



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/14/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Florence Plan Amendment
DLCD File Number 001-14

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, July 30, 2014

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
Gordon Howard, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<paa> YA



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE	001-14
File No.:	(20323)
	[17935]
Received:	7/9/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Florence

Local file no.: **Ordinance 3, Series 2014**

Date of adoption: 7-7-14 Date sent: 7/9/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 4-22-14
No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes **No**
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Wendy Farley Campbell, Interim Planning Director

Phone: 541-997-8237

E-mail: wendy.farleycampbell@ci.florence.or.us

Street address: 250 Highway 101

City: Florence

Zip: 97439-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Map 2-2 in Chapter 2 page 78.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from North Commercial to High Density .9 acres. ~~A goal exception was required for this change.~~

Change from Service Industrial to High Density 13.6 acres. ~~A goal exception was required for this change.~~

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 18121420 Tls 00301&00600, 18121424 TL 00300& east 1/2 Spruce

The subject property is entirely within an urban growth boundary **Yes** No

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from North Commercial .9	to Mobile/Manufactured Home Res.	Acres:
Change from Service Industrial 13.6	to Mobile/Manufactured Home Res.	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Lane County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

CITY OF FLORENCE
Ordinance No. 3, Series 2014

AN ORDINANCE FOR THE ADOPTION OF AN AMENDMENT TO THE CITY OF FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN MAP CHANGING PLAN DESIGNATION FOR 13.7 ACRES OF SERVICE INDUSTRIAL TO HIGH DENSITY RESIDENTIAL AND .9 ACRES OF NORTH COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY IDENTIFIED AS MAP NUMBER 18-12-14-20 TAX LOTS 00301 & 00600 & THE EAST ½ of SPRUCE ST. & MAP NUMBER 18 12 14 24 TAX LOT 00300 AND;

AN AMENDMENT TO THE CITY OF FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN CHANGING MAP 2-2 "NORTH COMMERCIAL NODE" IN CHAPTER 2 PAGE 78 IN ACCORDANCE WITH ABOVE MAP AMENDMENT AND;

AN AMENDMENT OF THE ZONING MAP CHANGING THE ZONING FOR 13.7 ACRES FROM SERVICE INDUSTRIAL TO MOBILE HOME / MANUFACTURED HOME RESIDENTIAL DISTRICT AND .9 ACRES NORTH COMMERCIAL TO MOBILE HOME / MANUFACTURED HOME RESIDENTIAL DISTRICT FOR PROPERTIES IDENTIFIED AS MAP NUMBER 18-12-14-20 TAX LOTS 00301 & 00600 & THE EAST ½ of SPRUCE ST. & MAP NUMBER 18 12 14 24 TAX LOT 00300.

WHEREAS, Florence City Code (FCC) Title 10, Chapter 1, Section 3 provides that a quasi-judicial zoning change and related Comprehensive Plan change may be initiated by application of a property owner within the affected area; and the applicant McGill Holdings LLC initiated the Comprehensive Plan Map and City Zoning Map changes by submitting an application on April 17, 2014;

WHEREAS, the City sent notice of the proposed Comprehensive Plan Map and Zoning Map amendments to Department of Land, Conservation and Development on April 22, 2014, not less than 35 days prior to the first evidentiary hearing of May 27, 2014; and

WHEREAS, the Planning Commission held a duly advertised public hearing on May 27, 2014 and continued to June 10, 2014 in accordance with FCC 10-1-1-5 to consider the amendments; and

WHEREAS, the City Council held a duly advertised public hearing on July 7, 2014 in accordance with FCC 10-1-1-5 to consider the amendments;

WHEREAS, a Comprehensive Plan Map designation of High Density Residential and zoning of Mobile Home / Manufactured Home Residential District for the subject properties provides a transition between nearby North Commercial and Medium Density plan designations and is consistent with nearby development patterns;

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan map designations of North Commercial and Service Industrial shall be changed to High Density Residential, shown in Exhibit B.

Section 2. The Comprehensive Plan, Map 2-2 "North Commercial Node" in Chapter 2 page 78, shall be changed in accordance with above map amendment, shown in Exhibit C.

Section 3. The City of Florence Zoning Map zones of North Commercial and Service Industrial shall be changed to Mobile Home / Manufactured Home Residential District, shown in Exhibit D.

Section 4. This amendment is based on the Findings of Fact in Exhibit A and the evidence in record, as shown in the attached map, (and, where there is a question as to consistency between the map and the specific tax lot number listed in this ordinance, the map shall be the area subject to this action).

Section 5. The Planning Commission of the City of Florence recommends that the approval include a trip cap of 555 maximum daily trips which relates to 103 or less senior detached manufactured home dwelling units as indicated in JRH's traffic impact analysis and such shall be included on the deed of record for the subject property. Any use which would increase the 555 maximum daily trips requires a new Transportation Planning Rule analysis and traffic impact analysis.

Section 6. The City Recorder is hereby directed to file certified copies of this Ordinance with the Lane County Assessment and Taxation Office and the Lane Council of Governments.

Section 7. The City Recorder is hereby directed to update the "Local Adopting Ordinances" Table on page 1, the Comprehensive Plan Map, Figure 2-2 on page II-78 of the Florence Realization 2020 Comprehensive Plan, and the Florence Zoning Map.

Section 8. This Ordinance will take effect 30 days from adoption.

Passed by the Florence City Council this 7th day of July, 2014

AYES: 5 - Councilors Henry, Jagoe, Roberts, Greene and Mayor Xavier

NAYS: 0


ABSTAIN: 0

ABSENT: 0

APPROVED BY THE MAYOR, this 7th day of July, 2014


Nola Xavier, MAYOR

ATTEST:


Kelli Weese, CITY RECORDER

**EXHIBIT A: FINDINGS OF FACT
FLORENCE CITY COUNCIL**

Hearing Date: July 7, 2014 **Planner:** Wendy FarleyCampbell
Application: PC 14 06 CPA 01 & PC 14 07 ZC 01
CC 14 03 CPA 01 & CC 14 04 & ZC 01

I. PROPOSAL DESCRIPTION

Proposal: An application requesting amendment to:

Florence Realization 2020 Comprehensive Plan Map changing:

- 13.7 acres Service Industrial to High Density Residential
- .9 acres North Commercial to High Density Residential

Florence Realization 2020 Comprehensive Plan text changing:

- Map 2-2 "North Commercial Node" in Chapter 2 page 78 in accordance with above map amendment

Florence City Code Zoning Map changing:

- 13.7 acres Service Industrial to Mobile/Manufactured Home Residential District
- .9 acres North Commercial to Mobile/Manufactured Home Residential District

Applicant: Munsel Lake Estates/McGill Holdings LLC

Property Owners, Site Locations, Comprehensive Plan Designation & Zoning:

McGill Holdings LLC:

MR 18-12-14-24 TL 00300: .01 acres, North Commercial & North Commercial
MR 18-12-14-20 TL 00600: .473 acres, North Commercial & North Commercial

Glen & Ellona Seifert:

MR 18-12-14-20 TL 00301: 13.7 acres, Service Industrial & Service Industrial

Public Right of Way:

Abutting east ½ Spruce St.: .436 acres, North Commercial & North Commercial

Generally: North East corner of Spruce St. and Munsel Lake Road, east of Highway 101, north of Florentine Estates and south of Spruce Village.

Adjacent Properties Land Uses / Zoning:

Site: Vacant, Stormwater Drainage, Spruce St. / Service Industrial District & North Commercial District
North: Single Family Residences / Single Family Residential (SFR)
South: Manufactured Home Planned Unit Development / SFR
East: Auto Salvage Yard / Service Industrial District
West: Vacant / North Commercial

II. NARRATIVE

The applicant is requesting a comprehensive plan designation and zone change from Service Industrial and North Commercial to High Density and Mobile Home / Manufactured Home Residential District. The predominate property is a vacant 13.7 acre site located at the north east corner of Munsel Lake Road and Spruce St. It is situated north of Florentine manufactured home subdivision and south of Spruce Village subdivision. This parcel is plan designated and zoned Service Industrial and is owned by Glen and Ellona Seifert. There is a ribbon of remnant land (owned by McGill LLC) and the east ½ of Spruce St., totaling .9 acres, running along the western boundary of the aforementioned property. It was created with the platting of Spruce St. The McGill property is in easement as a stormwater drainage swale. Both the swale and street are zoned North Commercial. The proposed plan designation and zone change would extend through Siefert's and McGill's property to the centerline of Spruce St. McGill's property and the Spruce St. right of way are included for map clean-up and consistency with Florence mapping standards.

The subject property was rezoned from Industrial to Mobile Home / Manufactured Home Residential District under Ordinance 16, Series 1993. This action followed a recommendation in the 1992 North Highway 101 Land Use Study to convert the northern industrial lands to residential. The 1993 rezone proposal included a planned density of 130 RV lots on approximately 13 acres of the property currently under consideration. The 1997 Industrial Land Uses study reasserted the 1992 recommendation for these properties. And, the 2001 Industrial Lands study made no mention of the property under consideration in this application. In 2002 and 2003 the Seifert property was redesignated and rezoned to Service Industrial, respectively. These actions were taken during Periodic Review as part of larger city-wide changes. The Seifert property was included in these changes to make the existing scrap metal industrial use conforming as no industrial lands study has identified the properties as needed for the industrial land base. Since 2003 the scrap metal use has ceased and the applicant seeks to develop the properties as previously planned with less density and manufactured homes.

The first of two evidentiary hearings was held before the Planning Commission on May 27th and continued to June 10th resulting in a recommendation for approval sent to the City Council. The final hearing before City Council will result in a decision which will be sent to the Department of Land Conservation and Development for acknowledgement. After the appeal period expires the decision becomes final.

III. NOTICE AND REFERRALS

1. Notice:

Notice of the proposed comprehensive plan and zone amendments was sent to the Department of Land, Conservation and Development (DLCD) on April 22, 2014 not less than 35 days prior to the proposed first evidentiary hearing of May 27, 2014, as required by State law and the Florence City Code.

The notice of the Planning Commission and City Council public hearings was mailed to

property owners within 300 feet of the subject properties 20 days prior to the hearing dates. The property was posted with notices on Spruce St. and Munsel Lake Road. The notice of Planning Commission hearing was placed on the City web site on May 9, 2014, as well as published in the Siuslaw News on May 21, 2014. The notice of City Council hearing was placed on the City web site on June 17, 2014, as well as published in the Siuslaw News on July 2, 2014.

As of the writing of Planning Commission's staff report the below written testimony was received. These exhibits have been relabeled for the City Council Findings of Fact.

Exhibits to Planning Commission Resolution PC 14 06 CPA 01 & 07 ZC 01:

Exhibit L: Claudia & Albert Garner, letter dated May 16, 2014. Concerns include the density, loss of property value, affordability of the housing, public safety, privacy and buffering.

Exhibit O: Claudia & Albert Garner, letter dated May 24, 2014. Concerns include wetlands, need for low to medium income affordable housing, owner vs. renter considerations, diversification of proposed housing stock.

Exhibit P: Jean Busby, May 20, 2014. Concerns include maintaining the integrity of adopted plans, areas restricted for placement of a mobile home park within the UGB, unsuitability of use in this location due to high fire risk of manufactured housing.

Exhibit Q: Robert Busby, May 21, 2014. Concerns include maintaining the integrity of adopted plans, areas restricted for placement of a mobile home park within the UGB, and citing financial damages to his investment if changed.

Exhibits R & S: James Genereaux, May 27, 2014. Concerns include lack of meeting with adjacent home owner groups, proximity of medium density and noise impact area of Siuslaw Rod and Gun Club, mixed use development siting, wetlands, environmental contamination, stormwater management, TIA inconsistent with his and non-peer reviewed.

Exhibits to City Council Findings of Fact:

Exhibit R: Claudia Garner, letter dated June 24, 2014. Concerns include proposed zoning and use in this location, lack of responses from noticed agencies, wetlands, owner vs. renter housing needs, unbiased decision making.

Exhibit S: Rod Stowe, emails dated June 24, 2014. He favors the development but is concerned about the need for a traffic light at Munsel Lake Rd. and Hwy 101.

2. Referrals:

Referral notice of the proposed comprehensive plan and zone amendments was sent on May 7, and June 26, 2014, to the following agencies and departments:

Central Lincoln PUD—Exhibit “T”, Robin Hicks, email June 26, 2014. Citing no issues.
Florence Building Department— No response received
Florence Public Works Department—No response received
Lane County Land Management—No response received
Lane County Public Works, Transportation Division—Exhibit “K”, Lydia McKinney, email May 9, 2014. Citing no issues
Siuslaw Valley Fire & Rescue—Exhibit “J”, Sean Barrett, Fire Marshall, email May 8, 2014. Citing no issues
Oregon Department of Land, Conservation and Development—No response received
Oregon Department of Transportation— No response received
Department of Environmental Quality— No response received
Oregon Housing and Community Services— No response received
Western Lane Ambulance District—No response received

IV. APPLICABLE CRITERIA

Florence City Code, Title 10:

Chapter 1: Zoning Administration, Sections 10-1-1-4-D, 10-1-1-5-E-3 & 10-1-3-B-4
Chapter 12: Mobile/Manufactured Home Regulations, Sections 10-12-1-1-D & 10-12-1-2-A.
Chapter 35: Access and Circulation, Section.10-35-2-5

Realization 2020 Florence Comprehensive Plan:

Chapter 2: Land Use, Policies 1 & 4
Residential, Policies 7 & 10
Industrial, Policy 4
Chapter 10: Housing Opportunities, Policies 3, 4, 5
Chapter 12: Transportation, Policies 8 & 29

Oregon Statewide Planning Goals:

1, 2, 5, 7, 9, 10, 11, & 12

Oregon Administrative Rules (OAR):

660-012-0060 Transportation Planning

V. FINDINGS

The findings relate directly to the specific planning and zoning amendments rather than to other aspects of a land use process such as final development approvals for conditional use permits, design reviews, planned unit developments, or subdivisions. Policies relating to general matters such as refinement plans, capital improvement plans and

adoption of or amendment of general zoning regulations are also not applicable and so are not reviewed in these findings. Applicable criteria are shown in bold and findings are in plain text below.

FLORENCE CITY CODE (FCC)

TITLE 10: ZONING REGULATIONS CHAPTER 1: ZONING ADMINISTRATION

10-1-1-4 APPLICATION:**D. Traffic Impact Studies:**

2. Criteria for Warranting a Traffic Impact Study: All traffic impact studies shall be prepared by a professional engineer in accordance with the requirements of the road authority. The City shall require a Traffic Impact Study (TIS) as part of an application for development; a proposed amendment to the Comprehensive Plan, zoning map, or zoning regulations; a change in use, or a change in access, if any of the following conditions are met:

a. A change in zoning or plan amendment designation where there is an increase in traffic or a change in peak-hour traffic impact.

Finding: The proposal includes a zone change and plan amendment where there is an increase in traffic and a change in peak-hour traffic impact. The proposal is consistent with this criterion because the applicant provided a Transportation Planning Rule Analysis/Traffic Impact Analysis as part of the application. It is reviewed elsewhere in the findings.

10-1-1-5: LAND USE HEARINGS:**E. Action by the Planning Commission:**

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.

Finding: See findings under Florence Comprehensive Plan Chapter 2 Policy 1.

10-1-3: AMENDMENTS AND CHANGES:**B. Quasi-Judicial Changes:**

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.

Finding: Later sections of these findings address the proposal's consistency with / promotion of the objectives of the Florence Comprehensive Plan and zoning ordinance and demonstrate that the proposal is not contrary to the public interest.

TITLE 10: CHAPTER 12: MOBILE HOME/MANUFACTURED HOME RESIDENTIAL DISTRICT

10-12-1-1: ADMINISTRATIVE PROVISIONS:

D. Conformity to the Comprehensive Plan: The creation of a Mobile Home/Manufactured Home Residential District shall conform to and be in harmony with the City Comprehensive Plan for that portion of the City within which the District is located.

Finding: The application is consistent with this criterion and is reviewed below under the Comprehensive Plan criteria and those findings are incorporated herein.

10-12-1-2: DESIGN STANDARDS:

A. A Mobile Home/Manufactured Home Residential District shall not be less than five (5) acres of contiguous land.

Finding: The application is consistent with this criterion because the land proposed for change consists of 13.7 acres of contiguous land, exclusive of platted right-of-way and utility easement.

TITLE 10: CHAPTER 35: ACCESS AND CIRCULATION

10-35-2-5: TRAFFIC STUDY REQUIREMENTS:

The City may require a traffic study prepared by an Oregon registered professional engineer with transportation expertise to determine access, circulation, and other transportation requirements in conformance with FCC 10-1-1-4-D, Traffic Impact Studies.

A. The Traffic Impact Study shall:

- 1. Evaluate all streets where direct access is proposed, including proposed access points, nearby intersections, and impacted intersections with the state highway system.**
- 2. Utilize the analysis procedures of the Highway Capacity Manual, latest edition.**
- 3. Document compliance with Florence City Code, the goals and policies of the Transportation System Plan, and any other applicable standards.**
- 4. Be coordinated with other affected jurisdictions and agencies such as Lane County, the Port of Siuslaw, and the Oregon Department of Transportation.**
- 5. Identify mitigation measures that resolve the identified traffic safety problems, address the anticipated impacts from the proposed land use, and meet the city's adopted Level-of-Service standards. The study shall also propose funding for the proposed mitigation measures.**

The applicant provided a Transportation Planning Rule/Transportation Impact Analysis performed by JRH. The study utilized the Highway Capacity Manual to perform analysis to establish findings for the Transportation Planning Rule and for the above City of Florence policies associated with the proposed comprehensive plan and zone change. JRH's analyses reviewed each policy or code in turn making a finding for each. The analysis examined impacts at the intersections of Spruce St. and the proposed development and Spruce St. and Munsel Lake Road. The applicant did not include the intersection of Highway 101 and Munsel Lake Road stating that ORS 374.310 requires analysis when a proposal has direct access to a state highway or there are is change in trip counts by a factor of 50. The proposed peak hour trip count is 46. There are several testifiers that indicated concern for the present and perceived traffic congestion at this intersection. The state sets the policy for when they require analysis of the Munsel Lake Road and Hwy 101 intersection.

Additionally, the applicant performed analysis on the trip distributions and the resulting volumes for Munsel Lake Road under the existing and proposed comprehensive plan designations and zoning. Again there are fewer trip movements and thus the distributions have less impact than warehousing would be under the existing designation and zoning.

The Traffic Planning Rule analysis findings include: "the proposed rezone of the subject property meets the requirements of OAR 660-012-0060 (*and 080-012-0060*) and the City of Florence can conclude that the proposed land use action will not significantly affect any transportation facility."

Traffic Impact Analysis concludes as follows, "The Proposed Project meets the City of Florence standards for traffic performance."

The applicant originally used the 8th edition Trip Generation Manual and the City uses the 9th edition. The applicant revised the affected tables and calculations and resubmitted the TPR/TIA dated May 27, 2014. The resulting changes actually decreased the impact of the proposal.

Testimony received from James Genereaux stated confusion with the results differing from a study he had performed for the same property. The reason for differing results is that the applicant's proposed use is senior-detached housing and Mr. Genereaux was proposing single family residential. The uses are not the same and have different multipliers in the Trip Generation manual.

C. Conditions of Approval: The City may deny, approve, or approve a development proposal with appropriate conditions needed to meet operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Conditions of approval should be evaluated as part of the land division and site development reviews, and may include but are not limited to:

- 1. Crossover or reciprocal easement agreements for all adjoining parcels to facilitate future access between parcels.**
- 2. Access adjustments, where proposed access points do not meet the designated access spacing standards and/or have the ability to align with opposing access driveways.**
- 3. Right-of-way dedications for future improvements.**
- 4. Street improvements.**
- 5. Turn restrictions such as "right in right out".**

The applicant at this time is not proposing a review of development but rather a comprehensive plan and zone change. The above will be reviewed at the time of design and/or development review.

REALIZATION 2020, FLORENCE COMPREHENSIVE PLAN

CHAPTER 2: LAND USE

- 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.

Finding: The applicant proposes to change the zoning and plan designation. There is no request for an approval of a land use at this time, rather categories (High Density & Mobile Home / Manufactured Home Residential District) permitting various uses. There are two current analyses that review the residential housing need; the City of Florence Housing Needs Assessment, August 2008 (Exhibit J) and the applicant's Housing Affordability & Needs Analysis, May 2014 (Exhibit F). The applicant seeks the proposed change in designation and zoning to pursue development of a 55 and older manufactured home park to provide an affordable home ownership option for lower income seniors. While not acknowledged or adopted by the Florence City Council, the 2008 analysis supports the proposal and is substantial evidence for purposes of this proposal and plan policy. Below are findings from both studies supporting this proposal:

- 46% of Florence households are 65 and older & 43% of them have annual incomes less than \$25,000. (2014, p.1)
- An individual with a \$26,000 annual income can afford a \$132,000 mortgage. (2014, p.1)
- 7.6% of the 1,559 home mortgages in Florence are valued at less than \$100,000. (2014, p.1)
- The average home sales price in the Florence area at the end of the 1st quarter 2014 was \$188,900. (2014, p. 2)
- There is an oversupply of residential lots and a pool of potential buyers that cannot afford to purchase them. (2008, p.11)
- An additional 8.7 acres of High Density land will be needed by 2030. As of 2030 there will be a surplus of 102.3 acres of Medium Density land. (2008, p.19) *(These totals are exclusive of infrastructure.)*
- There will be a surplus of 20 manufactured dwellings in parks in 2025, (2008, p. 18) *(This is presently not the case as discussed below.)*
- There are four manufactured dwelling parks in the city and Urban Growth Boundary with a total of 112 spaces. As of May 7, 2014 there were 3 vacancies. One of those four parks is proposed, in part, to be converted to an easterly Heceta Beach Road extension. This park, in the Urban Growth Boundary, has all 3 vacancies.
- A specific criteria directing the policy adopted by Council in Resolution 31

Series 2008 is: "4. Senior housing: Focus on housing for seniors with services for retired residents." (2008, p.13)

- Recommended code update actions include: "Plan and Zone Changes...protect industrial land that is suitable for industrial use,...." (*an industrial land needs analysis is reviewed later in the report*) (2008, p.39)

The above lists the need for affordable senior housing. The information below outlines the supply of land suitable for a manufactured home park.

- The Highway District, Multi-family District and Mobile-Home District permit manufactured home parks. FCC 10-12-3-2-A states manufactured home parks must be located on land greater than 1.5 acres.
- The City of Florence has 26.30 acres of undeveloped land zoned Mobile/Manufactured Home. It consists of one parcel and lies east of Rhododendron Dr. north of Mariners Village, east of Shelter Cove and south of Idylwood. It has a subdivision approval that lapsed over 14 years ago.
- There are two vacant parcels greater than 1.5 acres and zoned Multi-family. One is owned by a church with plans to ultimately develop a church campus. The other is a residentially platted golf course property.
- There are three parcels greater than 1.5 acres and zoned Highway District. They are all located along Highway 101. One is owned by a bank with a deed restriction to construct senior stick built homes, another is on the NE corner of 35th St. and Highway 101 and the last is located north of this behind the Economy Inn Motel under the same ownership.

The recommended designation and zone are based on analysis of documented need for land uses of various types including industrial and affordable residential. These findings support FCC 10-1-1-5-E-3 as the applicant and the findings support that a public need exists for affordable housing ownership options. At the same time the findings show the proposed reallocation will not impair the city's inventory of industrial lands to the point that it is out of compliance with statewide land use Goal 9, Economy. The new information provided by the applicant includes data and analysis related to housing needs, supplies and trends and industrial land needs and traffic impacts.

The proposal meets this criterion because the subject amendment will have a positive impact and meet current needs without sacrificing long-range needs, based on a consideration of potential impacts on environmental, economic, social, and energy factors as expressed in a variety of state and local land use policies. To summarize:

Environmental: The site is relatively flat and its interior is cleared of most of the native vegetation. There are no drainage ways, actively delineated wetlands or other environmentally significant features on this site. The soils are identified as

requiring sand stabilization upon vegetation removal. The development application will require an updated wetland delineation and a grading, erosion control, landscaping and stormwater management plan.

Social: The applicant has included a proposed site plan for a high density senior manufactured home park. The layout includes pedestrian pathways to encourage physical and social activity. A park is proposed in the northeast portion of the development environmental where neighbors can meet, enjoy the park, and enjoy passive recreation opportunities.

Energy: The availability of an urban location near a commercially planned area for senior residential development promotes comprehensive plan and state objectives favoring infill over expansion into undeveloped areas and is consistent with energy efficient urban planning. The residential manufactured home park will be subject to applicable energy efficiency requirements established by building codes.

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

Finding: There are significant new sources of information that have become available since the time of the Comprehensive Plan adoption and the acknowledgement of the 2004 Buildable Lands Analysis. This includes the 2010 Census data which provides invaluable information about the composition of the population, income and numbers, types and condition of housing in Florence. The City's residential analysis was acknowledged in 2004 and contains policy based on an inventory started in 2002. Florence has experienced significant growth since then. Because of this situation and the City's inadequate zoning provisions to address the variety of housing demands, the City of Florence conducted a Housing Needs Assessment in October 2008. The city stated the process of implementing the recommended zone amendments. Additionally, the applicant has provided a new report of housing supply and demand analysis conducted in 2014. This and other information addressed herein below was not available at the time of the comprehensive plan adoption.

The applicant's request for plan amendment requires only two changes to maintain consistency with City, County, and regional goals, objectives, and functional plans. The change needed is to Map 2-2 of the Comprehensive Plan and the implementing zoning map amendment, which are included in the application.

The plan amendment is of such a nature that action is required prior to the next schedule major revision of the Plan. The 2008 Housing Needs Assessment con-

templates changes such as the applicant's to address the need for affordable senior housing. In a community where so many households make do with fixed incomes and relatively modest service level wages, the prospect of higher home prices, increased property taxes, and climbing rents, arising from artificial and avoidable constraints on the supply of affordable new homes presages needless economic hardship to a large and financially vulnerable segment of the Florence population. Based on evidence in the record that is reviewed later in the report, the proposal meets the above policies.

RESIDENTIAL

- 7. Residential development shall be discouraged in areas where such development would constitute a threat to the public health and welfare, or create excessive public expense. The City continues to support mixed use development when care is taken such that residential living areas are located, to the greatest extent possible, away from areas subject to high concentrations of vehicular traffic, noise, odors, glare, or natural hazards.**

Finding: The property is situated along the recently constructed Spruce St. in an area recently developed as a residential subdivision, Spruce Village.

This site is identified on the Local Wetland and Riparian Inventory (LWI) as containing three probable wetlands. "Probable" means either unconfirmed or less than one acre. James Genereaux submitted a 2008 preliminary illustration of a wetland delineation for the property that looks nothing like the map in the 2013 LWI. Site aerial photos indicate the presence of standing water in two areas. The north eastern pond area is in a location on the site not proposed for development. The second location is smaller and centrally located on the site. The LWI does not identify the site as having significant or coastal wetlands, both of which have restrictive city code policies to development. The city does not have any development policies related to wetlands other than those identified as significant or coastal. Upon development application for this site the applicant will be required to submit a wetland delineation to the Department of State Lands along with their application for intent to fill or remove. DSL will evaluate if there is a requirement to mitigate any delineated wetlands. Even if the probable wetlands were retained land remains available for development consistent with the proposal.

DEQ includes this site on their Environmental Cleanup Site Information Database under Site ID #4787, "Munsel Lake Road Project", 5055 Munsel Lake Rd. The on-line site report states that the file was created on March 28, 2007 with "Contamination Suspected" and that it is not a brownfield site or superfund site. DEQ classifies the Hazardous Substances/Waste types as, "Accumulation of de minimis releases of petroleum and/or metals associated with site operations." James Genereaux in his power point testimony included this language nearly verbatim, leaving out the phrase "de minimis releases". DEQ states that de minimis means small and insignificant. Any development proposed for this site, industrial or residential, would be required to close the DEQ report for this site prior to issuance

of any on-site building or construction permits.

The applicant does not propose a mixed use development.

Based on evidence in the record that is reviewed above, the proposal meets the above policies.

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

Finding: The Building Lands Inventory of 2004 indicated there were sufficient lands for housing. The 2008 Housing Needs Assessment determined a number of needed housing types such as more high density housing, multi-family, attached single family housing, etc.... This policy is reviewed above.

INDUSTRIAL

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

Finding: The Seifert property is currently zoned Service Industrial. The City did an updated analysis of the 1997 industrial lands study during its recent periodic review work (Industrial Land Inventory, October 2001 (Exhibit K) which is incorporated herein by reference) and determined that there was a more than adequate supply of limited industrial land, based on the absorption rate of such lands. They also determined that there was a substantial need for industrial land for heavier and larger land use such as batch plants, contractor yards, etc. The plan identified land along both sides of Highway 101 and at that time outside of the city limits to serve as land for the Service Industrial plan designation. In 2003 the city established the Service Industrial District and the western Service Industrial plan designated lands were annexed. During the district establishment the City also included the Seifert property along Munsel Lake Road. From the 1992, 1997, and 2001 industrial lands studies it appears Seifert's properties are surplus industrial and were not included in the industrial planning documents to meet the heavier industrial land needs.

The subject property was formerly part of an auto salvage yard that extended west to Highway 101 and east to what remains of the salvage business. Since becoming vacant the subject property has not been redeveloped industrially and is not likely to, given the ample supply of similar but better-situated property on the west and east side of the Highway 101 corridor. The applicant provided an updated analysis of industrial land supply and needs in Florence which illustrates that there is sufficient appropriately zoned land to meet the existing demand.

In conclusion there will be an adequate supply of industrially designated land

even if that supply is reduced by the 13.7 acres of the Seifert property. Seifert's property is found to be surplus inventoried industrial property. The remaining industrially designated land in Florence is adequate to satisfy the requirements of State Land Use Goal 9.

CHAPTER 10: HOUSING

- 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.**

Finding: The proposal meets this policy because it includes a change to High-Density providing additional lands for needed housing where there are adequate public services. The traffic level is compatible with the adjacent commercial use and future mixed-use commercial and high density residential projects approved both south and west of this site. The proposed use should not be incompatible for the northern medium density residential and will serve as a transition zone.

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

Finding: The proposal meets this policy because it supports ORS 197.307 to provide needed housing for area seniors and low to median income residents.

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

Finding: The proposal is consistent with this policy. As detailed in the application and elsewhere in this document, the subject amendments respond to the identified limited supply of manufactured housing park land. The proposal includes a change to the Mobile/Manufactured Home District which permits mobile homes and multiple family dwelling density. The site is not located on Highway 101 and is situated near commercial services and employment opportunities and provides a transition to the northern medium density residential area.

CHAPTER 12: TRANSPORTATION

- 8. The City shall protect the function of existing and planned transportation systems as identified in the TSP through application of appropriate land use and access management techniques.**
- Pursuant to the State Transportation Planning rule, any land use decisions which significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, level of service of the facility.

- 29. The City shall notify ODOT and Lane County of all major development proposals which will generate more than 50 trips during an average peak hour, or more than 500 daily trips, or which require a traffic study.**

The proposal meets these policies because both ODOT and Lane County were provided notice of this application 20 days prior to the first evidentiary hearing and while not required, noticed 12 days prior to the second evidentiary hearing. Also, the applicant has provided a TIA as required in code and under the State Transportation Planning Rule. The findings of this study are discussed in other areas of the report.

STATEWIDE PLANNING GOALS AND ADMINISTRATIVE RULES

Although it is not stated directly in the City's Code, a change in a comprehensive plan map must be consistent with applicable Statewide Planning Goals.

GOAL 1: CITIZEN INVOLVEMENT

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

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

The proposal is consistent with this Goal because citizens were provided the opportunity to be involved in this minor revision of the plan as follows:

- The proposal was initiated by a citizen as permitted in the Comprehensive plan, Chapter 1 (reviewed below);
- Notice of the public hearing was sent to DLCD at least 35 days prior to the date of the first Planning Commission hearing;
- Notice of the public hearing was sent to property owners within 300 feet of the site and to all affected agencies;
- Notice was published in a local paper 7 days prior and posted on the city's website 20 days prior to the first evidentiary and second hearings;
- The Planning Commission held a hearing on May 27, 2014; and made a recommendation to the City Council.
- The City Council held a hearing on July 7, 2014.

GOAL 2: LAND USE PLANNING

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

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.

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.

In the course of this proceeding, the City has identified the relevant City and State approval standards, determined the facts which are to be believed and relied upon and explained how those facts lead to the conclusions. Based on that analysis, it is the opinion that the proposed amendments are consistent with applicable provisions of the comprehensive plan and state land use goals.

GOAL 3: AGRICULTURAL LANDS

This goal is inapplicable because it applies only to "rural" agricultural lands and the subject property is within the Florence city limits.

GOAL 4: FOREST LANDS

The subject property has been acknowledged as urban, nonresource land, and this goal is therefore inapplicable.

GOAL 5: NATURAL RESOURCES, SCENIC & HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

The subject site is not included on the historic buildings list or the Florence Visual Man-

agement Plan. The site is not a known source of mineral or aggregate resources or threatened or endangered species and is not located on the North Florence Dunal Aquifer. Native and noxious vegetation and the probable wetlands discussed earlier in the report will be reviewed during development review. The proposal meets the planning guidelines and applicable polices of this goal.

GOAL 6: AIR, WATER, AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Waste and Process Discharges -- refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

This goal is inapplicable because the application includes a zone and plan change rather than development. The applicant does not propose to affect the quality of air, water or land resources or discharge pollutants or contaminates.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

Requires that development subject to damage or that could result in loss of life not be planned or located in known areas of natural hazards and disasters without appropriate safeguards. The goal also requires that plans be based on an inventory of known areas of natural disaster and hazards.

For the purpose of the state goal they identify floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. No part of the Seifert property is within a 100-year flood plain or floodway and it is not included in an evacuation area on the Tsunami map, nor within a riparian reach in the Local Wetland & Riparian Inventory, or included in an area of concern on the Hazards map or in the Hazards Plan. The soils map indicates the presence of the below listed soil types. Later, upon development review, the actual presence of the below scenarios on the site would need to be assessed. If they are found to be present then the requisite development code criteria will need to be considered.

Yaquina Loamy Fine: FCC 10-7-3-I: Yaquina Soils and Wet Areas--In areas with seasonal standing water, construction of a drainage system and/or placement of fill material shall be required according to plans prepared by a registered engineer and approved by the City.

Waldport Fine Sand 12-30% slopes: FCC 10-7-3-F: Slopes Greater than Twelve Percent: For development on or adjacent to steep slopes, a foundation and grading design prepared by a registered engineer and approved by the City and addressing drainage and revegetation.

Dune Land: FCC 10-7-3-G: Open sand will require primary vegetative stabilization as with grasses and secondary stabilization with any of a variety of shrubs and trees excluding noxious plants in conjunction with any development.

The proposal meets this goal because there are no specific policies applicable to the proposal at this time.

GOAL 8: RECREATIONAL NEEDS

Requires local governments to plan and provide for the siting of necessary recreational facilities to "satisfy the recreational needs of the citizens of the state and visitors." Responsible governmental agencies must plan to meet these needs (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." OAR 660-015-000(8).

In 2011 the City of Florence acknowledged the Florence Parks and Recreation Master Plan. Chapter 8 of the Florence Comprehensive Plan was written to provide policies and recommendations for meeting the recreational needs of the Florence residents and its visitors. The proposal meets this goal because there are no specific policies applicable to the proposal at this time. The policies will be reviewed again upon development review.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Comprehensive plans for urban areas shall:

- 1. Include an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends;**
- 2. Contain policies concerning the economic development opportunities in the community;**
- 3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies;**

4. Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.

This action changes 13.7 acres of “Service Industrial” land and .9 acres of “North Commercial” land to a non-employment comprehensive plan designation. This change does not cause a deficit in the City’s supply of employment land. The subject land is not needed to accommodate the City’s employment needs during this 20-year planning period. The 13.7 acres of Service Industrial property was not included among the parcels identified in the “City of Florence Industrial Lands Inventory October 2001”, (an update of “Issue Paper #1 Commercial and Industrial Land Uses, July 1997”). That analysis demonstrated that the City had a surplus of industrial land, without any reference to the subject property. In fact, at the time of that inventory, the subject land was plan designated High Density and zoned Mobile Home / Manufactured Home Residential District, consistent with the requested planning and zoning. The 13.7 acres were changed from the residential designation to Service Industrial in 2002. It appears the designation was changed in 2002 to reflect the fact that the land remained for the foreseeable future in use as a scrap metal recycling yard.

The information provided by the applicant supports the conclusions reached in the City’s inventory. The applicant’s information shows that, even after the subject property is returned to a residential designation, the City will have a substantial quantity of Service Industrial Land in North Florence.

The .9-acre sliver of land currently designated as “North Commercial” is Spruce Street right of way and drainage. This right of way and land cannot be used for, and is therefore not needed, to supply jobs for Florence residents.

For these reasons, the change in land use designation is consistent with Statewide Planning Goal 9.

GOAL 10: HOUSING

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

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

The proposal is consistent with Goal 10 because the proposed change in plan designation and zoning will allow higher residential densities which will increase the opportunity for provision for lower cost senior single family residences on manufactured home park lots, a needed housing unit type, at a price range that is more affordable than units built on lots.

As evidenced under the “Comprehensive Plan, Chapter 2 Land Use” section earlier in the report there is a need for additional residentially zoned land for manufactured home

parks and other high density housing. The City has adopted approval procedures for the placement of manufactured housing based on clear and objective criteria and are found in Florence City Code Title 10 Chapter 12. The applicant is proposing a zone change from Service Industrial to Mobile/Manufactured Home District. Any development proposal will require review under FCC 10-12. The proposal meets the above policies because it would convert surplus industrial land to land appropriately zoned for a needed housing and ownership type.

There are presently two mobile home parks in the Urban Growth Boundary (UGB) and two within the city limits. The two in the city are zoned Highway District. One in the UGB is plan designated Service Industrial and the other is plan designated Heceta Beach Neighborhood Cluster (HBNC) (High Density). The Comprehensive Plan designates the area around the junction of Highway 101 and Heceta Beach Road as Heceta Beach Neighborhood Cluster. The comp plan identifies the implementing zoning districts as Multi-Family Residential along Highway 101 and Single Family in all other areas within the plan designation. The Multi-Family District (High Density) permits mobile/manufactured home parks, while Single Family Residential (Medium Density) does not. A park's design would be regulated by the criteria outlined in FCC 10-12, namely a minimum lot size of 1.5 acres in size. The mobile home park within the HBNC meets the minimum lot size. There are two additional vacant properties within the planning area meeting the required minimum lot size. As mentioned earlier there are only a couple of properties within the city limits that are zoned to permit parks and that meet the minimum lot sizes. Only one is however residentially zoned.

While consideration was taken to include manufactured housing within the residential lands analysis, buildable lands analysis, and periodic review it would appear that no additional lands were identified to be zoned Mobile/Manufactured Home or Multi-Family to meet the housing needs for manufactured home parks.

This proposal would convert 13.7 acres of surplus industrial land to the residential land inventory to address that deficiency. While a manufactured home park is one of several development opportunities within the requested district, the applicant has indicated an interest in developing a park. The Comprehensive Plan does not presently identify an implementing plan designation for the district. Historically the district has been designated either high (8 or more units per acre) or medium (6-8 units per acre) density. The applicant is indicating a density of approximately 11 units per acre. A manufactured park development would be reviewed under the clear and objective provisions of FCC 10-12. Access to the site is proposed off Spruce St. which is east of rather than through a commercial or industrial zone. The proposal meets the policies identified above.

GOAL 11: PUBLIC FACILITIES AND SERVICES

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

The proposal is consistent with Goal 11 because it results in a timely, orderly, and efficient arrangement of public facilities and services for urban development. Key facilities and services can be provided to the areas upon development, including water,

wastewater, stormwater, and transportation, consistent with the policies in the Florence Realization 2020 Comprehensive Plan.

GOAL 12: TRANSPORTATION

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

OAR 660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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) Result in any of the effects listed in a-c below as based on projected conditions measured at the end of the planning period identified in the adopted transportation system plan. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - (A) Allow types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - (B) Degrade the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or**
 - (C) Degrade 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 with an enforceable ongoing requirement limiting traffic generation the proposed Zone Change and Comprehensive Plan amendment from Service Industrial to High Density Residential for the Munsel Lake Estates Development will not have a significant transportation effect as defined by OAR 660-012-060.

The applicant conducted a Transportation Impact Analysis to establish findings for the Transportation Planning Rule and for the City of Florence policies. The analysis examined impacts at the intersections of Spruce St. and the development and Spruce St. and

Munsel Lake Road. The applicant did not include the intersection of Highway 101 and Munsel Lake Road stating that ODOT requires analysis when a proposal has direct access to a state highway. The Goal 12 Transportation Planning Rule analysis requires a TIA of this intersection if the land use change impacts the traffic volumes.

Below is the applicant's analysis of the traffic generation produced by the most intensive land use for Service Industrial and that of 103 senior detached adult housing units allowed under the proposed comp plan and zone change. The results show a decrease in the trip generation. As such the proposed change would not change the functional classification or implementing standards of Spruce Street or Munsel Lake Road. Because the trip generation for 103 senior detached units is reduced from what could be permitted under the Service Industrial the change would presumably not create any greater degradation of the transportation facilities.

Table 1 (Revised)
Subject Parcel Existing and Proposed Land Use
Weekday PM Peak Hour Trip Generation

Land Use Type	Land Use Code	Variable	Daily Trip Rate	Daily Trips	Peak Hour Rate	Peak Hour Trips	Inbound Splits	Inbound Trips	Outbound Splits	Outbound Trips
Proposed Land Use*										
Senior Housing - Detached	251	103	Curve	555	Curve	46	0.61	28	0.39	18
High Density Residential										
Existing Zoned Land Use**										
Warehousing	150	13.7	Curve	839	Curve	137	0.35	48	0.65	89
Service Commerical										
Difference				-284		-91		-20		-71

Independent Variables *103 Dwelling Units; **13.7 Acres
 Sr Housing curve for daily rate: $\ln(T) = 0.85 \ln(X) + 2.38$ for PM Peak Hour: $\ln(T) = 0.75(X) + 0.35$ X= 103 Dwelling Units
 Warehousing curve for daily rate: $T = 52.37(X) + 121.29$ For PM Peak Hour: $T = 6.74(X) + 49.08$ X = 13.7 Acres

GOAL 13: ENERGY CONSERVATION

This goal and related policies are inapplicable because they are a general planning goal and provide little guidance for site-specific map changes.

GOAL 14: URBANIZATION

This goal and related policies are inapplicable because they govern the conversion of rural land to urbanizable land and urbanizable land to urban land.

GOAL 15: WILLAMETTE RIVER GREENWAY

This goal is inapplicable.

GOAL 16: ESTUARINE RESOURCES

This goal and related policies are inapplicable because neither the subject site nor adjacent or nearby lands have been inventoried or identified as estuarine resources.

GOAL 17: COASTAL SHORELANDS

This goal and related policies are inapplicable because neither the subject site nor adjacent or nearby lands have been inventoried or identified as coastal shorelands.

GOAL 18: BEACHES AND DUNES

This goal and related policies are inapplicable because neither the subject site nor adjacent or nearby lands have been inventoried or identified as coastal beaches and dunes.

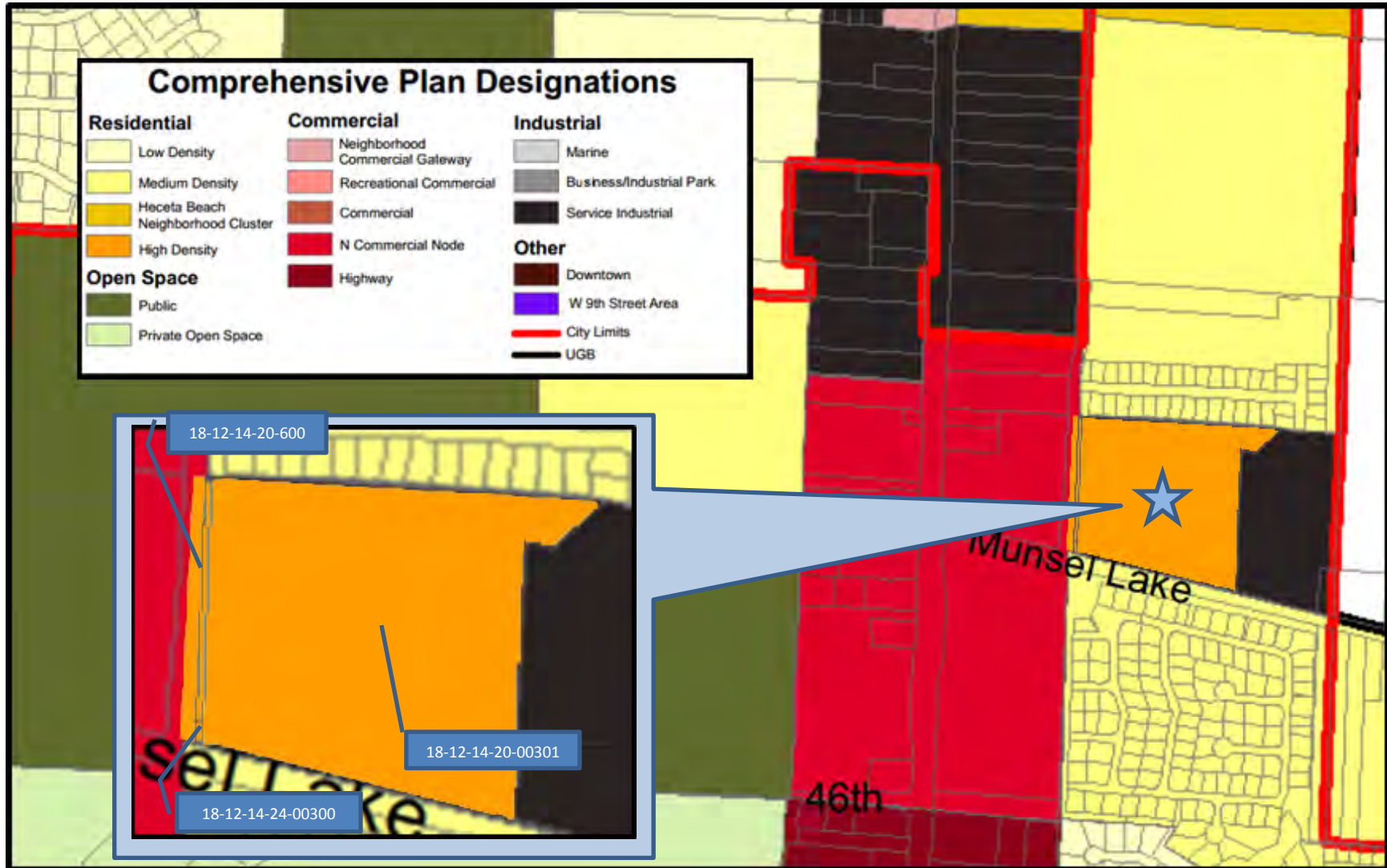
GOAL 19: OCEAN RESOURCES

This goal and related policies are inapplicable because neither the subject site nor adjacent or nearby lands have been inventoried or identified as ocean resources.

VI. CONCLUSION

The proposal to change the comprehensive plan designation and textual map amendment and zoning district with the inclusion of a trip cap as a condition of approval is consistent with applicable criteria in Florence Realization 2020 Comprehensive Plan, Florence City Code, Oregon Revised Statutes, and Statewide Planning Goals.

Map 18-12-14-24 Taxlot 00300, Map 18-12-14-20 Taxlots 00301 & 00600, and the abutting eastern portion of Spruce Street ROW



Florence Realization 2020
Comp Plan Text Amendment



Exhibit D: Zoning Map

Ordinance 3, Series 2014

Map 18-12-14-24 Taxlot 00300, Map 18-12-14-20 Taxlots 00301 & 00600, and the eastern abutting portion of Spruce Street ROW

