseball Playoffs create RV parking congestion on her street where she is often blocked in.
- Dog usage at Miller Park
- Youth using the park at night and yelling profanities
- Night use in general when signed as a day-use park

**Staff Recommendation:** Add the two items to the “Planning” section of Table 7 of the Parks Plan:

- Review event license process for city-owned parks to ensure adequate review of event layout and operations to reduce off-site impacts.
- Review park rules and violations and determine if some rules are still warranted or if code revisions are needed to provide tools for enforcement.

## D-2: James Genereaux, Florence Property Owner

**Comment:** Funding for city parks should come from SDCs, property taxes, levies, and measures since all residents can benefit from city parks.

**Response:** *SDCs would only be charged to support parks that would benefit the owners and residents of new development. The remaining funding would need to come from other sources such as those identified by Mr. Genereaux as determined by City Council.*

**Staff Recommendation:** No change needed.

**Comment:** Request to add the Siuslaw Rod and Gun Club to Chapter 3, p 15, “Other Providers” even though it is outside the service area (UGB).

**Response:** *No for profit or non-profit private recreation facilities were included in the text of Chapter 3 other than residential developments (PUDs and HOA managed facilities). Some were included in Figure 3.1. To include the providers like the Gun Club in the text of Chapter 3 would necessitate the inclusion of other private recreation facilities such as the two private golf courses, Boys and Girls Club facilities, privately-owned gyms, and similar facilities. Adding private recreation facilities textually to Chapter 3 and visually to Figure 3.1 would necessitate a complete inventory of those resources for inclusion in a table and rework of Figure 3.1.*

**Staff Recommendation:** No change needed.

**Comment:** Level of Service numbers should be kept in perspective. Mr. Genereaux specifically references the large quantities of open space west of Hwy 101 owned by BLM, 3-Mile Prairie (no public access).

**Response:** *As explained in the Plan, the proposed “level of service” numbers listed in Chapter 4 are extremely conservative. This is due to the presence of the many public recreation facilities in the planning area-BLM 40 acres, County 250+ acres, State-entire beach and dune areas, and the city’s 90+ acres of parkland reserves (undeveloped). Staff proposed numbers well under the state average for that reason. If those parks lands were not available, staff would have proposed a much larger LOS number. The 200+ acres of public land across a state Highway with no adjacent proposed pedestrian crossings will not meet the needs for other types of parkland such as neighborhood or mini-parks. The Level of Service numbers proposed by staff are what is needed to provide undeveloped and underserved areas specific types of parkland such as neighborhood and mini-park recreation facilities. The numbers proposed are in quantities consistent with those parklands available to existing residential areas (18<sup>th</sup> St. area,*

*Pepperoaks, and Siuslaw Village residential neighborhoods have a walkable and useable mini-park or neighborhood park facility and new residential developments should as well).*

**Staff Recommendation:** No change needed.

**Jim Hoberg, Florence resident,** (verbal testimony at hearing)

**Comment:** A privately owned piece of property between 11<sup>th</sup> and 12<sup>th</sup> Streets near Kingwood Street is designated public land and yet is in private ownership. It is located at the end of the airport runway and was zoned airport and designated by the Comprehensive Plan as Public. The land is part of the Federal Aviation Administration (FAA) no build zone as part of the approach path to the airport. Mr. Hoberg would like the Council to consider whether it is appropriate to designate private property as “public”. There are currently three other properties in the same situation, two were developed and one was vacant. If the City Council wanted to provide direction they could incorporate amendments to the zoning or Comprehensive Plan maps into the proposed amendments.

**Response:** *Staff recommends deferring this request to a later date while alternative options are explored with the property owners. If those options are unacceptable, Council should revisit this issue and consider initiating map amendments.*

**Staff Recommendation:** No change needed at this time.

**Katie Nelori, Florence resident,** (verbal testimony at hearing)

**Comment:** Ms. Nelori expressed concerned about the recent acquisition by the City of the parcel along Bay Street. She asked why the City had spent \$325,000 for a property that was deemed unsellable and thus had no resale value. She felt there were better ways for the City to acquire land without spending valuable taxpayer dollars.

**Response:** *The Council discussed this comment following the hearing and explained the funding source for the purchase, state and federal funds.*

**Staff Recommendation:** No change needed.

**Deacon & Hilary Matthews, Florence Area residents,** (verbal testimony at hearing)

**Comment:** With regards to Exhibit B concerning the Comprehensive Plan Amendments, Mr. Matthews said he would like to see if the City Council would consider removing the “non-motorized” term from the sentence, “Privately owned sand dunes suitable for non-motorized recreation.” Mr. Matthews said they were in the process of trying to get an event going on that property that would allow ATVs. Mr. Matthews said they would be willing to get a special events permit to do each of their events but they wouldn’t be able to do that without the removal of the “non-motorized” language in that portion of the Comprehensive Plan. Mr. Mathews said they had hosted one event in September that was a great success. He said they did not have any complaints from their neighbors during that event and thus they would like continue to hold these events about 3-4 times per year, particularly in the summer months.

**Response:** *Councilors expressed different viewpoints on this issue.*

**Staff Recommendation:** 1. Remove the entire “Medium Density” paragraph, proposed for change, from the Comprehensive Plan so that Council can decide whether or not to allow motorized recreation outside of a land use process. 2. Make this issue an agenda item for a future Council meeting and allow for more public discussion.

**Erin Linton, Florence Resident,** (verbal testimony at hearing)

**Comment:** Ms. Linton said she wanted to volunteer to help get the Parks and Recreation going in any way that she could.

**Response:** *Mrs. Linton was a very active member of the Parks and Recreation Master Planning Committee and offered a young family perspective to the process and park analysis. The Parks and Recreation Commission will likely be back in service and recruiting for park volunteers this year. Mrs. Linton's offer is well received and she would be well suited for any park volunteer position.*

**Staff Recommendation:** No change needed.

**Jim Welsh, Board of Realtors representative,** (verbal testimony at hearing)

**Comment:** Mr. Welsh stated that the funding proposal in the Parks Plan was inadequate. He said this was a time of economic challenges for everyone, particularly the COCBR. He said the Realtors supported the idea of a Parks and Recreation District because that would go before the voters. However, he felt the language that stated the City "shall" require parkland SDCs, and the City "shall" explore the process for the formation of a parks and recreation district was unnecessary. He said those developments that are already here did not have to pay a fee, so the entire parks system would be on the backs of new developments. Thus he felt the language should be tempered. Mr. Welsh said it also stated that the City "shall" continue to seek resources for volunteer programs, grants, and any other funds that might be available. He said in the past it was very difficult to find funding and felt it would not be any easier in the future.

**Response:** *The Plan includes options for funding, but does not include a specific funding proposal. Nor by adopting the Parks Plan is the Council establishing a System Development Charge (SDC). Staff proposes that the funding of park facilities be taken up through the creation of a Capital Improvement Plan. Then, the Council could use the Capital Improvement Plan as the basis for an SDC, a process which includes public participation. SDCs would only pay for system expansion that would benefit the owners and residents of new developments. Maintenance and other capital costs would need to be funded through other sources. Those sources would be determined by City Council.*

**Staff Recommendation:** No change needed.

**Comment:** Mr. Welsh stated that one thing the City was certainly challenged on was that they did not have much industrial land opportunities that create new jobs. He said the City has a tourist and commercial retail industry. Mr. Welsh said the proposed Parks Plan included everything, it was a smorgasbord, including developing residential park lands and looking to acquire new properties for open space. He understood that sometimes it is essential to protect sensitive lands but asked where the money would come from. He said they supported the volunteer matching resource programs.

**Response:** *The Parks Master Planning Committee recognized Florence's current economic and market conditions and they are referenced in Chapter 3. However, the Parks Plan is a 20 year plan and needs to look beyond present community situation toward opportunities that might come up in 10 or 15 years. The Plan proposed several tourism recreation projects such as frisbee golf and the estuary and water trail. Development of these and other visitor amenities are key to attracting industry as well as additional recreation tourism visitors to Florence.*

**Staff Recommendation:** No change needed.

**D-3: Linda Lassen, Florence resident**

**Comment:** Ms. Lassen states she is in favor of a dog park. She suggests the end of 24<sup>th</sup> St. near the water treatment plant.

**Response:** *A dog park was the second most requested item by both adult and elementary aged youth. The water treatment plant area—Munsel Greenway Park 20+ acres was considered in the past for a dog park. Considerations for using a portion of this park for a dog park are the sensitive wetland areas and the negative perception of having dogs defecating on top of the city's drinking water source. Both of these situations may be avoided after thoughtful research and considerate eye in design to address those issues. Staff recommends the Council keep this option open when researching suitable locations for a dog park.*

**Staff Recommendation:** No change needed.

**D-4: Erin Linton, Florence resident**

**Comment:** She has concerns with the following regarding children's play structures:

- The lack of high prioritization on replacing the existing children's play structures. The existing play structures lack features interesting for today's children.
- They are over 20 years old and beyond any useful additional maintenance.
- The existing structures are constructed of toxic pressure treated wood which is currently banned for usage in children's play structures.
- New play structures should be covered to reduce maintenance and extend their use from both longevity (fading) and day to day (rain avoidance) standpoints.
- Concerned for the local obesity rate among children amidst the school district's cuts in sports funding and lack of adequate recreation amenities for the area youth.

She also asked the Council to not underestimate the support and backing of the community for volunteers and fundraising.

**Response:** *18<sup>th</sup> St. Pocket Park was identified as being the #1 facility needing equipment replacement and redevelopment followed by Pepperoaks. Staff recommends that Council include these two facilities in the 5 year capital improvement plan. They would not likely be eligible for any SDC funding but would be suitable for most of the other funding and financing opportunities.*

**Staff Recommendation:** Add to Table 7, "Park Programs" of Chapter 7 in the Parks Plan, a grant matching program for city park capital improvement projects. This tool could be used to match financial or volunteer support from individuals or community service groups or others interested in improving city park facilities.

**D-5: Erin Linton, Florence resident**

**Comment:** Ms. Linton wishes to protect the BLM dunes and other public lands for pedestrian use (non-motorized use). She stated she was on the BLM land behind Fred Meyers with her children the day of the motorized race event on the Sandranch property. And "they did not just stay on their property. They were all over the sand dunes without helmets and flags." She stated she called the police and reported the ATV's without flags, helmets and on BLM land.

**Response:** *As stated previously and hereafter, staff recommends that Council take up the issue of ATVs as a separate issue at a later date. During the new process to determine the Council policy on motorized recreational use on private property in city limits, the Council should discuss the issue of enforcement on adjoining public properties.*

**Staff Recommendation:** No change needed.

#### **D-6-D-19: Various testifiers under one petition**

**Comment:** Testifiers would like the City to permit operation of the Oregon Dunes Race Park (motorized recreation vehicles) on the Sand Ranch property through the Special Event permitting process.

**Response:** *Councilors expressed different viewpoints on this issue.*

**Staff Recommendation:** 1. Remove the entire “Medium Density” paragraph, proposed for change, from the Comprehensive Plan so that Council can decide whether or not to allow motorized recreation outside of a land use process. 2. Make this issue an agenda item for a future Council meeting and allow for more public discussion of under what circumstances (if any) motorized use would be permitted.

#### **D-20: Don Saxon, Florence area resident**

**Comment:** Mr. Saxon would like the city to consider his property at the southwest corner of Spruce St. and Hwy 126 as a recreation resource for the Siuslaw Estuary trailhead and parking. He included schematics of a proposed site plan.

**Response:** *A preliminary route and design for the Siuslaw Estuary Trail is being prepared that maximizes visual exposure to the estuary while meeting the requirements of state and federal permitting agencies. Staff is setting up meetings with potentially affected property owners to ascertain their interest in cooperating in the development of the Siuslaw Estuary Trail Vision. Access to some of Mr. Saxon’s property will be required for trail development on two legs of the trail. His property at Spruce St. is one of those legs. The Siuslaw Estuary Trail team at a site visit determined that Mr. Saxon’s property at Spruce Street in addition to providing necessary trail connectivity, could provide an attractive trail head at Hwy. 126 with parking and other amenities as shown on his schematic. There may be an alternative at the platted Spruce Street right-of-way with a limited design scenario due to the car wash orientation to the east. Additional surveying is needed prior to making that decision.*

**Staff Recommendation:** Amend Goal 1 Objective 2 c. in Chapter 2 of the Parks Plan to include a trailhead “Coordinate with Port and adjacent property owners to develop the Siuslaw Estuary trail, trailheads (Port and Highway 126) and its Highway 126 crossing. Staff in general recommends that after additional site research is completed Mr. Saxon’s property at Spruce St. be considered for use as a trailhead site.

#### **D-21: Vince & James Devito, Florence property owners**

**Comment:** The Devito’s who own property on 34<sup>th</sup> St. would like the City to retain Spruce St. between 32<sup>nd</sup> and 35<sup>th</sup> Streets as a park resource as currently represented on Map 11-D1, “Park System City of Florence” of the 2020 Florence Realization Comprehensive Plan.

**Response:** *Staff has identified no concerns with this request. It would be similar to the addition of 12<sup>th</sup> St. Because the “park” was only on the map and not included textually, staff*

*had assumed it was a mistake and had therefore not included it on the revised maps and inventory. The retention of this right-of-way as a recreation resource will necessitate revision of the requisite tables in Exhibit C, and Chapters 3 & 4 of the proposed Park Plan. There may be other solutions to address their concern for undermining the integrity of the retaining walls and the stability of the dunal slope.*

**Staff Recommendation:** No changes needed.

**D-22: Lori Grender, Secretary/Treasurer, Redwood Heights Home Owner's Association**

**Comment:** The Redwood Loop Home Owners Association asks that the city retain Spruce St. between 32<sup>nd</sup> and 35<sup>th</sup> Streets as a park resource as currently represented on Map 11-D1, "Park System City of Florence" of the 2020 Florence Realization Comprehensive Plan. She states that the resource is needed to retain slope stability for the homes in Redwood Loop.

**Response:** *See above response to Vince and James Devito.*

**Staff Recommendation:** No changes needed.

**D-23: Various Testifiers under one petition**

**Comment:** Residents on the Redwood Loop ask that the city retain Spruce St. between 32<sup>nd</sup> and 35<sup>th</sup> Streets as a park resource as currently represented on Map 11-D1, "Park System City of Florence" of the 2020 Florence Realization Comprehensive Plan.

**Response:** *See above response to Vince and James Devito.*

**Staff Recommendation:** No changes needed.

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## Exhibit E

### Responses to City Council Comments

This Exhibit responds to City Council verbal comments, questions, recommendations received on the proposed amendments to the *Florence Realization 2020 Comprehensive Plan* text and Map and Florence City Code and Zoning Map, related to the proposed *Florence Parks and Recreation Master Plan, 2011*. In responding to each comment, staff has provided a recommendation. All of staff's recommendations have already been incorporated into the documents included in this agenda packet.

.....

#### Alan Burns

**Comment:** Councilor Burns expressed a concern with the “shall” language in the Comprehensive Plan policies with regards to funding.

**Response:** *In response to the presence of “shall” language related to funding policies, Mayor Brubaker recommended adding general policy language at the beginning of the Policy Section that limits expectations as to what will be accomplished based on funding availability.*

**Staff Recommendation:** Exhibit B page 6 of 27 “Policies” section has been modified to reflect the recommended wording addition of “Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the following actions.” Additionally within the Florence Parks and Recreation Master Plan on the page preceding the Table of Contents the following wording is proposed, “Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the proposed actions provided in this plan.”

#### Nola Xavier

**Comment:** The big question was still the funding issue. Councilor Xavier agreed with Councilor Burns that the City could not include the “shall” language...and that it was important that the City evaluate the park SDC, parkland dedication, and park district options, but they needed to look at implementing those funding options when the timing was right

**Response:** *See above response to Councilor Burns.*

**Staff Recommendation:** *See above recommendation for Councilor Burns' comment.*

**Comment:** Councilor Xavier's first priority would be to cost out the amount of maintenance needed to maintain the parks the City currently has. She sees that the City's current parks often have a lack of funding for proper maintenance...and parks that get shabby and uninviting are not used ...She felt the City's first priority should be to find funding to adequately maintain current parks. (Councilors Burns and Roberts agreed.)

**Response:** *City park maintenance funding is discussed in Policy 20 of Exhibit B stating, “The City shall explore various short and long-term funding options primarily for maintaining existing parks and, as funds are available, for expanding the Florence parks system.”*

**Staff Recommendation:** Change Policy 22 of Exhibit B in support of Councilor Xavier's comment as follows:

"The City shall explore parks and open space funding through sources such as grants, systems development charges, use of a special levy, proceeds from street and right-of-way vacations, maintenance fees and other available funding mechanisms. Where desirable, partnerships with federal, state, county and regional agencies, non-profit organizations, and private interests shall be formed to help secure and possibly finance land acquisition and facility development and redevelopment and maintenance of existing and proposed facilities."

**Comment:** Mayor Brubaker stated that parks maintenance fees or a parks district would need to be implemented to address Councilor Xavier's above concern. Councilor Xavier stated in response that City Council needed more information on what kinds of fees those would be and what they would need to maintain the parks. She said they can all agree that they can no longer continue funding those parks out of the general fund or they would end up in the same place they are today. She thought her first priority would be to obtain information on setting up funding for the parks, what those fees would look like, how they would be handled, and ultimately what they would cost citizens.

**Response:** *Chapter 7 of the Florence Parks and Recreation Master Plan, (Table 7, page 7) categorizes "Develop and adopt park maintenance fees" and "Develop and approve a Park and Recreation Capital Improvement Plan" as "High" priority items. Many of the amenities in the city parks have been maintained beyond their expectant lifespan, are functionally obsolete, and do not meet current park and building code standards. Most of the city parks need rehabilitation that includes redesign with an eye for reduced maintenance and improved curb appeal. Determining the specific maintenance and rehabilitation costs for existing park facilities would be accomplished through the Capital Improvement Plan (CIP) process. There are other park management tools available such as maintenance and operations tracking and budgeting plans that could project the annual maintenance and amenity replacement costs. These tools could be used in tandem with the CIP process to assist with accurate cost assessments.*

**Staff Recommendation:** No change needed.

### **Paul Holman**

**Comment:** Councilor Holman agreed that they needed to remove the "shall" language.

**Response:** *See above response to Councilor Burns.*

**Staff Recommendation:** See above recommendation for Councilor Burns' comment.

**Comment:** Council Holman expressed concern that the Plan omitted bike paths and trails. He said there was not a real clear goal for creating bike paths or even a definition of what they are.

**Response:** *Chapter 2 "Community Vision" of the Florence Parks and Recreation Master Plan includes the following related to bike paths and trails:*

*Goal 1: Provide an Interconnected Trail System (with 4 objectives and 17 strategies)*

*Goal 4: Recreation Facility Development, Strategy-Nature Trails*

*The existing Transportation Systems Plan (TSP) includes several locations for trails within the city's Urban Growth Boundary. The Parks Plan did not attempt to revise or add to the existing 1997 Trail Master Plan or TSP but rather recommends it be amended through a separate*

*process outlined in Goal 1 listed above. Definitions for “multi-use trails” and “multi-use paths” are included in Exhibit C--Title 11 Chapter 1 and Title 10 Chapter 1. Succinctly, trails are unpaved with no specified width and paths are paved 10-12’ wide.*

**Staff Recommendation:** No change needed.

**Comment:** Councilor Holman thought there should be an enforcement policy concerning the City’s parks, including in particular the Munsel Creek Park Land located east of West Coast Auto Body. He said that property in particular is used more by transients than anyone else. (Councilor Roberts said there was a transient problem on Redwood Street as well.)

**Response:** *Officer Ott replies with the following: There is an informal enforcement policy in place. He pro-actively patrols these areas, when time allows, as well as responds to any reports of transient camping anywhere in the City. He has written many citations for illegal camping in the city, some of them in these areas. Police has posted “no camping signs”, and Public Works has removed several trashy campsites that these individuals leave behind. Any time any citizen suspects transient activity, Police would love to hear from them. These contacts often lead to much more than just a city code violation. Under fairly recent ORS changes, transient campers on public property have extensive rights, which is why Police has to post the campsites for 24 hours before the campsites can be removed. Those rights were covered in policy the City enacted. It has been suggested to Public Works that the vegetation in these areas needs to be extensively thinned, to allow fewer places for transients to hide/camp. All involved thought it was a great idea, but there were unfortunately no resources to do the work. It was suggested to use seasonal help when available.*

**Staff Recommendation:** No change needed.

### **Phil Brubaker:**

**Comment:** Mayor Brubaker agreed that the “shall” language should be removed.... He said that would then raise the question of what the City was doing instead. He recommended that under the policies section, page 6 of 27 (Exhibit B), they add the language that, “Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the following actions...” He proposed that disclaimer language leading into the Parks plan be added so that the reader knows that the City is being realistic about the fundability of the plan. He felt the inclusion of that language would go a long way in making him more comfortable with including the “shall” language.

**Response:** *Mayor Brubaker made a good suggestion.*

**Staff Recommendation:** Exhibit B page 6 of 27 “Policies” section has been modified to reflect the recommended wording addition of “Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the following actions.” Additionally within the Florence Parks and Recreation Master Plan on the page preceding the Table of Contents the following wording is proposed, “Subject to the availability of sufficient financial resources as determined by the City Council, the City shall undertake the proposed actions provided in this plan.”

**Comment:** Mayor Brubaker shared concern about the Parks and Recreation District. He said if that was something they wanted to do then he felt that they should not include Mapleton in the parks district for the same reason that the people of Florence do not patronize the Mapleton Pool. He said he was not so sure about including Dunes City in a parks district either. He said it was like the library district, if you are paying for it you should be using it.

**Response:** *Park Usage--Florence's park budget is primarily dedicated to the upkeep of Miller Park, a Community Park. The park's primary purpose, in addition to providing a neighborhood park resource to near-by residents (1/2 mile radius), is that of a sports complex for area youth baseball, Boys and Girls Club leagues, and a men's softball league. It also serves as an event site for community activities such as military recognition functions, annual church functions, benefit walks such as the Caring Pregnancy Center and Relay for Life. In the survey process completed in April 2009 it was determined that more than half of the Miller Park users were not city residents (both youth and adult). It is for these reasons that a Park District is proposed, primarily for Miller Park and other community recreation facilities such as the Senior Center, future aquatic trail facilities, possibly Munsel Greenway Park and other community or regional facilities.*

*District Formation--The Parks and Recreation District Feasibility Study (required by the state prior to district proposal) outlined in Recommendation #3 of Exhibit B page 10 of 27 would research which areas (and cities) would make sense to include. Staff included Dunes City and Mapleton as suggestions for district consideration. It would depend on which recreation facilities are included. For instance, local Western Lane County Parks or Boys and Girls Club facilities might be included. As funding becomes more constrained for property taxing districts, some districts are combining resources as cost saving measures to consolidate operations and keep public facilities and resources open. Since it is very likely that some Dunes City residents use Miller Park and the Senior Center they seemed likely residents to consider for inclusion in a district conversation. Mapleton was listed more for use as a district facility consolidation tool. In addition to the pool there are other agency resources in that area such as the Port's boat dock and the future Siuslaw aquatic trail system (multi-agency partnership). The proposed language removes the boundary specificity while retaining the intent to think "big picture".*

**Staff Recommendation:** Modify Policy 24 in the Comprehensive Plan (Exhibit B) to read, "The City shall explore the process for forming a Regional Parks and Recreation District considering partnerships with other agency recreation providers and including other residential areas in Western Lane County where facility usage is indicated."

**Comment:** On page 3 of 27 under the policies section it stated, "The City 'shall' encourage the use of residential planned unit development subdivision and may trade off some conventional zoning requirements and density limitations in order to encourage innovative lot design". Mayor Brubaker said he would like to change that language from "shall" to "will" because it was the desire of the City Council to support infill development. He said the City Council understood that there would be trade offs with that and felt the "will" language showed a higher level of intent.

**Response:** *Within the Comprehensive Plan the word "shall" is actually stronger and is used in laws, regulations and directives. Policy statements should use the word "shall". "Will" is not defined in the Comprehensive Plan.*

**Staff Recommendation:** Retain "shall" in Exhibit B, page 3 of 27, Chapter 2, Policy 2 as indicated in the Definitions section of the Introduction in the Comprehensive Plan. Amend section "d" of Exhibit B, page 3 of 27, Chapter 2, Policy 2 as follows:  
d. on-site amenities reflecting the value need for both active and passive recreational facilities

**Comment:** Mayor Brubaker supported the request of Mr. Matthews to have ATVs on the Sand Ranch property. He said it gave the opportunity for legitimate recreational use of the property in a structured way that he felt was better than people going around the dunes

independently. He said there might be a noise issue and they can talk about that, but as long as the events went through the event permit process he felt that allowing them was a good idea.

**Response:** *Councilors expressed different viewpoints on this issue.*

**Staff Recommendation:** 1. Remove the entire “Medium Density” paragraph, proposed for change, from the Comprehensive Plan so that Council can decide whether or not to allow motorized recreation outside of a land use process. 2. Make this issue an agenda item for a future Council meeting and allow for more public discussion.

**Comment:** As far as the Plan itself went, the Plan needed to recognize whether or not the Mapleton pool was still open. Mayor Brubaker said the Plan stated that the pool was open and that Florence wanted to explore opportunities to provide regular transportation to it. He said that transportation would not be relevant if the pool was no longer open.

**Response:** *Survey results indicated that transportation was the prohibiting factor for area youth not recreating more. Pool and spray facilities were the top “needed” youth recreation resources and were in the adult top five. At the time there were multiple buses of varying sizes passing through Mapleton at different times—sometimes empty. The Parks and Recreation Master Planning Committee saw opportunities and wanted to capture those in concept.*

**Staff Recommendation:** In instances where Mapleton Pool is mentioned reword to reflect the closure and future opportunities or include more generalized wording such as “area recreation facilities”.

**Comment:** Mayor Brubaker understood the need for park stewardship but he saw a concern from a legal perspective about the idea of businesses giving away scrip for products or services to those who spend time volunteering for parks. He felt the IRS might have a problem with those sorts of programs.

**Response:** *Research has determined that the scrip recommendation under Goal 6 of Chapter of the Parks Plan is an accidental merger of two concepts. The first was to be a program where businesses provide scrip for merchandise or services at a reduced price to a non-profit that would be formed (e.g. Friends of the Florence Parks) who sells them to the public at full price. The percentage difference (2-20%) goes towards funding city park projects. The second was to research the opportunity for implementing a barter program where businesses instead of donating money to park projects could instead donate their products or services to a non-profit that would be formed (e.g. Friends of the Florence Park System). The process would work similar to that of auction items at community services events – but, rather than people bidding on the services they could work for them. After preliminary research staff has not determined if there is a labor issue with this type of program. It was never intended that the city as an agency would offer this park stewardship opportunity. A non-profit would be incentive for donors to make tax-deductible donations of land, equipment, cash, in-kind services, or in-kind services.*

**Staff Recommendation:** Amend Chapter 2 of the Florence Parks and Recreation Master Plan, Goal 6: Park Stewardship h. as follows: “Through formation of a parks non-profit organization consider the following: implementing a scrip program with local and regional businesses and researching the ability of a barter system using business donations redeemable for work within city parks.”

**Comment:** Mayor Brubaker would like to see staff create an estimate of the amount of staff time it would take to cost out all of the priority one items, in particular, the dog park as well as the trail system. He said if the City could not feasibly address them then he felt they should not be listed as such a high priority. He said that analysis would be the first step to creating a Capital

Improvement Plan. He thought the City Council was shooting blindly on the costs until they heard about those priority one items.

**Response:** *At a meeting with the Mayor on January 10, 2011, staff was directed to review the Recommendations Table in Chapter 7 of the Florence Parks and Recreation Master Plan. Staff is to recommend revisions to the project prioritization and the items that fall within the "High" priority category would be included in a Capital Improvement Planning process later in 2011. The other items would still be considered for development pending receipt of grant, community or other types of funding.*

**Staff Recommendation:** At the time of this writing staff was unable to complete this task and will present any potential suggestions to Council at Tuesday's meeting.

**Comment:** Mayor Brubaker did not think the dog park should be located on Elm Street. He would like to indicate the old dump site in the Parks Plan as the priority for the Dog Park, rather than Elm Street, because developing Elm Street would wipe out a lot of native vegetation.

**Response:** *Of note, the streets on three of the four sides of Elm Park are not proposed for development due to adjacent natural resource constraints. This situation provides the opportunity to consider parking lot development within the street right-of-way to meet the parking demand for any future recreational development in Elm Park.*

**Staff Recommendation:** Figure 7-1 of the Parks Plan has been modified to remove reference to a Dog Park in Elm Park.

**Comment:** The Parks Plan did not include many out of town parks, such as Munsel Lake Park, and was concerned that they not forget those. Mayor Brubaker understood that the parameters for inclusion in the Plan were City property that were pocket, neighborhood, or community parks, but felt many people did not understand that difference.

**Response:** *Other public agency assets both within the planning area (UGB) and outside the planning area provide additional park and recreation opportunities for City residents. Those within the planning area were included in the inventory discussion (Chapter 3, pp 15-16). The City of Florence has no control over recreation facilities provided by agencies and private non-residential providers, their services, maintenance levels, openings, closings, or programming. They are therefore not specifically included in the level of service calculations in Chapter 4 but were considered in determining future and current park and recreation amenity needs. Developing formal partnerships with other jurisdictions is important where their sites help meet identified recreation needs.*

**Staff Recommendation:** Staff propose adding the following wording to the Parks Plan, Chapter 3, page 15, "Parks and Open Space Provided by Others" to clarify the planning parameters between city and other agency recreation resources:

"Parks provided by other jurisdictions were taken into account in determining park needs for acquisition and development. If an existing County, Federal, or school property was located in an unserved area proposed for park development on Figure 7.1, opportunities for partnership were considered and the locations were generally considered allowing for park provision through a partnership with these other agency amenities. It is for these situations that conservative level of service standards for City parks were proposed in Chapter 4.

While other agencies provide substantial acreage in some areas of Florence, some areas of the city are still unserved. For example, the 100+ acres of residentially zoned area north of Munsel Lake Rd. and east of Hwy 101 has no land set aside or land acquisition mechanism in place for providing public neighborhood or mini-park facilities. While over 200 acres of public open



space is situated west of Hwy 101 there is no public access within the city limits to speak of and the land does not satisfy the community needs for a dog park, new neighborhood parks in new residential subdivisions, or covered play structure facilities.”

**Comment:** Mayor Brubaker suggested the 18<sup>th</sup> Street community adopt the park and thus it could be removed from the City’s responsibilities.

**Response:** *The Parks and Recreation Master Planning Committee recommended a comprehensive volunteer program as being the best immediate solution to improving the quality of the City’s existing parks. Many of these suggestions are listed in the Plan and include matching grant program, adopt-a-park, park ranger, and individual programs. There are many other possible solutions such as a neighborhood adoption approach.*

**Staff Recommendation:** Staff recommends that the council re-establish the Parks and Recreation Commission and make the issue of volunteerism as one of its top priorities.

### **Suzanne Roberts**

**Comment:** Councilor Roberts stated opposition to motorized vehicle use at Sand Ranch. She said there were enough surrounding developed properties in that area and the noises would carry over the dunes. She felt it was inappropriate to allow off road vehicles in the City limits.

**Response:** *Councilors expressed different viewpoints on this issue.*

**Staff Recommendation:** 1. Remove the entire “Medium Density” paragraph, proposed for change, from the Comprehensive Plan so that Council can decide whether or not to allow motorized recreation outside of a land use process. 2. Make this issue an agenda item for a future Council meeting and allow for more public discussion.

**Comment:** With regard to the discussion of using the Mapleton Pool, Councilor Roberts thought the City should not be providing transportation to Mapleton.

**Response:** *The recommendations in Chapter 2 are opportunities identified with the intent that the city would either lead or be a partner to. In the 1990’s the city had a recreation program. With the loss of dedicated funding the program dissolved. The community during the planning process indicated a strong need for recreation programming, not just park land. The Park Plan identifies needs and when opportunities become available, they could be accomplished through partnerships or a park and recreation district. It was never intended that the city under their current funding levels financially support other recreation providers.*

**Staff Recommendation:** In instances where Mapleton Pool is mentioned reword to reflect the closure and future opportunities or include more generalized wording such as “area recreation facilities”.

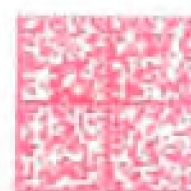
**Comment:** The number one priority should be maintaining the parks the City currently has.

**Response:** *See above response to Councilor Xavier’s comments.*

**Staff Recommendation:** See above recommendation to Councilor Xavier.

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Exhibit E-1 Attachment to Exhibit E Responses to Council Comments February 7, 2011				
Exhibit	Page Location	Pertinent Chapter or Title & Chapter	Proposed Changes	
Exhibit B	p. 3 of 28	Chapter 2 Land Use	Policy 5. Residential developers shall, in order to obtain planned unit development approval, to provide recreational area as a percentage of the required open space consistent with the amount indicated in <u>Florence City Code</u> . The recreation area shall satisfy one or more recreational needs identified in the latest <u>Florence Parks and Recreation Master Plan</u> .	
Exhibit C	p. 6 of 10	10-23-5-G Planned Unit Developments	<p><i>Complete Reword—</i>            A minimum of 20% of the net development area shall be open space and must be platted for that purpose. (Easements are not acceptable.) At least 25% of the 20% shall include an area designed and intended for recreation use and enjoyment. The required recreation area may be provided as:</p> <ul style="list-style-type: none"> <li>o Public dedication for the use by public in general, and/or</li> <li>o Property owned by the Home Owners Association (or other legal entity) for use by residents of the development.</li> </ul> <p>The recreational area is required to be developed to satisfy one or more recreational needs identified in the latest Florence Parks and Recreation Master Plan. If the Master Plan or Comprehensive Plan shows a need for public recreation area in the location of the PUD (such as a trail connection or neighborhood park), the recreation area shall be dedicated to the public. If the recreation area is not meeting a need for public recreation, the city may choose not to accept dedication of the recreation area.</p>	
Exhibit C	p. 4 of 10	10-15-5-H Commercial	Open Space is required for multi-family housing developments of 4 or more units as follows: 1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.	
	p. 5 of 10	10-16-7-M Highway		
	p. 7 of 10	10-30-5-N North Commercial		
Exhibit C	To be added	10-13-5-I Multi-Family	Open Space: <del>Each</del> Multiple-family developments <u>of 4 or more units</u> shall provide and maintain at least one common open space for the use of all occupants.	
Exhibit C	To be added	10-17B-3-E Old Town	Open Space is required for <del>any</del> multi-family housing developments <u>of 4 or more units</u> as follows: 1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved <del>by deed restriction</del> as common open space.	
		10-17C-3-E Old Town		



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02/16/2011

Meter From: 57439

US POSTAGE

**CITY OF FLORENCE**

250 Highway 101  
Florence, OR 97439



**TO:**

Attention: Plan Amendment  
Specialist, DLCD  
635 Capitol St. NE. Suite 150  
Salem, OR 97301-2540

DEPT OF

FEB 17 2011

LAND CONSERVATION  
AND DEVELOPMENT