



PLANNING COMMISSION
 Staff report and recommendation
 for
 Design Review PC 24 32 DR 09

PC HEARING DATE: October 8, 2024

PREPARED BY: Jacob Foutz, Planning Manager

I. GENERAL INFORMATION AND FACTS

Applicant: US Market
 1311 Lancaster Dr.
 Salem, OR 97301

Property Owner: Florence Petroleum LLC
 1311 Lancaster Dr.
 Salem, OR 97301

Land Use Application Type: Design Review: Convenience Store, Fuel station, and attached coffee shop with drive-thru.

Subject Property Description: The proposed project will be located East of Hwy 101, North of Burger King, and South of Chens Family Dish, Assessor’s Map 18-12-23-22, Tax Lot 06800.

Zoning Designation: City of Florence Highway District

Comprehensive Plan Map Designation: Highway

Adjacent Land Use(s):

<i>Adjacent Property</i>	<i>Zoning</i>	<i>Use</i>
<i>North</i>	Highway District	Chens Family Dish Restaurant
<i>South</i>	Highway District	Burger King Restaurant
<i>West</i>	Highway District	Undeveloped lots, Single dwelling
<i>East</i>	Medium Density Residential	Single-unit detached dwellings

II. NATURE OF REQUEST/APPLICABLE COMPREHENSIVE PLAN AND ZONING ORDINANCE PROVISIONS

The applicant proposes developing a 5,729 sq. ft. single-story retail store on an undeveloped 0.99-acre parcel on the east side of Highway 101, immediately north of the Burger King restaurant and south of Chens Family Dish restaurant. In recent years, ODOT permitted and Burger King installed a driveway approach on the southwest side of the subject property, which the proposed project is designed to use.

The subject site has experienced several changes to its original subdivision plat, including vacations of two streets, an alleyway, and the arrangement of its tax lot. Before the construction of Burger King to the south, the subject site and the Burger King site shared a single tax lot, TL 06800. The tax lot was split into two and relabeled when Burger King was constructed. Tax lot 06800 is now smaller and is the subject site. Tax lot 06801 is now the Burger King property.

The subject property is originally tied to the 1891 Frasier and Berry's Plat for the City of Florence, Block 10, Lots 1 through 10, which contains a vacated section of 36th St. bordering the north area of the property and Redwood St., located along the eastern boundary of the subject property. These streets were vacated via Resolution 16, Series 1997. A 1.21' alleyway strip bordering the southern area of the subject property was vacated in 1996 per Resolution 15, Series 1996. These vacated public rights of way are important because they provide utility and access easements between Chens Family Dish and Burger King. Of note, too, is a narrow western strip out of Lot 10 and a portion of said alleyway, which was deeded as an easement to the Oregon Department of Transportation.

NOTICES & REFERRALS:

Notice: On September 18, 2024, notice was mailed to surrounding property owners within 100 feet of the property, and a sign was posted on the property. Notice was published in the Siuslaw News on October 2, 2024.

At the time of this report, no public comments were received.

Referrals: Referrals were sent to the Florence Public Works, ODOT, Central Lincoln PUD, CTCLUSI, and Siuslaw Valley Fire and Rescue (SVFR) on September 19, 2024.

Agency referrals are used to determine the need for conditions of approval within their applicable review criteria.

Referral Comments Received:

Central Lincoln PUD: "Central Lincoln does have three phase facilities in the area. We may need to install a new vault located next to the existing vaults, and depending on the customer's voltage needs, we would need to order a transformer which are currently a year out."

Western Lane Fire and EMS Authority: "WLFEA has no issues with the proposal as presented."

ODOT: “Please find attached the ODOT Region 2 Traffic Unit review of the TIA for this development proposal. The applicant will need to submit a new highway approach application for the existing shared approach to US101 due to the estimated increase in trip generation. I anticipate that signage on the existing approach and proposed vehicle circulation and turning templates would need to be addressed as part of processing the approach application. Any proposed mitigation or frontage improvements conditioned in the ODOT right of way for this development proposal will need to be reviewed and approved by ODOT and will require a MISC construction permit from our District 5 Maintenance office. Please feel free to contact me if you have any questions.”

Public Works:

“The City has existing water and sanitary sewer capacity for the development of the site. Specifically:

Sanitary Sewer

Currently, the total sanitary sewer capacity of the treatment plant is 1.3 million gallons per day (mgd) dry weather flow. Our current average dry weather flow is 0.745 which equates to 0.555 mgd of excess capacity at the treatment plant.

The City has a 8-inch gravity sewer line located on north side of proposed development. Public Works has provided the developer information regarding the existing sanitary sewer system and on their proposed plans they do show that they will be making connection to that line.

The developer is proposing connecting the stormwater drains in the fueling area to the sanitary sewer system which is connected to an oil/water separator. This is an appropriate approach to stormwater management for the fueling area under a cover. However, the roof drains from the canopy cover must be directed to the nearest stormwater facility. Roof runoff is not allowed into the sanitary sewer system.

In reviewing the civil plans, we did not note a sanitary sewer connection for the garbage dumpster location. Dumpster location will need a floor drain connection to the sanitary sewer system. This connection shall have a grease interceptor prior to discharging into the City sanitary sewer system.

Since the property features a café or drive through coffee shop, the kitchen area sewer system shall be connected to a grease interceptor prior to discharging the City sanitary sewer system.

Streets

ODOT has jurisdictional control of US101. There is an existing sidewalk along the Hwy 101 frontage of the project property that are in good shape and meet ADA requirements. The proposal indicates that they will access the property from Hwy 101 and utilize the existing driveway with the ‘porkchop’ controlling right-in right-out movements. The developer will need to install signage on the porkchop to also help delineate the right-in right-out functionality of the median.

The project will also connect to 35th Street through the existing private street stub through the Burger King property. Although there are no dimensions for the roadway width, using Google Maps it appears that the private roadway is 18-20 feet in width which is adequate for two-way

traffic. However, the proposed development is assuming that area in which they want to utilize for the radius is clear of encumbrances. The developer needs to field verify location of utilities, such as the domestic meter location, private parking lot lights as well as landscaping and work with the neighboring property on receiving the appropriate permissions.

Regarding circulation, it would be beneficial to see how the developer/applicant is proposing to have fuel delivered to the site. In reviewing the civil plans we do not see an easy way to get a semi truck and trailer for fuel delivering fuel to the site.

Stormwater

Public Works referred the stormwater report for this project to Civil West Engineering Services for review and comment. Civil West Engineering performed a review of the preliminary stormwater management report against City Standards, namely the City of Florence Stormwater Design Manual. Civil West Engineering noted that the design and report are well done and only minor comments are required to be addressed.

- No designer's certification and statement is provided.
- The Geotechnical Report states that groundwater depth was 6.25 to 8 feet below surface; however, this

was during May. It's possible that groundwater will be high enough to interfere with infiltration during the

winter months.

- It would be helpful to see grading details of the stormwater rain gardens in order to confirm the claimed

storage of 732 cubic feet and 878 cubic feet, given the 2' bottom width and 3:1 slopes dictated by the

standard details. Modeling shows the same contour area for 4.16' and 3.67' of depth for each respective

pond, but this is largely including the mediums included, and with the void ratios shown, the volumes are

likely correct.

- Modeling shows a multiple orifice style outlet structure; however, no details are included.
- No invert information on storm tie in's is included to ensure that it is possible with the grades given.
- The development will be using the existing stormwater stub from the Burger King site that was provided and intended for the parcel to the north (the US Market parcel) to use for

their overflow. This existing pipe system does not flow into any of Burger Kings stormwater treatment or detention facilities. The existing stormwater line connects to an outfall into the City stormwater system on 35th Street.

Water

The City has adequate water pressure and flow to meet fire flow requirements for a development such as this. Currently, the water system has a peak day capacity of 3 mgd per day and the system experiences a 2.0 mg peak day demand which equates to a 1.0 mgd excess capacity under peak day conditions. As indicated on the proposed civil plans, the domestic and irrigation meters will be connected to the existing 8-inch PVC City water main located near the north property line.

The appropriate backflow prevention device(s) shall be used. Minimum of a double check valve assembly located behind the water meter(s) just outside of the meter box on the customer side is required.

Public Works reserves the right to provide additional comments regarding water, sewer, stormwater and streets once more detailed utility plans has been submitted for review in relation to City infrastructure standards.”

Staff will include a [condition of approval](#) requiring the applicant to make the necessary changes that are outlined from the Public Works comments.

APPLICABLE REVIEW CRITERIA:

Criteria Applying to this Matter for the application include:

Florence City Code, Title 10: Zoning Regulations

(found at <http://www.ci.florence.or.us/council/title-10-zoning-regulations>)

- Chapter 1: Zoning Administration, Sections 1-4, 1-5; 1-6-3; 1-7
- Chapter 3: Off-Street Parking and Loading, Sections 2, 3, 4, 5, 8, 9, and 10
- Chapter 6: Design Review, Sections 4, 5, 6-3, 6-4-G, 7, 8, 9, and 11
- Chapter 7: Special Development Standards, Sections 10-7-6-3-H and 10-7-6 A
- Chapter 16: Highway District, Sections 1, 2, 4, 5, and 7
- Chapter 34: Landscaping, Sections 3, 4, and 5
- Chapter 35: Access and Circulation, Sections 2, 3, and 4.
- Chapter 36: Public Facilities, Sections 2-5, 2-16, 2-17, 2-18, and 3 through 8
- Chapter 37: Lighting, Sections 2 through 6

Florence City Code, Title 9: Utilities

- Chapter 5: Stormwater Management Requirements, Sections 3, 4, and 7

Florence Realization 2020 Comprehensive Plan

(found at <http://www.ci.florence.or.us/planning/comprehensive-plan>)

- Chapter 2: Commercial Policy 9; Chapter 12, Transportation Policies 13 & 29

III. ANALYSIS AND FINDINGS OF FACT

The criteria that must be addressed for this request are shown in underlined text, and the responses are shown in standard text. All of the following criteria must be satisfied before this request can be approved.

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-4: APPLICATION:

A. Applications and Petitions required by Title 10 and 11 of this Code shall be on forms prescribed by the City and include the information requested on the application form.

B. Applicability of Review Procedures: All land use and development permit applications, petitions, and approvals shall be decided by using the procedures contained in this chapter. The procedure type assigned to each application governs the decision making process for that permit or approval. There are four types of approval procedures [...]

[...]

3. Type III (Quasi-Judicial) Procedure (Public Hearing). Quasi-Judicial decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council; or in the case of a Quasi-Judicial zone change (e.g., a change in zoning on one property to comply with the Comprehensive Plan), a Quasi-Judicial decision is made by the City Council on recommendation of the Planning Commission. Quasi-Judicial decisions involve discretion but implement established policy.

C. Except when this Code provides to the contrary, an application or petition regulated by Titles 10 and 11 of this Code:

1. Shall be reviewed by the Planning Director within thirty (30) days to determine if the application is complete, including required drawings, plans, forms, and statements.

Findings: The applicant submitted the required documents and a City-approved application form on August 29, 2024. The application was deemed complete on September 16, 2024.

Conclusion: The application associated with this request is considered a quasi-judicial review (Type III), and notice requirements have been fulfilled per this chapter. Type III applications are heard by the Planning Commission during a duly noticed public hearing.

2. Shall identify the public facilities and access which may be needed to support the development, including but not limited to utilities and transportation infrastructure, and how they will be financed.

3. Shall identify off-site conditions including property lines, utility locations and sizes, existing and future streets, land uses, significant grade changes and natural features such as streams, wetlands and sand dunes for an area not less than three hundred (300) feet from the proposed application site that is one (1) acre or larger and within 100 feet from the proposed application site that is less than one (1) acre in size. (Amd. By Ord. No. 4, Series 2011)

Findings: The applicant provided plans to identify public facilities and access to support the development. The applicant's submitted site plan shows private shared access points to public streets, water, sewer, stormwater, and power/communication lines. Pre-existing utilities are located within easements, and the site plan shows where these utilities will be located during development. Although some of these public utilities will be relocated and/or resized, no additional public utilities are planned.

A Transportation Impact Study has been submitted and is reviewed below in these findings.

The project site is under 1 acre in size. Within 300 feet of the site, there are no existing streams, wetlands, or sand dunes with an area of 1 acre or more.

Conclusion: The submitted plans address public facilities and show the above-referenced site conditions. There are no existing streams, wetlands, or sand dunes within an area of 1 acre or more.

4. Shall be accompanied by a digital copy or two hard copies of required plans of dimensions measuring 11 inches by 17 inches or less. Costs of document reduction may be passed onto the applicant.
5. Shall be filed with a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Additional information may be required under the specific application requirements for each approval.

Findings: The applicant emailed the application submittal, allowing the plans to be printed on 11x17 if needed. A small narrative was included in the submitted application proposal section.

Conclusion: Plans were submitted electronically, and a narrative was included in the application form.

6. Shall be accompanied by any other information deemed necessary by the City Planning Department.
7. Shall be accompanied by the required, non-refundable fee.

Findings: The applicant submitted payment of the required fees to the Planning Department.

Conclusion: The Planning Department deemed no additional information necessary, and staff

received payment on August 14, 2024.

D. Evidence Submittal: Except when this Code expressly provides different time limitations, all documents and evidence relied upon by the applicant shall be submitted at least thirty (30) days prior to the hearing as provided in Subsection 10-1-1-6. (Amd. By Ord. No. 30 Series 1990)

Findings: The required documents relied upon by the applicant were submitted thirty days before October 8, 2024

Conclusion: Staff received the application on September 6, 2024, 32 days before the public hearing.

E. Traffic Impact Studies:

1. Purpose of Traffic Impact Study: The purpose of a Traffic Impact Study is to determine:
 - a. The capacity and safety impacts a particular development will have on the City's transportation system;
 - b. Whether the development will meet the City's minimum transportation standards for roadway capacity and safety;
 - c. Mitigating measures necessary to alleviate the capacity and safety impacts so that minimum transportation standards are met; and
 - d. To implement section 660-012-0045(2)(e) of the State Transportation Planning Rule.

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.
 - b. Any proposed development or land use action that may have operational or safety concerns along its facility(s), as determined by the Planning Director in written findings.
 - c. The addition of twenty-five (25) or more single family dwellings, or an intensification or change in land use that is estimated to increase traffic

volume by 250 Average Daily Trips (ADT) or more, per the ITE Trip Generation Manual.

- d. A change in land use that may cause an increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicle trips or more per day
- e. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard.
- f. A change in internal traffic patterns that may cause safety problems, such as backed up onto a street or greater potential for traffic accidents.
- g. The Planning Director, based on written findings, determines that a TIS is necessary where traffic safety, street capacity, future planned facility, or multimodal concerns may be associated with the proposed development. The City will consider the following criteria when determining the need for a TIS:
 - i. If there exists any current traffic problems, such as high accident location, poor roadway alignment, or capacity deficiency that are likely to be compounded as a result of the proposed development.
 - ii. If it is anticipated the current or projected level of service of the roadway system in the vicinity of the development will exceed minimum standards.
 - iii. If it is anticipated that adjacent neighborhoods or other areas will be adversely impacted by the proposed development.
- h. A road authority with jurisdiction within the City may also require a TIS under their own regulations and requirements.

- 3. Traffic Study Requirements: In the event the City determines a TIS is necessary, the information contained shall be in conformance with FCC 10-35-2-5, Traffic Study Requirements.

Findings: The applicant submitted a Traffic Impact Analysis (TIA) compiled by Sandow Engineering, dated July 19, 2024. This analysis was requested based on FCC 10-1-1-4-E-2-c, which requires a TIA if the new use creates 250 Average Daily Trips. The business is projected to generate 328 Average Daily Trips, which can potentially add to vehicle conflicts in the area because the driveway along Highway 101 is restricted to right-in-right-out access. No deficiencies were found, and these findings discuss this topic under FCC 10-35.

Conclusion: A TIA was submitted as required by the above code.

10-1-1-5: GENERAL PROVISIONS

A. 120-Day Rule: The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions – plan and code amendments – without an applicant under ORS 227.178.)

Findings: The Planning Department deemed the application complete as of September 16, 2024.

Conclusion: The Planning Commission’s public hearing will be held on October 8, 2024, with proper notification processes.

10-1-1-6-3: TYPE III REVIEWS – QUASI-JUDICIAL LAND USE HEARINGS:

A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:

5. New construction requiring Design Review by the Planning Commission.

Findings: As a new commercial construction, the proposal requires approval from the Design Review.

Conclusion: This application qualifies as a Type 3 application and will be heard by the Planning Commission at their regularly scheduled October 8, 2024 meeting.

B. Notification of Hearing:

1. At least twenty (20) days prior to a Type III (quasi-judicial) hearing, notice of hearing shall be posted on the subject property and shall be provided to the applicant and to all owners of record of property within 100 feet of the subject property, except in the case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record of property within 300 feet of the subject property.

[...]

2. Prior to a Type III (quasi-judicial) hearing, notice shall be published one (1) time in a newspaper of general circulation. The newspaper’s affidavit of publication of the notice shall be made part of the administrative record.

Findings: Notice of the application was provided to property owners within 100 feet of the subject property and posted on the property 20 days prior to the public hearing on October 8, 2024. A public hearing notice was published in Siuslaw News on October 2, 2024.

Conclusion: As explained above, the noticing requirements have been followed as required by the code.

C. Notice Mailed to Surrounding Property Owners - Information provided:

1. The notice shall:
 - a. Explain the nature of the application and the proposed use or uses which could be authorized;
 - b. List the applicable criteria from the ordinance and the plan that apply to the application at issue;
 - c. Set forth the street address or other easily understood geographical reference to the subject property;
 - d. State the date, time and location of the hearing;
 - e. State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes further appeal based on that issue;
 - f. State that application and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - g. State that a copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing and will be provided at reasonable cost;
 - h. Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
 - i. Include the name of a local government representative to contact and the telephone number where additional information may be obtained.

Findings: The criteria listed above were included in the notice that was sent out.

Conclusion: The prepared notice contained all the required information listed in FCC 10-1-1-6-3-C.

D. Hearing Procedure: All Type III hearings shall conform to the procedures of Florence City Code Title 2, Chapters 3 and 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.

Findings: On October 8, 2024, the Planning Commission will hold a duly noticed public hearing per the procedures of FCC 2-3 and FCC 2-10 to consider the matter, evidence relevant to the issue, the facts within the record, and any applicable public testimony received.

Conclusion: Following the above procedure, this application hearing will occur on October 8, 2024.

F. Notice of Decision by the Planning Commission: A notice of the action or decision of the Planning Commission, and right of appeal shall be given in writing to the applicant. Any party who testified either in writing or verbally at the hearing must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.

Findings: Following the Planning Commission's decision, notice of the action and decision will be mailed to the applicant and any party who testified either in writing or verbally at the public hearing.

Conclusion: The notice of decision will be prepared and delivered as described in the above code.

TITLE 10: CHAPTER 3: OFF-STREET PARKING AND LOADING

10-3-2: GENERAL PROVISIONS:

A. The provision for and maintenance of off-street parking and loading spaces are continuing obligations of the property owners. No building or other permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space.

B. At the time of new construction or enlargement or change in use of an existing structure

within any district in the City, off-street parking spaces shall be provided as outlined in this Chapter, unless requirements are otherwise established by special review or City Council action. Additional parking spaces shall meet current code.

Findings: These findings of fact under FCC Title 10, Chapter 3 contain details about required off-street parking.

Conclusion: The applicant proposes new construction with parking spaces provided as the code requires.

C. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Chapter.

D. Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees, and shall not be used for storage of materials of any type.

E. Ingress and egress for parking and loading shall not endanger or impede the flow of traffic.

F. The required off-street parking for nonresidential uses shall not be used for loading and unloading operations during regular business hours.

Findings: The applicant has provided parking spaces as required by the code. However, staff cannot determine if parking spaces will be used for storage or if loading and unloading will occur during regular business hours from the site plan. These code sections will be enforced as a condition of approval.

Conclusion: Required parking spaces shall be maintained and shall not be eliminated, used for the storage of materials of any type, or used for loading or unloading operations during business hours.

10-3-3: MINIMUM STANDARDS BY USE: The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10-3-1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below:

A. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, and shared parking. Parking in driveways does not count toward required minimum parking.

D. For Commercial and Retail Trade types and for sites with five or more dwelling units, the following standards must be met.

1. Commercial and Retail Trade. For Commercial and Retail Trade type uses provided in Table 10-3-1.C, at least 20 percent of the total number of parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger.

Findings: The applicant has proposed a parking lot; the application does not contain any garages, carports, bays along driveways, or shared parking. In addition, no parking is proposed in driveways. The applicant has proposed six parking spaces in the northwest corner of the north parking lot, with electric conduit adjacent to them. Twenty percent of 30 is six.

Conclusion: The applicant has proposed parking in a new parking lot with 30 spaces, 6 of which have electric conduits that will allow for installing a Level 2 electric vehicle charger.

10-3-4: MINIMUM REQUIRED PARKING BY USE: During the largest shift at peak season, fractional space requirements shall be counted as the next lower whole space (rounded down). Square footages will be taken from the gross floor area (measurements taken from exterior of building). Applicants may ask the Planning Commission for a reduction for parking spaces as part of their land use application. The applicant will have to provide the burden of evidence to justify the reduction proposed. The Planning Commission and/or staff may require the information be prepared by a registered traffic engineer. Table 10-3-1 lists the minimum parking spaces required by use, with a minimum no less than two (2) spaces for non-residential uses, plus additional space(s) as needed to meet the minimum accessible parking requirement.

Table 10-3-1, Minimum Required Parking By Use:

C. Commercial and Retail Trade Types:

<u>Retail Sales and Service (See also Drive-Up Uses)</u>	<u>Retail: 1 spaces per 333 sq. ft.[...]</u>
	<u>Restaurants and Bars: 1 spaces per 125 sq. ft. floor area</u>
<u>Quick Vehicle Servicing or Vehicle Repair. (See also Drive-Up/Drive- In/Drive-Through Uses)</u>	<u>2 spaces, or as determined by the Planning Commission</u>

Findings: The entire building will be 5,729 sq. ft.; however, since three uses are proposed, which are delineated on the site plan, three methodologies need to be used for the subject property. The gas station portion of the use is calculated using the Quick Vehicle Servicing or Vehicle Repair, which requires two spaces, as shown in the above table. The proposed coffee shop portion of the building is 2044 sqft. The required parking for this building portion is calculated using the Restaurants and Bars: 1 space per 125 sqft of floor area. Therefore, $2,044/125=16.3$, 16 parking spaces are required for the coffee shop portion of the building. The proposed convenience store portion of the building is 3,434 sqft. The required parking for this building portion is calculated using the Retail: 1 space per 333 sqft of floor area. Therefore, $3,434/333=10.3$, 10 parking spaces are required for the convenience store portion of the building. However, it is of note that the square footage provided on the site plan for each use of the building comes out to 5,478 sqft (2044+3434), and the site plan shows the building total to be 5,729; this difference is due to the trash enclosure of 251 sqft. As an accessory to the proposed uses, parking is not required for this 251 sqft portion.

Conclusion: The submitted site plan shows 30 parking spaces, which exceeds the minimum of

28(2+16+10) the code requires.

10-3-5: VEHICLE PARKING - MINIMUM ACCESSIBLE PARKING:

- A. Accessible parking shall be provided for all uses in accordance the standards in Table 10-3-2; parking spaces used to meet the standards in Table 10-3-2 shall be counted toward meeting off-street parking requirements in Table 10-3-1;
- B. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;
- C. Accessible spaces shall be grouped in pairs where possible;
- D. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;
- E. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

<u>Table 10-3-2 - Minimum Number of Accessible Parking Spaces</u> <u>Source: ADA Standards for Accessible Design 4.1.2(5)</u>			
<u>Total Number of Parking Spaces Provided (per lot)</u>	<u>Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)</u>	<u>Van Accessible Parking Spaces with min. 96" wide access aisle</u>	<u>Accessible Parking Spaces with min. 60" wide access aisle</u>
	<i>Column A</i>		
<u>1 to 25</u>	<u>1</u>	<u>1</u>	<u>0</u>
<u>26 to 50</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>*vans and cars may share access aisles</u> <u>**one out of every 8 accessible spaces</u> <u>***7 out of every 8 accessible parking spaces</u>			

Findings: With 30 total parking spaces proposed, the proposal requires two accessible parking spaces, including at least one van-accessible space. The applicant proposes two accessible parking spaces, one on either side of a van-accessible access aisle measuring 96 inches wide. These are found directly west of the entrance to the convenience store; an unobstructed path to the entrance will be available. The submitted site plan shows the correct ADA marking; however, signage and correct ADA marking are regulated through the building code.

Conclusion: The applicant has shown the two required ADA spaces, including one van accessible access aisle.

10-3-8: PARKING AREA IMPROVEMENT STANDARDS: All public or private parking areas,

loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.

[...]

C. All parking areas except those required in conjunction with a single-family or duplex dwelling shall be graded so as not to drain storm water over public sidewalks. All drainage systems shall be connected to storm sewers where available. Parking lot surfacing shall not encroach upon a public right of way except where it abuts a concrete public sidewalk, or has been otherwise approved by the City.

Findings: All parking areas are proposed to contain asphaltic concrete surfacing, which meets the requirements of this section and does not encroach on a public ROW. All parking spaces have access to an accessible sidewalk ramp, including the parking stalls located along the most western area of the west parking lot, which would ideally utilize the pedestrian walkway to access the store. The submitted stormwater report and associated site plan show the drainage of the parking area directed to rain gardens, which are shown as being connected to storm drains, as this code requires.

Conclusion: The parking area is paved, drained to a storm sewer, and does not encroach on public ROW.

D. Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses.

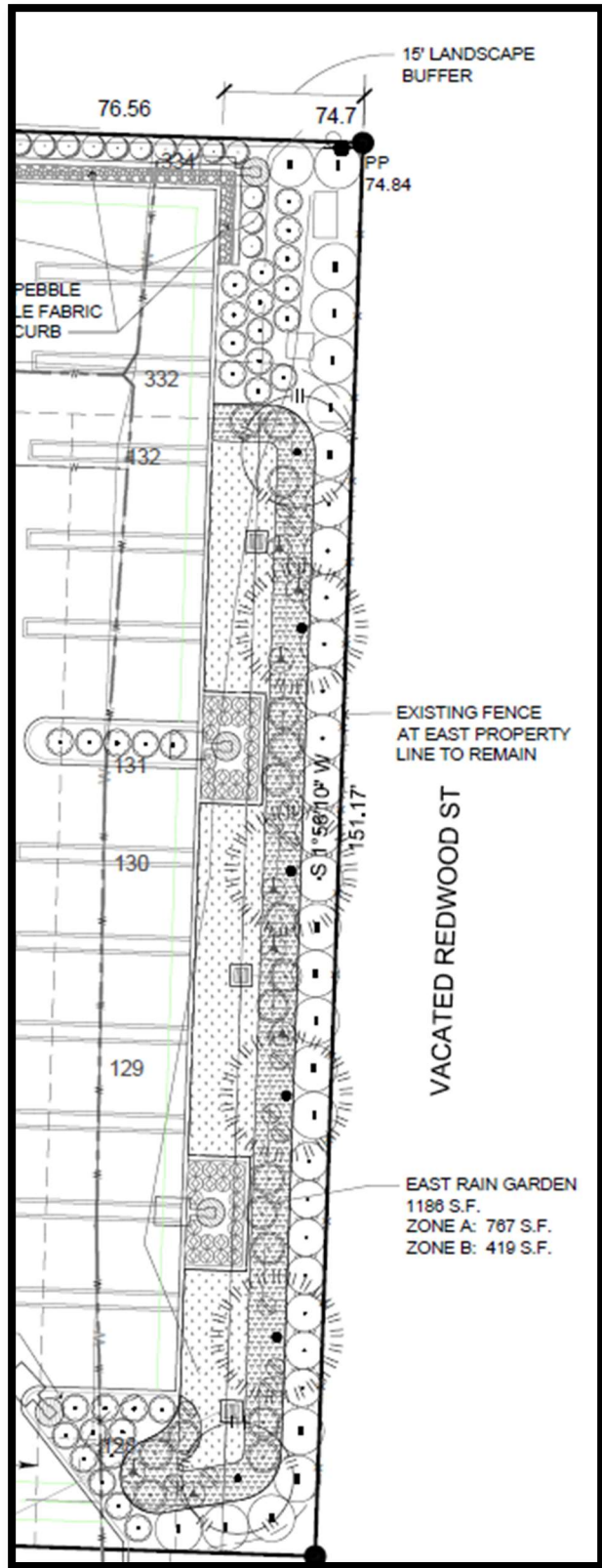
Findings: Proposed parking spaces on the east side of the development can allow vehicles to be oriented toward residential uses to the east, as shown on the submitted site plan, depending on which direction vehicles are parked within the 90° spaces.

An existing 6' high wooden fence of unknown integrity borders the east property line. A 15'-wide landscape buffer along this fence contains landscaping features that should mitigate headlight nuisances, as shown in the image to the left of this text.

As shown in the image, a 15-foot-wide landscape buffer is planned along the entire 151-foot east property line. For screening, a series of 29 Compact Strawberry Trees and Evergreen huckleberries are shown between the parking lot and the existing fence.

Altogether, the fencing and landscape plantings should serve as adequate screening between the proposed store and the adjacent residential zoning and uses to the east. This report also discusses landscaping details in reviewing FCC 10-34.

Conclusion: As proposed, Screening the adjacent residential uses from headlights is adequate.



E. Except for parking areas required in conjunction with a single-family attached or detached, duet, duplex dwelling; or tri-plex, quad-plex, or cluster housing development that provides off-street parking through a carport or garage, all parking areas shall provide:

1. A curb of not less than six inches (6") in height near abutting streets and interior lot lines. This curb shall be placed to prevent a motor vehicle from encroaching on adjacent private property, public walkways or sidewalks or the minimum landscaped area required in paragraph E2 of this subsection.

Findings: The applicant proposes 6" curbs in all locations needed to prevent encroachment in the stated areas as applicable.

Conclusion: 6" curbs are proposed as the code requires above.

2. Except for places of ingress and egress, a five foot (5') wide landscaped area wherever it abuts street right-of-way. In areas of extensive pedestrian traffic or when design of an existing parking lot makes the requirements of this paragraph unfeasible, the Planning Commission may approve other landscaped areas on the property in lieu of the required five foot (5') landscaped area. See also FCC 10-34-3-6 and -7 for parking lot landscaping standards.

Findings: The proposed landscaping plan includes landscaped areas in excess of 5' wide between parking spaces and the adjacent Highway 101 sidewalk rights-of-way.

Conclusion: The submitted landscape plan shows an approximately 17' wide landscape area along Highway 101.

F. No parking area shall extend into the public way except by agreement with the City.

Findings: The parking areas are internal to the lot and have been designed to not extend into the public way.

Conclusion: No parking is proposed to extend into the public ROW.

G. Except for parking in connection with dwellings, parking and loading areas adjacent to a dwelling shall be designed to minimize disturbance by the placement of a sight obscuring fence or evergreen hedge of not less than three feet (3') nor more than six feet (6') in height, except where vision clearance is required. Any fence, or evergreen hedge must be well kept and maintained.

Findings: As discussed above, the applicant proposes 29 Compact Strawberry Trees and Evergreen huckleberries along the east property line, which abuts a residential use. The applicant states on their landscaping plan that the evergreen hedge will be 3-4 feet, meeting the requirements of this criterion.

In accordance with FCC 10-4-8 G, a condition of approval will ensure that fencing and evergreen hedges will be well-kept and maintained.

Conclusion: [Fencing and evergreen hedges shall be well-kept and maintained.](#)

H. Lighting: Refer to Section 10-37 of this Title for requirements.

Findings: Lighting is discussed in the review of FCC 10-37.

Conclusion: Lighting is discussed in the review of FCC 10-37.

I. Except for single-family and duplex dwellings, groups of more than two (2) parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right of way other than an alley.

Findings: Internal parking is proposed, with all backing movement and maneuvering inside the property.

Conclusion: No street ROW is proposed for use by vehicles maneuvering in parking areas.

J. Unless otherwise provided, required parking and loading spaces shall not be located in a required front or side yard.

Findings: Parking is not proposed within a required front or side yard. The Highway District does not have a front or side yard requirement; however, setbacks are still required.

Conclusion: No yard is required in the Highway District.

K. Planning review is required for all parking lot construction or resurfacing.

Findings: Planning review for these parking lot construction projects is a part of this design review application.

Conclusion: The submitted application included all proposed parking lot construction or resurfacing and is being reviewed as part of these findings of fact.

L. A plan, drawn to a suitable scale, indicating how the off- street parking and loading requirements are to be met shall accompany an application for a building permit. The plan shall indicate in detail all of the following:

1. Individual parking and loading spaces.
2. Circulation area.
3. Access to streets and property to be served.
4. Curb cut dimensions.
5. Dimensions, continuity and substance of screening, if any.
6. Grading, drainage, surfacing and subgrading details.
7. Obstacles, if any, to parking and traffic circulation in finished parking areas.
8. Specifications for signs, bumper guards and curbs.
9. Landscaping and lighting.

Findings: The applicant provided plans that met most of the requirements. However, pole or monument signage dimensions and materials have not been detailed in this application. A condition of approval will be added to ensure the proposed signage meets the code administered by the building department.

Conclusion: A detailed and dimensioned signage plan that meets the requirements outlined in FCC Title 4, Chapter 7 shall be submitted and approved by the Florence Building Department.

10-3-9: PARKING STALL DESIGN AND MINIMUM DIMENSIONS: All off-street parking spaces (except those provided for single-family and duplex homes) shall be improved to conform to City standards for surfacing, stormwater management, and striping and where provisions conflict, the provisions of FCC Title 9 Chapter 5 shall prevail. Standard parking spaces shall conform to minimum dimensions specified in the following standards and Figures 10-3(1) and Table 10-3-3:

- A. Motor vehicle parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long.
- B. Each space shall have double line striping with two feet (2') wide on center.
- C. The width of any striping line used in an approved parking area shall be a minimum of 4" wide.

Findings: All 30 of the proposed parking spaces measure 9' 6" by 19' long and have double-line striping 2' wide. The striping appears to be 4" in width but is not expressly shown in the submitted materials. To ensure 4" striping, a condition of approval will be added.

Conclusion: The width of the striping line used in the parking areas shall be a minimum of 4" wide.

D. All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet;

E. Parking area layout shall conform to the dimensions in Figure 10-3(1), and Table 10-3-3, below;

F. Parking areas shall conform to Americans With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines.

FIGURE 10-3 (1)

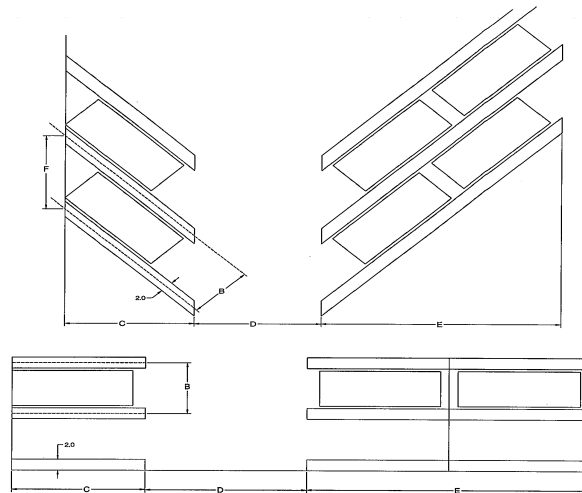


Table 10-3-3 – Parking Area Layout

Space Dimensions in feet	Parking Angle \leq°	Stall Depth		Aisle Width		Stall width (B)	Curb Length (F)
		Single (C)	Double (E)	One Way (D)	Two Way (D)		
	30°	15.6	26.7	12	18	9.5	19.0
	45°	18.4	33.4	13	18	9.5	13.4
	60°	20	38.8	17	18	9.5	11.0
	70°	20.3	40.6	18	19	9.5	10.1
	80°	20	41.2	22	22	9.5	9.6
	90°	19	40.5	23	23	9.5	9.5

Findings: According to the parking plan shown on the submitted site plan, the proposed non-ADA parking spaces meet the requirements of this section, with typical stalls measuring 9.5' by 19'. All of the parking spaces are oriented 90° to the maneuvering aisle. The two-way maneuvering aisle that accesses the eastern parking area is proposed to be 23' wide, as required for 90° parking spaces. The northern parking area is proposed to have a 32'6" access aisle to access the stalls.

As FCC 1-3-9 F states, parking areas shall conform to Americans with Disabilities Act (ADA) standards. These standards may be accessed at www.ada.gov/topics/parking/. According to the submitted site plan, the standard minimum width for an ADA parking space is 96" or 8'.

Conclusion: All proposed parking is at a 90° parking angle, with 9.5'x19' stalls, and access aisles 23' wide or greater.

10-3-10: BICYCLE PARKING REQUIREMENTS: All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.

A. Minimum Size Space: Bicycle parking shall be on a two (2) feet by six (6) feet minimum.

Findings: A bike rack near the front store entrance provides bicycle parking, which is shown on the submitted site plan. The parking is shown as 9' 6" x 9'.

Conclusion: Bike parking with a dimension of 9.5' x 9' has been proposed, exceeding the minimum required.

B. Minimum Required Bicycle Parking Spaces. Short term bicycle parking spaces shall be provided for all non-residential uses at a ratio of one bicycle space for every ten vehicle parking spaces. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number, with a minimum of two spaces.

Findings: The proposed parking spaces for the store total 30 (including the ADA) spaces. Therefore, the required bicycle parking totals 3 spaces, which is what is proposed within the parking plan shown on the submitted site plan.

Conclusion: The applicant proposes 30 vehicle parking spaces and 3 bike parking spaces.

D. Location and Design. Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space other than handicap parking, or fifty (50) feet, whichever is less and shall be easily accessible to bicyclists entering the property from the public street or multi-use path.

Findings: The proposed parking spaces for the store have three non-handicapped vehicular spaces closer to the main building entrance than the proposed bike parking. The bike parking is proposed to be approximately 20' from the primary entrance. The vehicle parking stall that is closest to the main entrance is 9'6" from the entrance. Therefore, a condition of approval requiring the bike parking to be relocated within 9'6" of the primary entrance shall be applied.

Conclusion: *The applicant shall move the bike parking to within 9'6" of the main entrance.*

E. Visibility and Security. Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage;

F. Lighting. For security, bicycle parking shall be at least as well lit as vehicle parking. Refer to Section 10-37 of this Title for requirements.

G. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

Findings: The applicant has not submitted the proposed signage for the bicycle parking area. The proposed bicycle parking is near the main entrance, and condition of approval #4 allows the bike parking area to be visible from the building entrance. No marking for the reserved bike parking area has been proposed and shall be included as a condition of approval.

Conclusion: The bicycle parking area shall be clearly marked and reserved for bicycle parking only in accordance with FCC 10-3-10G.

H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards. If bicycle parking cannot be provided safely, the Planning Commission or Community Development Director may waive or modify the bicycle parking requirements.

Findings: The rack's proposed location on the south side of the store does create a hazard for pedestrians who park in the east parking area and attempt to access the store via the south side. No vision clearance standards conflict with the proposed bike area or the conditioned movement of the bike parking within 9'6" of the primary entrance.

Conclusion: Conditions of approval #4 and #5 ensure that the above standard is met.

TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-5-1: GENERAL CRITERIA FOR NONRESIDENTIAL DEVELOPMENT: Nonresidential projects shall meet the following criteria. The Planning Commission or Planning Commission or their designee may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter. The Commission or their designee shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following:

A. Setbacks, yards, height, density and similar design features according to the underlying zoning district.

B. Lot area, dimensions and percentage of coverage according to the underlying zoning district.

Findings: The subject property's underlying zoning district is the Highway District, which is regulated under FCC 10-16. The district requires a minimum highway frontage setback of 70' from the highway's center line and 5' side building setbacks from the abutting properties. The maximum allowed lot coverage is 85%. The maximum building height is 35'.

The proposed building is 190.5 feet from HWY 101's center line, and the proposed gas pumps and

associated awning are set back 87 feet. The north property line is 35' from the proposed building, and the south property line is 22'2". The total lot coverage by impervious surface is 80.9%. The remainder of the lot is landscaping at 19.1%. The top of the proposed building is 34' high.

Conclusion: The proposed development complies with the setbacks, height, density, similar design features, lot area, dimensions, and percentage of coverage according to the underlying zoning district.

C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.

Findings: The FCC 10-34 review discusses landscaping details further. The underlying Highway district refers to FCC 10-34 for the maintenance of fences, walls, hedges, screens, and landscaping.

Conclusion: Landscaping details are discussed further in the FCC 10-34 review.

D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.

Findings: The review of FCC 10-35 discusses access. The underlying Highway district refers to FCC 10-35 for access points for vehicles and pedestrians.

Conclusion: The location and design of access and egress points for vehicles and pedestrians, including access points along State highways, are discussed further in the FCC 10-35 review.

E. Noise, vibration, smoke, dust, odor, light intensity and electrical interference's.

Findings: Per the city's nuisance code, no noise, vibration, smoke, dust, odor, intense light, or electrical interference will be permitted from the proposed building.

Conclusion: No vibration, smoke, dust, odor, light, or electrical interference other than what is normal from the construction and operation of a store has been proposed.

F. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.

Findings: Outside display areas have not been proposed. Parking and circulation are discussed under FCC 10-3.

Conclusion: Parking and circulation are discussed under FCC 10-3.

G. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.

Findings: The proposed building will be similar to many area businesses in terms of scale and colors prevalent to nearby buildings and the coastal community as a whole.

Most area buildings bear a traditional gabled storefront containing a pediment. Few are more than one story in height. The proposed one-story store includes a false storefront with a pediment facing westward. This false front measures a height of approximately 34'. The use of false storefronts is common throughout the city. For example, Grocery Outlet, located at 2066 Highway 101, uses a false storefront like the Gray Day Home Heat business at 3298 Highway 101. The Kyle Building and other downtown buildings also employ false storefronts. The Kyle Building is used as an example of such construction in the *Florence Downtown Architectural Guidelines*, a document on which FCC 10-6 relies for architectural design. Policy 4, under Commercial in Chapter 2 of the Florence Realization 2020 Comprehensive Plan, states: “*The City shall encourage commercial developments which enhance their surroundings through the on-site use of attractive architecture, relative scale, abundant landscaping, vehicular access improvements and appropriate signage.*”

West Storefront Proposal



Grocery Outlet



*Gray
Day
Home
Heat*











The Kyle building



Conclusion: The proposed Architectural quality and aesthetic appearance of the adjacent buildings are aligned with other uses in the Highway District.

H. Color, building materials and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan, and in applicable zoning districts.

Findings: The applicant proposes to cover the structure with a combination of Stucco, metal siding, and brick veneer. Eight colors are proposed for the building, which are included below:

<p>1</p> <p>SIDING</p>	<p>= STUCCO COLOR: SW 7064, "PASSIVE"</p>	
<p>2</p> <p>SIDING</p>	<p>= STUCCO COLOR: SW 7067, "CITYSCAPE"</p>	
<p>3</p> <p>SIDING</p>	<p>= METAL SIDING COLOR: SW 6508, "SECURE BLUE"</p>	
<p>4</p> <p>STONE</p>	<p>= BRICK VENEER - BELDEN 2 1/2" x 11 5/8" COLOR: "TITANIUM VELOUR"</p>	
<p>5</p> <p>WINDOW</p>	<p>= STOREFRONT WINDOWS FRAME COLOR: DARK BRONZE</p>	
<p>6</p> <p>AWNING</p>	<p>= METAL AWNING COLOR: SW 7069, "IRON ORE"</p>	
<p>7</p> <p>GATE</p>	<p>= TRASH ENCLOSURE GATE OPAQUE</p>	
<p>8</p> <p>DOOR</p>	<p>= EXTERIOR METAL DOOR AND FRAME COLOR: DARK BRONZE</p>	

Conclusion: Color, building materials, and exterior appearance are in accordance with the Highway District.

I. Exterior lighting and security.

Findings: The proposed lighting will be reviewed in FCC 10-37, which also discusses lighting and security.

Conclusion: This report will review the proposed lighting under FCC 10-37.

J. Public health, safety and general welfare.

Findings: The proposed development includes ample consideration for public safety and general welfare. As discussed throughout these findings, vehicle hazards are adequately managed as potential nuisances are controlled under FCC 10-3, and the site benefits from professional and experienced design. Security is addressed through the lighting plan required to meet the minimum requirements of FCC 10-37.

Conclusion: The legally adopted zoning code considers public health, safety, and general welfare.

K. Provision of public facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities.

Findings: Public facilities and related standards are discussed in the FCC 10-36 review.

Conclusion: The FCC 10-36 review discusses public facilities and related standards.

L. Requiring a time period within which the proposed use or portions thereof shall be

developed.

Findings: A design review is void after one year unless a building permit and substantial completion has taken place per FCC 10-6-11.

Conclusion: The applicant will need to pull building permits and have achieved substantial completion (building foundation) within one year if this application is approved, if not, any potential approval would be void.

M. Requiring bonds to insure performance of special conditions. (Ord. 625, 6-30-80)

Findings: No special conditions have been identified at the time these findings are being written.

Conclusion: No bonds are proposed or required.

N. Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan. (Ord. 680, 1- 11-83)

Findings: The legally adopted zoning ordinance implements goals and policies found in the comprehensive plan, relating to land use.

Conclusion: The Florence Comprehensive Plan is discussed later in this report.

10-6-6-3: BUILDING FAÇADES:

A. Horizontal Design Elements: Multi-story commercial storefront buildings shall have a distinctive horizontal base; second floor; and eave, cornice and/or parapet line; creating visual interest and relief. Horizontal articulations shall be made with features such as awnings, overhanging eaves, symmetrical gable roofs, material changes, or applied fascia detail. New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include but are not limited to: the base below a series of storefront windows; an existing awning or canopy line, or belt course between building stories; and/or an existing cornice or parapet line. Where existing adjacent buildings do not meet the City's current building design standards, a new



building may establish new horizontal lines.

Findings: The proposal is not a multi-story storefront. The front elevation has horizontal articulations, including awnings, material changes, and fascia detail. The Burger King to the south of the property is 24' in height, and the primary parapet on the south side of the building is proposed at 26' in height, which is a similar level. However, a portion of the building in the front raises to 34' to create a false front and to provide vertical design relief. In addition, Burger King has windows that are 13' in height, and the subject property proposes windows that are 14' in height.

Conclusion: The proposed horizontal design elements have multiple features listed in the code and horizontal lines in accordance with existing adjacent buildings.

B. Vertical Design Elements: Commercial storefront building faces shall have distinctive vertical lines of emphasis spaced at relatively even intervals. Vertical articulations may be made by material changes, variations in roof heights, applied fascia, columns, bay windows, etc. The maximum spacing of vertical articulations on long, uninterrupted building elevations shall be not less than one break for every 30 to 40 feet.

Findings: As seen on the submitted elevations, the proposal has vertical lines of emphasis spaced at appropriate intervals. These vertical elements include material changes and variations in roof height. Vertical changes occur approximately every 10-15 feet. There are four different vertical elevations along the front of the building. In addition, the applicant has incorporated vertical design elements into their windows, allowing for visually appealing vertical windows above the main entrance of the building.

Conclusion: The proposed vertical design elements have multiple features listed in the code and vertical lines in accordance with existing adjacent buildings.

C. Articulation and Detailing: All building elevations that orient to a street or civic space must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:

1. Plans shall incorporate design features such as varying rooflines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, or similar elements that break up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 30-40 feet. In addition, each floor shall contain at least two elements meeting the following criteria:
 - a. Recess (e.g., porch, courtyard, entrance balcony, or similar feature) that has a minimum depth of 4 feet;
 - b. Extension (e.g., floor area, porch, entrance, balcony, overhang, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or

c. Offsets or breaks in roof elevation of 2 feet or greater in height.

d. A “break,” for the purposes of this subsection, is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.

Findings: The applicant provides three of these criteria. The submitted site plan shows that the main entrance is recessed 4 feet. The submitted elevation shows an offset or break in roof elevation of 2 feet or higher. Additionally, wall plane breaks are demonstrated by the use of different building materials.

Conclusion: The applicant meets the required Articulation and Detailing requirements for this proposed use.

2. The Planning Commission, through Design Review, may approve detailing that does not meet the 24-inch break-in-wall-plan standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historically-contributing buildings existing in the vicinity.

3. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.

4. Building elevations that do not orient to a street or civic space need not comply with the 24inch break-in-wall-plan standard, but should complement the overall building design.

Findings: This application does not include a request to have the planning commission approve detailing or painting colors that do not meet the code. The building design proposed includes a break-in wall along the north side of the building.

Conclusion: The submitted application complies with the criteria listed above.

10-6-6-4: PERMITTED VISIBLE BUILDING MATERIALS: Building materials which have the same or better performance may be substituted for the materials below provided that they have the same appearance as the listed materials.

[...]

G. Building and Site Material Colors: Color finishes on all building exteriors shall be approved by the City and be of a muted coastal Pacific Northwest palette. Reflective, luminescent, sparkling, primary, and “day-glow” colors and finishes are prohibited. The Planning Commission/Planning Commission or their designee may approve adjustments to the standards as part of a site Design

Review approval.

Findings: The material colors and finishes appear to meet the requirements for a muted coastal Pacific Northwest palette.



Conclusion: The above color finishes as proposed meet the required muted coastal Pacific colors.

10-6-7: OTHER DISTRICTS: ARCHITECTURAL REQUIREMENTS: In districts other than Mainstreet and Old Town, the architectural design requirements of this section shall apply to all commercial buildings.

A. All commercial buildings shall meet the standards of FCC 10-6-6-3 and 10-6-6-4-G above.

Findings: Unless conditioned, the proposed commercial store meets the above standards.

Conclusion: FCC 10-6-6-3 and 10-6-6-4-G are addressed above.

B. All commercial buildings shall incorporate not fewer than three types of architectural features from 1 through 6 below. Applicants are encouraged to use those elements that best suit the proposed building style and design.

1. Covered front entrance. Not less than six feet in depth and not less than 10 percent the width of the building, excluding the landing for entrance.

2. Windows: not less than 30 percent of surface area of all street-facing elevation(s) with the following features:

a. Trim, reveals, recesses, or similar detailing of not less than four-inches in width or depth as applicable.

b. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features).

3. Pedestrian Shelters: as described in FCC 10-6-6-6-G.

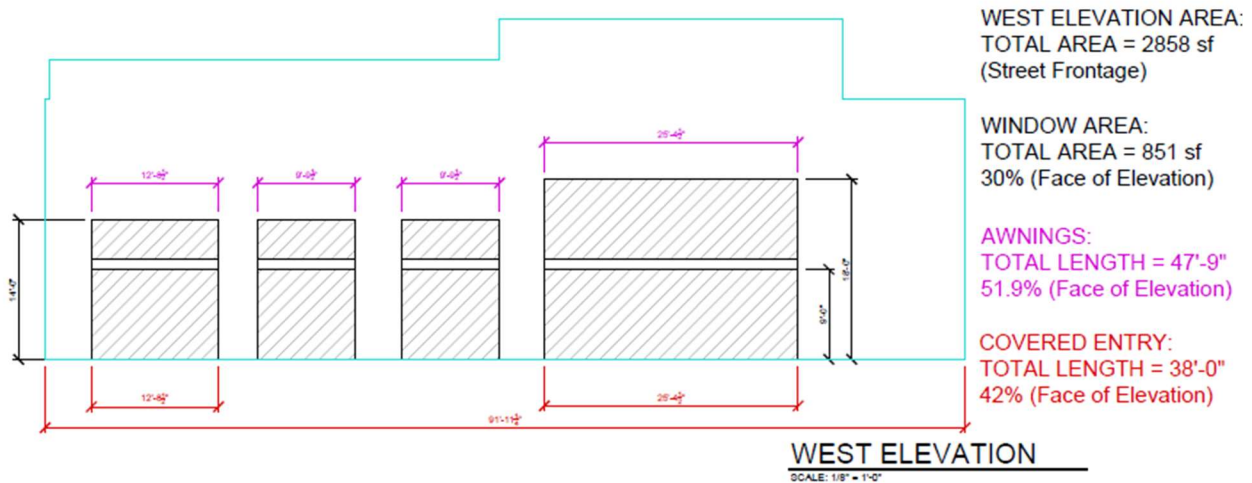
4. Eaves (where applicable): overhang of not less than 12 inches.

5. Decorative top: e.g., cornice or pediment with flat roof or brackets with pitched roof. Towers may be included where building height limitations and surrounding structures deem them appropriate.

6. Awnings and canopies: extending not less than 30% of the elevation where applied.

Findings: The applicant is required to include three of the six above architectural features. This is

seen in the submitted elevations and included in the findings below. The applicant is proposing that 30% of the street elevation be windows and that the front entrance be covered with awnings.



A covered entry is being proposed at approximately six feet deep, as required in the above code. Windows are being provided at 30 percent on the street elevation. There is no evidence in the record that these windows also included the required features listed above(2(a&b)). However, the applicant is proposing awnings showing 51.9% of the elevation. Only the awnings and covered entry meet the code requirements of the three proposed architectural features. A condition of approval will be added to ensure the windows are brought into code compliance.

Conclusion: [The proposed windows shall be modified to include the features outlined in FCC 10-6-7-B-2\(a&b\).](#)

10-6-8: DRAWING SUBMITTAL: In addition to information required by FCC 10-1-1-4, the owner or authorized agent shall submit the following drawings to the City for review:

- A. A site plan, drawn to scale, showing the proposed layout of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking and off-street loading areas, landscaped areas, locations of entrances and exits, the direction of traffic flow into and out of off-street parking space and loading berth, and areas for turning and maneuvering vehicles. The site plan shall indicate how utility services and drainage are to be provided.
- B. A landscape plan, drawn to scale, in conformance with FCC 10-34-3-2.
- C. Architectural drawings or sketches, drawn to scale, including floor plans in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Additional information may be required by the City if necessary to determine whether the purposes of this Chapter are being carried out or may authorize omission of any or all the

drawings required by this Chapter if they are not necessary. The City shall specify the number of copies of each drawing to be submitted.

Findings: The applicant has provided the required material listed in this section.

Conclusion: The submitted drawing includes the above code requirements.

10-6-11: LAPSE OF DESIGN REVIEW APPROVAL: Authorization of a design review permit shall be void one (1) year after the date of approval of a either a Type II or III design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

- A. The request for an extension is made in writing prior to expiration of the original approval.
- B. There are special or unusual circumstances that exist which warrant an extension.
- C. No material changes of surrounding land uses or zoning has occurred.

The Planning Commission may deny the request for an extension of a design review permit if new land use regulations have been adopted that affect the applicant's proposal. (Ord 26, 2008)

Findings: The request for Design Review approval shall expire on October 8, 2025, unless substantial construction has taken place or an extension request is received in accordance with FCC 10-6-11(A-C).

Conclusion: The request for Design Review approval shall expire on October 8, 2025, unless substantial construction has taken place or an extension request is received in accordance with FCC 10-6-11(A-C).

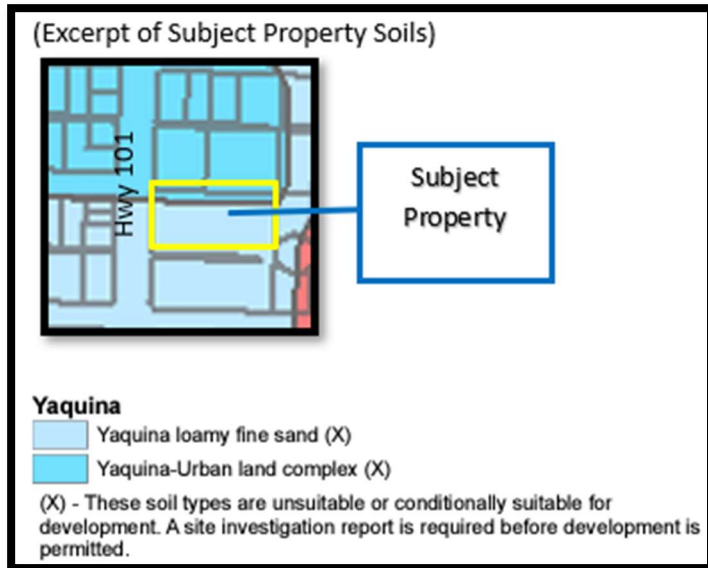
TITLE 10: CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS

10-7-6-3: DEVELOPMENT STANDARDS FOR POTENTIAL PROBLEM AREAS: The following standards shall be applied to development in potential problem areas unless an approved Phase I Site Investigation Report or an on-site examination shows that the condition which was identified in the Comprehensive Plan or Overlay Zoning Map does not in fact exist on the subject property. These standards shall be applied in addition to any standards required in the Zoning Districts, Comprehensive Plan, and to any requirements shown to be necessary as a result of site investigation. Where conflicts or inconsistencies exist between these Development Standards, City Code, and the Comprehensive Plan, the strictest provisions shall apply unless stated otherwise. [...]

- H. Yaquina Soils and Wet Areas (except significant wetlands and riparian areas identified in the 2013 Wetland and Riparian Inventory, as amended): 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. (Amended Ord. 10, Series 2009)

Findings: According to the Natural Resources Conservation Soils Map, 2009, found in Appendix

7, Map C of the *Florence 2020 Realization Comprehensive Plan*, the subject site contains two varieties of Yaquina soils: Yaquina loamy fine sand and Yaquina-Urban land complex. Both soils require the submission of a Site Investigation Report (SIR). Below is a combination of excerpts taken from the soil map:



Conclusion: The applicant has submitted a Geotechnical Report, which includes the information needed from an SIR. Therefore, an SIR is not required to be submitted in addition to the Geotechnical report.

10-7-6: SITE INVESTIGATION REPORTS (SIR):

A. Areas identified in Section 2 and 3 above, are subject to the site investigation requirements as presented in "Beach and Dune Techniques: Site Investigation Reports by Wilbur TERNYK" from the Oregon Coastal Zone Management Association's Beaches and Dunes Handbook for the Oregon Coast (OCZMA Handbook), Appendix 18 of the Florence Comprehensive Plan as modified by the City of Florence. No development permit (such as building permit or land use permit) subject to the provisions of this Title may be issued except with affirmative findings that:

1. Upon specific examination of the site utilizing a Phase I Site Investigation Report (the checklist from the OCZMA Handbook, as modified by the City of Florence), it is found that the condition identified on the "Hazards Map" or "Soils Map" or "Beaches and Dunes Overlay Zone" or other identified problem area does not exist on the subject property; or
2. As demonstrated by the Phase II Site Investigation Report that harmful effects could be mitigated or eliminated through, for example, foundation of structural engineering, setbacks or dedication of protected natural areas. (Amended by Ord. No. 10, Series 2009)

Site investigation requirements may be waived where specific standards, adequate to eliminate the danger to health, safety and property, have been adopted by the City. This exception would apply to flood-prone areas, which are subject to requirements of the National Flood Insurance Program and other problem areas which may be adequately protected through provisions of the Building Code.

Findings: As mentioned above, the applicant submitted a geotechnical report that addresses the concerns a SIR would evaluate. The Geotechnical report was prepared by Imran Magsi, PE, GE, a Senior Geotechnical Engineer with GN Northern, Inc. Review of the application and the Stormwater Report reveals that while the site contains the Yaquina soils, with proper grading and a stormwater plan, the soils should not pose any risks to health, safety, and property and a Phase 2 Site Investigation Report is not warranted.

Conclusion: The applicant has submitted a Geotechnical Report, which includes the information needed from an SIR. Therefore, an SIR is not required to be submitted in addition to the Geotechnical report.

TITLE 10: CHAPTER 16: HIGHWAY DISTRICT (H)

10-16-2: PERMITTED BUILDINGS AND USES: The following uses shall be permitted only upon affirmative findings by the Planning Commission that the proposed use meets the general criteria in Section 10-16-4 herein.

A. All uses permitted outright or conditionally in the Commercial District, except single-family dwellings, public buildings and facilities, medical marijuana dispensaries, marijuana retailers, marijuana testing facilities, and single-family residential PUD's.

Findings: As stated in FCC 10-15-1, the purpose of the Commercial District is to preserve and enhance areas within which a wide range of retail sales and businesses will occur. The list of allowed uses includes Service stations and Restaurants, under which the proposed uses fall.

Conclusion: The service station and restaurant use allowed in the Highway District cover the proposed uses.

10-16-4: GENERAL CRITERIA: Before a building or use is established within the Highway District, the petitioner must demonstrate to the City that the proposed development will meet the following criteria:

A. The operating characteristics and intensity of land use will be compatible with and will not adversely affect the development potential of adjacent properties.

Findings: The proposed development is in keeping with adjacent properties. Retail stores and other commercial uses (including restaurants and service-oriented businesses) are prevalent within this stretch of the highway, and potential impacts on nearby residential properties and the northern abutting commercial property have been addressed within these findings.

Conclusion: The proposed land use's operating characteristics and intensity are compatible with and will not adversely affect the development potential of adjacent properties.

B. The site planning and building design will be as attractive as the nature of the use and the setting will allow.

Findings: Conditions of approval address the building and site design where needed.

Conclusion: The proposed building design is attractive and will fit in well with the setting.

C. The location of the site can accommodate energy-efficient traffic circulation routes.

Findings: The proposed traffic circulation will be adequate for the proposed use and site conditions. The Highway 101 curb cut has already been approved by ODOT. It is installed to meet the egress/ingress needs of Burger King to the south and supports right-out and right-in circulation, ensuring vehicles do not stack either on-site or on the highway. The store will also connect to two existing travel lanes on the Burger King property for a shared access easement to and from 35th St.

Conclusion: The site can accommodate energy-efficient traffic circulation routes.

D. The vehicle and pedestrian access to the site can be safely and efficiently provided.

Findings: Access and circulation will be further addressed within FCC 10-35 later in this report.

Conclusion: This report will address Access and circulation within FCC 10-35 later.

E. The necessary utility systems and public facilities are available with sufficient capacity.

Findings: Utilities are available and adequate for the proposed use.

Conclusion: Referrals have been sent out to ensure this standard is met. The applicant will need to follow the directions of the public works director in his referral comments.

10-16-5: DEVELOPMENT STANDARDS: The City may require any conditions it deems necessary to secure the purpose and intent of this Chapter. Such conditions may regulate and limit the following:

A. Setbacks, yards, height, density and similar design features.

Findings: These items have been addressed under FCC 10-6-5 and FCC 10-16 of these findings.

Conclusion: These items have been addressed under FCC 10-6-5 and FCC 10-16 of these findings.

B. The installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, except as modified by specific standards of this zoning district.

Findings: These items, if applicable, are addressed within the staff review of FCC 10-34.

Conclusion: These items, if applicable, are addressed within the staff review of FCC 10-34.

C. The location and design of access points for vehicles and pedestrians according to standards

set forth in FCC 10-35 Access and Circulation, except as modified by specific standards of this zoning district.

Findings: Access and Circulation will be addressed later in this report under FCC 10-35.

Conclusion: FCC 10-35 addresses Access and Circulation.

D. Noise, vibration, smoke, dust, odor, lighting and electrical interference.

Findings: Nuisance-causing noise, vibration, smoke, dust, odor, lighting, or electrical interference have not been proposed and will not be permitted, subject to City nuisance standards.

Conclusion: Nuisance-causing noise, vibration, smoke, dust, odor, lighting, or electrical interference have not been proposed and will not be permitted, subject to City nuisance standards.

E. Parking areas and on site traffic circulation according to standards set forth in FCC 10-3 On-site Parking and Loading.

Findings: Parking has been addressed previously within this report, under FCC 10-3.

Conclusion: Parking has been addressed previously within this report under FCC 10-3.

F. Signs shall be in accordance with Title 4 Chapter 7 of this Code. (Ord. 4, 2011)

Findings: The applicant shall submit a signage plan before final building inspections. The Planning Department shall review the signage for compatibility with the access and circulation plan. Any signs denoted on the submitted plans are not being approved as part of this land use process.

Conclusion: Sign permits are required from the Florence Building Department for signage on the site per FCC 4-7 requirements.

G. Architectural quality and aesthetic appearance.

Findings: The architectural quality of the buildings is sufficient for the use, and the district complies with the previously written conditions of approval, especially found in a review of FCC 10-6 within these findings.

Conclusion: Architectural quality and aesthetic appearance have been previously discussed.

H. Public health and safety.

I. Security.

Findings: There are no anticipated threats to public safety, health, or security outside of what the adopted code addresses.

Conclusion: No public health and safety or security have been identified as being insufficient to mitigate through the application of the code.

J. Lot area, dimensions and percent of coverage.

Findings: These items were previously addressed in this report.

Conclusion: These items were previously addressed in this report.

K. Provision of public facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities.

Findings: These items are addressed in an FCC 10-36 review.

Conclusion: FCC 10-36 addresses public facilities and infrastructure.

10-16-7: DESIGN SPECIFICATIONS:

A. Highway Setback (Minimum Allowed Without a Variance; Measured From the Center Line of the Highway Right of Way):

1. Commercial: Seventy feet (70'), but one hundred foot (100') setback is recommended.

B. Setback from Side Streets and Abutting Property: Minimum of five feet (5') unless otherwise determined by the City with consideration given to the existing and proposed uses on the abutting properties.

Findings: The proposed building is 190.5 feet from HWY 101's center line, and the proposed gas pumps and associated awning are set back 87 feet. The north property line is 35' from the proposed building, and the south property line is 22'2".

Conclusion: All setbacks discussed here have been met.

C. Visual Barrier: A fence, wall, hedge, natural vegetation or landscape planting may be required by the City. Such a barrier must include a vision clearance area for driveways to promote vehicle safety. Guidelines (not intended to limit optional solutions) for such a visual barrier are listed below:

1. Commercial: At least thirty inches (30") high along entire highway frontage except at points of ingress and egress.

Findings: The applicant proposes landscaping, out of the clear vision area, at least 30" high along the highway frontage, except at points of ingress and egress.

Conclusion: FCC 10-34 of these findings provide a more in-depth landscaping review. Vision clearance is also reviewed under FCC 10-34.

D. Highway Access: For reasons of safety and to reduce congestion, vehicle access to and from the highway shall be limited to street intersections only. Curb cuts shall be authorized on side streets only, unless:

1. The property does not abut a side street or the property has at least two hundred feet

(200') of highway frontage; or

2. The City specifically authorizes the highway curb cuts.

Findings: Prior to the issuance of certificates of occupancy, the Burger King development obtained permission from the City and ODOT for the access driveway on the west side fronting Highway 101. While the Burger King lot takes direct access from 35th Street via a curb cut in the southeast corner of the property, the subject property will gain indirect access to 35th St. via this same curb cut, or approach. The approach from 35th St. leads to an access drive where drivers can turn left into the Burger King parking and drive-thru area or continue straight to the subject property.

The shared approach along Highway 101 accepts only right-turning movements from northbound incoming traffic, and exiting vehicles can only make a northbound right turn. The driveway access point on 35th St. provides unrestricted access. Access and circulation are further discussed in a review of FCC 10-35, but the restriction on traffic along Highway 101 should reduce conflicts and traffic backup at this access point.

Conclusion: The City and/or ODOT have approved all existing curb cuts.

E. Parking: Shall be in accordance with Chapter 3 of this Title.

Findings: This section has been addressed previously within this report.

Conclusion: FCC 10-3 addresses the parking requirements.

H. General Provisions:

1. Yards and open areas shall not be used for the storage, display or sale of used building materials, scrap or salvage.
2. Where there is manufacturing, compounding, processing or treating of products for wholesale, the front twenty five feet (25') of the building's ground floor facing the principal commercial street shall be used for commercial sales, business or professional offices.
3. Any use allowed must not cause unreasonable odor, dust, smoke, noise, vibration or appearance.

Findings: The applicant has not proposed nor will be permitted to have any of the above conditions on the property at any time.

Conclusion: The applicant has not proposed nor will be permitted to have any of the above conditions on the property at any time.

I. Minimum Lot Dimensions: The minimum lot width shall be fifty feet (50').

J. Minimum Lot Area: The minimum lot area shall be six thousand (6,000) square feet.

Findings: The applicant has proposed developing a site measuring roughly +/-151.17' wide by 287' 2 deep, with a total area of approximately 43,481 square feet, or 0.99 acres.

Conclusion: The subject property exceeds the minimums listed here.

K. Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Residential dwellings and their associated structures refer to Section 10-10-5 of this Title for requirements.

Findings: The applicant has proposed a building 34' at its highest peak (the top of the false storefront on the west side).

Conclusion: The applicant's development does not exceed the maximum building height listed here.

L. Vision Clearance: Refer to Section 10-2-13 and 10-35-2-14 of this Title for definitions, and requirements. (Ord. 26, 2008)

Findings: These sections will be addressed in this staff report's respective sections.

Conclusion: Clear vision is addressed under sections 10-2-13 and 10-35-2-14 of the Florence city code.

M. Maximum lot coverage shall be 85%, unless a preservation credit is achieved in accordance with FCC 10-34-2-4.

Findings: The total lot coverage by impervious surface is 80.9%. The remainder of the lot is landscaping at 19.1%.

Conclusion: The proposed development is under the maximum allowed, 85%.

O. Lighting: Refer to Section 10-37 of this Title for requirements.

Findings: Lighting issues will be addressed in the FCC 10-37 staff review.

Conclusion: FCC 10-37 is addressed in this report.

TITLE 10: CHAPTER 34: LANDSCAPING

10-34-3: LANDSCAPING.

10-34-3-1: Applicability. Except for single-unit and duplex dwelling uses, this Section shall apply to all new development as well as changes of use and expansions as described below, and shall apply in all districts except where superseded by specific zoning district requirements. These provisions shall be in addition to the provisions of FCC Title 9 Chapter 5 and where there are conflicts, the provisions of Title 9 Chapter 5 shall prevail. A. For new developments, all landscaping shall meet current code requirements. (Ord. 4, 2011) B. For modifications or additions to existing development, landscaping shall be brought up to current code requirements in the same proportion as the increase in use and/or building size. (Ord. 4, 2011)

Findings: Landscaping is required for this development. The code above references FCC Title 9 Chapter 5, which refers to Stormwater Management. Stormwater management criteria are discussed later in these findings. The applicant submitted a Landscaping Plan, which includes buffering for parking and maneuvering areas.

Conclusion: The subject property is proposed to be landscaped as this code requires.

10-34-3-2: Landscaping Plan Required. A landscape plan is required. All landscape plans shall include the following information:

- A. The location and height of existing and proposed fences and walls, buffering or screening materials.
- B. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas.
- C. The location, size, and species of the new proposed plant materials (at time of planting).
- D. The location(s) of areas where existing vegetation will be cleared and the location(s) of areas where existing vegetation will be preserved, delineated on a recent aerial photo or site plan drawn to scale.
- E. Existing and proposed building and pavement outlines.
- F. Specifications for soil at time of planting, irrigation and anticipated planting schedule.
- G. Other information as deemed appropriate by the City Planning Official.

Findings: A Landscape Plan was submitted and contains the above criterion.

Conclusion: The above criterion is addressed in the submitted Landscape Plan.

10-34-3-3: Landscape Area and Planting Standards. The minimum landscaping area is 15% of the lot area, unless specified otherwise in the applicable zoning district² for the proposed use. This required minimum landscaping area may be reduced if preservation credits are earned as specified in Section 10-34-2-4.

Findings: No landscaping credit was applied for. Although FCC Title 10, Chapter 16, Highway District does not provide a minimum landscaping requirement specific to the district, FCC 10-34-3-3 (above) requires 15% landscaping of the area. The applicant proposes 7,838 sq. ft. of pervious landscaped area, equating to 18% of landscaping, exceeding the minimum 15% requirement. The Site plan and Landscape plan have conflicting amounts of landscaping; the site plan states a landscape area of 8,241 sqft or 19.1%. Staff have chosen the smaller number for the purposes of the code section. This ensures that the required minimum is met.

Conclusion: The applicant is proposing 18% of the total site to be landscaped, exceeding the minimum required.

A. Landscaping shall include planting and maintenance of the following:

1. One tree per 30 lineal feet as measured along all lot lines that are adjacent to a street.

Findings: The subject tax lot's sole street frontage lies to the west along Highway 101 and totals 151.17 linear feet. The applicant has proposed seven trees along the highway frontage spaced closer than the minimum 30 feet.

Conclusion: Seven trees are proposed closer than one tree per 30 lineal feet.

2. Six shrubs per 30 lineal feet as measured along all lot lines that are adjacent to a street.

Findings: As discussed above, there are approximately 151 linear feet of street frontage. This length is divided by 30', and the result multiplied by 6 computes to a requirement for 30 shrubs within the front 20' of their respective street abutting lot line. The submitted landscape plan includes 33 shrubs, thereby surpassing the minimum requirement.

Conclusion: The submitted site plan shows more than the minimum required by the criterion.

3. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting.

Findings: The proposed Landscape Plan includes a minor narrative in which the applicant states, "Plant quantities and spacing will cover a minimum of 70% of the required landscape area within 5 yrs. of planting." Staff believe that with the 1,314 plants proposed, the 70% in 5 years will be met as long as the code-required proper maintenance is completed.

Conclusion: All plantings are expected to meet the 70% requirement, provided the planting maintenance notes and irrigation are followed.

4. Except for preservation of existing significant vegetation, the required plant materials on-site shall be located in areas within the first 20 feet of any lot line that abuts a street. Exceptions may be granted where impracticable to meet this requirement or the intent is better served. Required trees may be located within the right-of-way and must comply with Section 10-34-4. Plant materials may be installed in any arrangement and do not need to be equally spaced nor linear in design. Plantings and maintenance shall comply with the vision clearance standards of FCC 10-35-2-13.

Findings: The planned location and placement of landscaping plants and trees along Highway 101 are within the required 20' of the lot line and are not expected to create problems with vision clearance standards with ongoing maintenance.

Conclusion: Plantings are proposed within the first 20 feet of the west property line. The code requires clear vision areas to be kept in compliance and is subject to code enforcement action if

improperly maintained.

10-34-3-4: Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.

A. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used, consistent with the purpose of this Chapter. A suggested *Tree and Plant List for the City of Florence* and the *Sunset Western Garden Book* are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.

1. Ground Cover. Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a maximum of 3 feet measured on center.

Findings: The Landscape Plan includes deciduous and evergreen plant species. Container size is provided for all shrubs and grasses. The smallest container is 4” pots for the 80 Beach Strawberry. These plants appear to be spaced 18” in the center, primarily in clusters along the rear parking area and drive-through. The 1-gallon-size plants appear to be spaced 36” in the center.

Conclusion: The proposed ground cover plantings meet the above criteria.

2. Shrubs. Shrub plant species shall be planted from 3 gallon containers unless otherwise specified in the *Tree and Plant List for the City of Florence*.

Findings: The applicant has proposed shrubs not planted from 3-gallon containers. These must be updated to the correct size of 3 gallons on the landscape plan and resubmitted before building permit issuance.

Conclusion: Shrubs not proposed for 3-gallon containers shall be changed on the landscape plan to 3-gallon containers unless otherwise specified in the tree and plant list for the city of Florence, and evidence of this change shall be submitted before issuance of any building permits.

3. Trees. Evergreen and deciduous tree species shall meet the following minimum standards: deciduous trees shall be a minimum of 1 ¾ inch caliper (diameter) measured 6 inches above grade, and evergreen trees shall be a minimum of 5 feet tall (Nursery Grade 5/6).

Findings: Three species of trees are planned, including four Oregon Crab Apple (deciduous), seven Shore Pine (evergreen), and three Western Redbud (deciduous). All trees are shown in the Landscape Plan to meet the minimum caliper and height requirements.

Conclusion: The proposed trees meet the correct sizes that are listed above.

4. Non-plant Ground Covers. Bark dust, chips, aggregate, or other non-plant ground covers may be used. Non-plant ground cover located adjacent to pedestrian ways shall be confined to the material within the planting bed to avoid safety hazards by edging 4 inches above-grade or recessing from grade. Non-plant ground covers cannot be a substitute for ground cover plants.

Findings: The Landscape Plan indicates that all planting areas will receive a minimum 3 " layer of fresh, coarse fir bark mulch. These areas in no way substitute for ground cover plants, as the plan exceeds landscaping minimums for the subject tax lot. All planting areas contain curbing to contain ground cover.

Conclusion: Fir bark mulch will be used in planting areas and contained using curbing.

- C. Hardscape features, such as plazas, pathways, patios and other pedestrian amenities may count toward ten (10) percent of the required landscape area, except in the Old Town and Main Street districts where hardscape features may count toward 50 percent of the landscape area, provided that such features conform to the standards of those districts. Swimming pools, sports courts, decks and similar facilities may not be counted toward fulfilling the landscape requirement in any zone.

Findings: The applicant is not proposing reductions in the required landscaping area.

Conclusion: No hardscape features used to reduce landscaping are proposed.

- D. Storm Water Facilities. Storm water facilities, such as detention/retention ponds and swales shall be landscaped. Landscaped bio-swales are encouraged and shall count toward meeting the landscaping requirement of this section if they are designed and constructed in accordance with the standards specified in Title 9 Chapter 5, and approved by the Public Works Department. Storm water facilities shall be landscaped with water-tolerant, native plants.

Findings: The applicant has proposed two rain gardens on the west and east property lines. These rain gardens are proposed to be landscaped in accordance with the stormwater design manual, and the landscaping included in these rain gardens has been included in the calculation of landscaping for this application. The stormwater facilities are irrigated and use plants recommended in the stormwater design manual.

Conclusion: Landscaped stormwater facilities have been proposed in accordance with the above code.

10-34-3-5: Irrigation. Permanent, underground irrigation is required for all landscaping, except existing native vegetation that is preserved in accordance with the specifications of Section 10-34-2-2 and new drought tolerant plants which must have temporary irrigation for plant establishment. All irrigation systems require an irrigation permit and shall be installed with a backflow prevention device per FCC 9-2-3-5.

Findings: The applicant states in their landscape narrative: “A permanent automatic underground irrigation system with a backflow preventer and designed with smart technology will be installed”.
Conclusion: Permanent underground irrigation is proposed for the landscaping on the subject property, and a backflow preventer is also proposed.

10-34-3-6: Parking Lot Landscape Standards. All parking lots shall meet Parking Area Improvement Standards set forth in FCC 10-3-8. Parking areas with more than twenty (20) spaces shall include interior landscaped “islands” to break up the parking area. Interior parking lot landscaping shall count toward the minimum landscaping requirement of Section 10-34-3-3. The following standards apply:

A. For every parking space, 10 square feet of interior parking lot landscaping shall be provided;

Findings: There are 30 parking spots proposed. This standard requires 300 square feet of interior parking lot landscaping. The applicant has proposed 674 square feet of interior parking lot landscape and denotes this on the submitted landscape plan.

Conclusion: 674 sqft of interior parking lot landscaping is being proposed, exceeding the required 300 sqft.

B. Parking islands shall be evenly distributed to the extent practicable with a minimum of one tree selected from the *Tree and Plant List for the City of Florence* installed per island;

Findings: The applicant has proposed one parking island to create a break in parking stalls along the east property line. This island does not have a tree included. A condition of approval will be applied to ensure this code is met.

Conclusion: A tree shall be added to the parking island along the east property line, and shall be selected from the tree and plant list for the City of Florence.

C. Parking island areas shall provide a minimum of 30 square feet of planting area and any planting area dimension shall be a minimum of 5 feet on any side (excluding curb dimensions), unless reduced by the Planning Commission where a lesser distance will provide adequate space for healthy plant growth;

Findings: The parking island is approximately 5’x19’. 5x19=95sqft.

Conclusion: The parking island is 5 feet wide and has an area of 95 sqft.

D. Irrigation is required for interior parking lot landscaping to ensure plant survival;

Findings: Irrigation has been stated to service all landscaping, including interior parking.

Conclusion: Interior parking lot landscaping will be irrigated.

E. Living plant material shall cover a minimum of 70% of the required interior parking lot landscaping within 5 years of planting; and

- F. Species selection for trees and shrubs shall consider vision clearance safety requirements and trees shall have a high graft (lowest limb a minimum of 5 feet high from the ground) to ensure pedestrian access.

Findings: The applicant has stated that their landscaping will cover 70% of the landscape area within five years of planting, and vision safety has been considered and is labeled on the site plan.

Conclusion: Living plant material will cover 70 percent of the internal parking areas within five years, and clear vision standards have been addressed.

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

- A. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a berm; an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade; trellis; or similar partially opaque structure 3-4 feet in height shall be established between street and driveway or parking area. See also FCC 10-3-7-D for standards specific to parking lots adjacent to the street. The required screening shall have breaks or portals to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide year-round screening within five (5) years after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.

Findings: The chosen shrub species between Highway 101 and the landscape barrier will contain the required vegetative ground cover. These areas are discussed elsewhere.

Conclusion: Landscape plantings shall be 3-4 feet in height for screening on HWY 101 and be maintained so as not to interfere with pedestrian and bicycle access in accordance with FCC 10-35-2-13.

- B. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area or driveway is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five (5) feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles.

Findings: All landscaped areas and pedestrian walkways around the store will be protected by raised curbs above the vehicle maneuvering areas by 6" in height.

Proposed parking along the storefront (west side) will employ a curb to protect pedestrians, landscaping, and buildings.

Conclusion: The parking/maneuvering area adjacent to the building is separated by curbing.

D. Abutting Land Use Buffers. When a commercial, industrial, or other non-residential use abuts a residential district or residential land use, a visual and noise buffer shall be established and maintained immediately adjacent to the residential property line, consistent with the standards listed in the table below. In no case shall the buffer strip be less than 15 feet in width unless reduced by the Planning Commission where a lesser distance will provide adequate buffering. The buffer strip may include existing vegetation, landscape plantings, evergreen hedge, berm, fence, and/or wall components. Fence and wall structures shall be not less than 6 feet and no more than 8 feet in height (see also Section 10-34-5). The landscaped buffer shall effectively screen at least 70 percent of the view between districts within five (5) years. Significant vegetation in these buffer strips may be preserved in accordance with Section 10-34-2, and replanting of local native vegetation is encouraged.

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

Findings: Single-family residential uses are located at the east of the project. The applicant proposes a 15’ wide landscaped buffer (with a 6” raised curb ‘against’ the maneuvering area) between the residential and commercial zoning districts. This buffer is described in detail in these findings under FCC 10-34-5.

Conclusion: The applicant proposes the required 15’ landscape buffer, and the east property line already has a solid wood fence.

10-34-3-8: Maintenance. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., native Rhododendron replaces native Rhododendron, evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.) within six (6) months of their dying or removal, whichever comes first. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner within six (6) months of any such feature being removed or irreversibly damaged (whichever comes first).

10-34-4: STREET TREES: Street trees are trees located within the right-of-way.

Findings: The trees are all interior to the project property and are not planned in the street right-of-way. This section does not apply.

Conclusion: This criterion is not applicable.

10-34-4: Street Trees sets standards for planting of street trees for shading, water quality, and aesthetic purposes.

Findings: According to the Landscape Plan, the applicant proposes to provide 7 street trees along the property's west side, abutting the Highway 101 right-of-way within a 17' planting strip. These trees are not proposed to be located within the street right-of-way but are interior to the project site.

Conclusion: Trees along the street frontage are proposed, fulfilling the purposes of this code.

10-34-5: Fences and Walls regulate the design of fences and walls, including allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

Findings: The Landscape Plan indicates an existing 6' high wooden fence (pictured below) on the east side of the property line in a north/south orientation. This fence separates the Highway District and the Medium Density Residential District.



Conclusion: An existing 6' high wooden fence is proposed to be utilized to meet these code sections.

TITLE 10: CHAPTER 35: ACCESS AND CIRCULATION

10-35-2: VEHICULAR ACCESS AND CIRCULATION

10-35-2-3: Access Approval Required: Access will generally be reviewed in conjunction with a land division or building permit. If a property owner wishes to access a public street (e.g., a new curb cut or driveway approach), or make improvements within the public right-of-way (e.g., install or replace sidewalk), the property owner must obtain a "Construction Permit in Right-of-Way". In either case, approval of an access shall follow the procedures and requirements of the applicable road authority.

Findings: Driveway approaches have already been installed along the public ROWs. The applicant neither proposes nor requests improvements from ODOT and the City.

Conclusion: No new access is being proposed.

10-35-2-4: State and County Access Permits: ODOT has responsibility and authority in managing access to State Highways and Lane County has responsibility and authority in managing access to County roads within the City. Projects with direct access onto a State Highway or County Road shall be required to obtain a State or County access permit. A State or County complete access permit application must be submitted as part of all land use permits. Conditions placed by the State or County upon these access permits shall be considered conditions of approval for all applicable land use and development approvals. When a transportation improvement is proposed along Highway 101 between the Siuslaw River Bridge and Highway 126, improvements shall be constructed in accordance with the standards specified in the "Highway 101 Access Management Plan." County roads are governed by the Lane County Transportation System Plan and Lane Code Chapter 15.

Findings: The proposed access points have been approved by ODOT and the City and meet the designating access spacing standards. The applicant is required to submit a new highway approach application for the existing shared approach to HWY 101.

Conclusion: Prior to obtaining City building permits, the applicant shall provide evidence of ODOT access permissions required for the proposed access and circulation plans.

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-E, 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.

B. The applicant shall consult with City staff to determine the content and level of analysis that must be included in the TIS. A pre-application conference is encouraged.

Findings: A TIA has been submitted and reviewed by City staff as well as ODOT.

Conclusion: The applicant has submitted a TIA that has been reviewed and accepted as adequate by ODOT.

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.

Findings: The applicant has proposed access along its southern property line with Burger King, which does not fully align but can be aligned with some demolition of landscaping on the Burger King property. In addition, the main access to the property off HWY 101 is shared with the Burger King property. Due to this, a condition of approval requires an easement and maintenance agreement to be created with the Burger King property owners. Proof of this agreement shall be submitted to the City before building permit issuance.

Conclusion: An easement and maintenance agreement addressing all shared access shall be created with the Burger King property owners. Proof of this agreement shall be submitted to the City before building permit issuance.

3. Right-of-way dedications for future improvements.
4. Street improvements.

Findings: Highway 101 and 35th St. have been updated more recently. Even so, the applicant will be expected to pay their fair share of system development charges, or SDCs, to be put aside for

future street and utility maintenance and upgrades.

Conclusion: SDCs will be applied to the property at their no

5. Turn restrictions such as “right in right out”.

Findings: The applicant provided a Traffic Impact Analysis (TIA), which includes traffic counts. The traffic count observed multiple vehicles making southbound lefts into the site and westbound lefts out of the site; both movements should be restricted. A condition of approval requiring restriction of unauthorized turns at this access will be applied.

ODOT provided the following referral comments on September 30, 2024:

“The US 101 at Site Access is currently constructed for right-in, right-out only (RIRO) operations. However, the traffic count observed multiple vehicles making southbound lefts into the site and westbound lefts out of the site, both movements which should be restricted. The development should consider installing additional signage for proper RIRO operations and site circulation.”

Conclusion: Signage for proper RIRO operations shall be installed before issuance of CO.

10-35-2-6: Conditions of Approval: The roadway authority may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting a land use or development approval or access permit, to ensure the safe and efficient operation of the street and highway system.

Findings: ODOT and the City have reviewed the proposed plans. The applicant is working with ODOT to obtain an access permit.

Shared access agreements and proper signage for RIRO are conditioned.

Conclusion: Approval conditions have been applied based on ODOT's comments.

10-35-2-7: Intersection Separation; Backing onto Public Streets: New and modified accesses shall conform to the following standards:

A. Except as provided under subsection B, below, the distance from a street intersection to a driveway shall meet the following minimum spacing requirements for the street's classification, as measured from side of driveway to street or alley pavement (see Figure 10-35(1)). A greater separation may be required for accesses onto an arterial or collector for compliance with ODOT or County requirements.

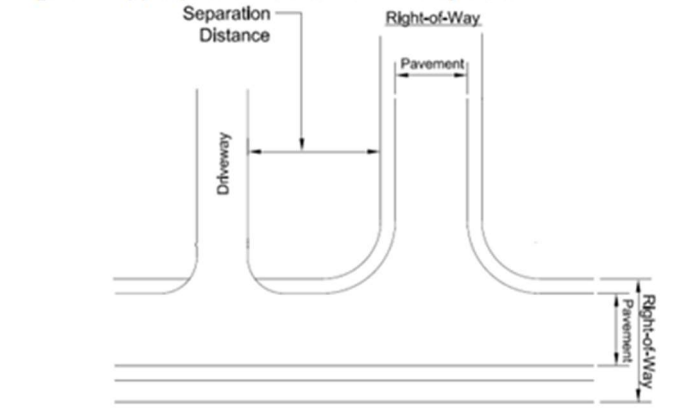
Separation Distance from Driveway to Pavement:

<u>Alley</u>	<u>15 feet</u>
<u>Local Street</u>	<u>25 feet</u>

Collector Street 30 feet

Arterial Street 50 feet

Figure 10-35(1): Separation Distance from Driveway to Street



Findings: The existing access drive from Highway 101 is roughly 133' from the intersection with 35th Street and well over 100' from the Chens Family Dish restaurant driveway to the north. The proposed driveway on 35th Street is roughly 250' from Highway 101.

Conclusion: Separation distances have been found to comply with this code criterion.

C. Access to and from off-street parking areas shall be designed to prevent backing onto a public street, except that single-family and duplex dwellings are exempt.

Findings: All proposed parking areas are internal to the site, and no backing movements would be necessary onto a public street.

Conclusion: No backing onto a public street is anticipated due to the layout provided.

10-35-2-8: Access Standards: New development shall gain access primarily from local streets. Access onto arterials and collectors shall be evaluated based on access options, street classifications and the effects of new access on the function, operation and safety of surrounding streets and intersections and possible lower level street alternatives. Where such access to higher level street classification is necessary, shared driveways may be required in conformance with FCC 10-35. If vehicle access off a lower-level street is possible, then the City may prohibit access to the higher-level street.

Findings: Vehicular access is proposed from Highway 101 (a major arterial) to 35th Street (a collector) through connected driveways with the Burger King property. Due to past vacations of rights-of-way (Redwood and 36th Streets), the original local streets platted for access to the block are not available, which is why the driveways were conceptualized during the design of the Burger King site.

The development site also directly abuts the public right-of-way of Seabrook Lane. This local street extends west from Spruce Street through the Seabrook subdivision to the eastern property line of the site (the applicant has not proposed access via Seabrook Lane). On most blocks,

Seabrook Ln. would be considered an alley, not a street. However, it was dedicated as a full street to serve the inward-facing homes in the subdivision. An alley ROW once connected the area at the end of Seabrook Ln. to Highway 101, but it was vacated in years past, as discussed in the beginning of these findings. When Seabrook was platted, Seabrook Ln was laid out as a cul-de-sac, but the public ROW was dedicated to the west property line of the subdivision. To separate the residential zoning from the commercial zoning, creating a connection between the development site and Seabrook Ln. would not contribute to the site's accessibility in a meaningful way and would create potential conflicts between the two very different zoning classifications.

Conclusion: Access from HWY 101 and 35th Street is proposed and sufficient.

10-35-2-9: Site Circulation: New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian and bicycle connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, trails or paths, must conform to the provisions in Section 10-35-3.

Findings: The development proposal provides a system that accommodates the expected vehicular traffic on the site. A pedestrian access from the east parking area to the front of the building will be conditioned. The FCC 10-3 and FCC 10-35-3 reviews discuss pedestrian and bicycle connections.

Conclusion: Section 10-35-3 addresses this criterion.

10-35-2-12: Driveway Design: All openings onto a public right-of-way and driveways shall conform to the following:

A. Driveway Approaches. Driveway approaches, including private alleys, shall be approved by the Public Work Director and designed and located with preference given to the lowest functional classification street. Consideration shall also be given to the characteristics of the property, including location, size and orientation of structures on site, number of driveways needed to accommodate anticipated traffic, location and spacing of adjacent or opposite driveways.

Findings: Driveway approaches have already been vetted and installed. A condition of approval was added to ensure proper use of the HWY 101 access has been applied.

Conclusion: The driveway approach is pre-existing and conditioned to come into compliance.

B. Driveways. Driveways shall meet the following standards, subject to review and approval by the Public Works Director:

[...]

2. Driveways shall have a minimum width of ten (10) feet, except where a driveway serves as a fire apparatus lane, in which case city-approved driveway surface of 12 feet minimum width shall be provided within an unrestricted, twenty (20) foot aisle, or as approved by the Fire Code Official.

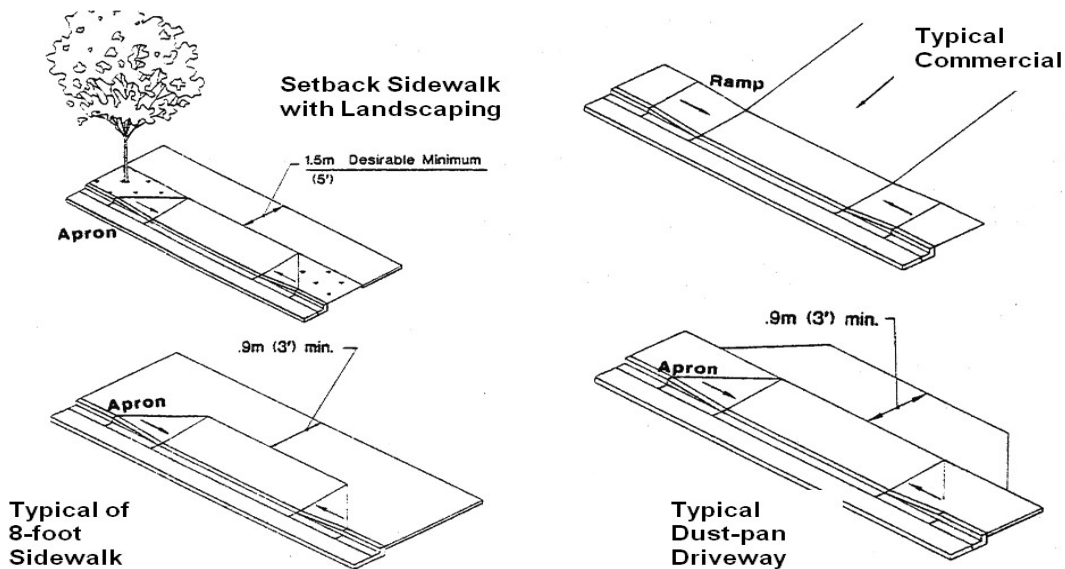
3. Where a driveway is to provide two-way traffic, the minimum width shall be 18 feet.
4. One-way driveways shall have appropriate signage designating the driveway as a one-way connection. Fire apparatus lanes shall be so marked (parking prohibited).
5. The maximum allowable driveway grade is fifteen (15) percent, except that driveway grades exceeding fifteen (15) percent may be allowed, subject to review and approval by the Public Works Director and Fire Code Official, provided that the applicant has provided an engineered plan for the driveway. The plan shall be stamped by a registered geotechnical engineer or civil engineer, and approved by the Public Works Director.

Findings: The access driveway from Highway 101 consists of a single entrance lane and a single exit lane separated by a curbed “porkchop.” Viewing these physically separated lanes as different driveways for the purposes of this section, each of the lanes is 12’ wide and meets these criteria. The two-way driveway access from 35th Street is 25’ wide, meeting these criteria. The flat topography of the site does not require steeply sloped driveways. Requirements for signage have been discussed.

Conclusion: The driveways meet or are conditioned to meet the above standards.

C. Driveway Apron Construction. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown in Figure 10-35(2). Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than three (3) feet in width, with a cross slope not exceeding two (2) percent, and providing for landing areas and ramps at intersections. Driveways are subject to review by the Public Works Director.

Figure 10-35(2): Examples of Driveway Next to Sidewalks/Walkways



Findings: The proposal would add two new driveways that connect to the existing driveway approaches along Highway 101 and 35th Street (after connecting to the Burger King site's most northern drive area). The provided drawings appear to meet FCC and ADA requirements, but the Public Works Director will have final review of these features.

Conclusion: Florence Public Works must approve the construction plans before constructing driveway improvements and other improvements, including the pedestrian sidewalk connection to Highway 101.

D. Fire access lanes with turnarounds shall be provided in conformance with the Fire code. Except as waived in writing by the Fire Code Official, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed aisle width of 20 feet and turn-around area for emergency vehicles. The fire lanes shall be marked as “No Stopping/No Parking.” See figure 10-35(3) for examples of fire lane turn-rounds. For requirements related to cul-de-sacs or dead-end streets, refer to FCC 10-36.

Findings: After reviewing plans submitted by the applicant, Chief Michael Schick, with Siuslaw Valley Fire and Rescue submitted the following referral comments:

“WLFEA has no issues with the proposal as presented.”

Conclusion: This proposal has been reviewed by the Fire Chief who has no concerns.

10-35-2-13: Vertical Clearances: Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6” for their entire length and width.

Findings: No obstructions below 13'.6” are proposed. Landscaping maintenance will be crucial to compliance and is conditioned as part of this report.

Conclusion: No obstructions below 13'.6” are proposed.

10-35-2-14: Vision Clearance: No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) shall block the area between two and one-half feet (2 ½’) and eight (8) feet in height in “vision clearance areas” on streets, driveways, alleys, mid-block lanes, or multi-use paths where no traffic control stop sign or signal is provided, as shown in Figure 10-35(4). The following requirements shall apply in all zoning districts:

- A. At the intersection of two (2) streets, minimum vision clearance shall be twenty feet (20’).
- B. At the intersection of an alley or driveway and a street, the minimum vision clearance shall be ten feet (10’).
- C. At the intersection of internal driveways, the minimum vision clearance shall be ten feet (10’).

The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the Public Works Director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway

alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects. Refer to Section 10-2-13 of this Title for definition.

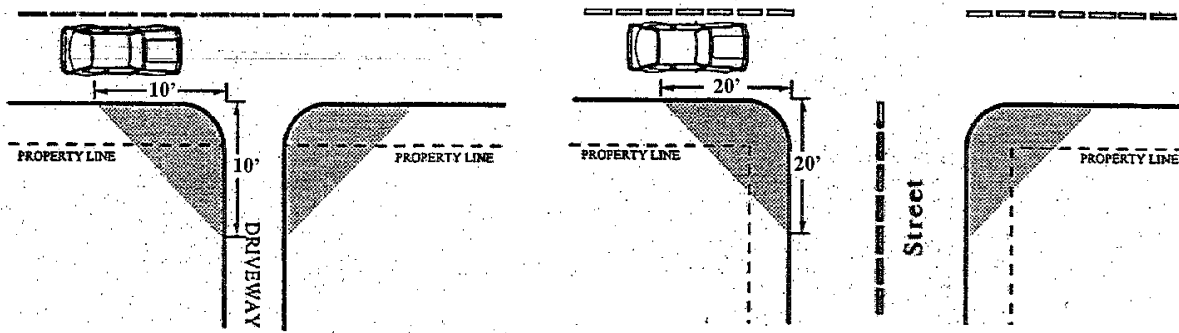


Figure 10-35(4): Vision Clearance Areas
(solid lines indicate curbs or edge of pavement)

Findings: With regular maintenance, as conditioned below, all vision clearance should be free of obstructions.

Conclusion: Landscaping shall be maintained so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets per FCC 10-34-2-14.

10-35-3: PEDESTRIAN ACCESS AND CIRCULATION: All new development shall be required to install sidewalks along the street frontage, unless the City has a planned street improvement, which would require a non-remonstrance agreement.

10-35-3-1: Sidewalk Requirements:

- A. Requirements: Sidewalks shall be newly constructed or brought up to current standards concurrently with development under any of the following conditions:
1. Upon any new development of property.
 2. Upon any redevelopment of property that expands the building square footage by 25% or more.
 3. Upon any change of use that requires more than five additional parking spaces.

Findings: The site is bordered by existing 5'-wide public sidewalks that run along Highway 101. The internal sidewalks are proposed at 4', which does not meet the requirement code. Internal sidewalks are required to be 5' in width and will be conditioned to be so. In addition, a sidewalk connecting the east parking area to the building will be conditioned.

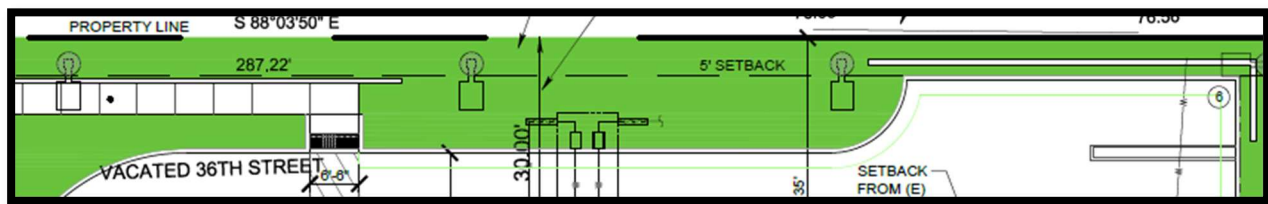
Conclusion: Sidewalks are required as part of this development.

10-35-3-2: Site Layout and Design: To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system

shall be based on the standards in subsections A - C, below:

A. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of Section 10-35-2, Vehicular Access and Circulation, and Section 10-36-2 Street Standards.

Findings: The applicant proposes a pedestrian walkway from Highway 101 to the proposed development. However, no walkway is proposed coming from the east parking area to the building. A condition of approval will be applied to ensure a continuous walkway system.

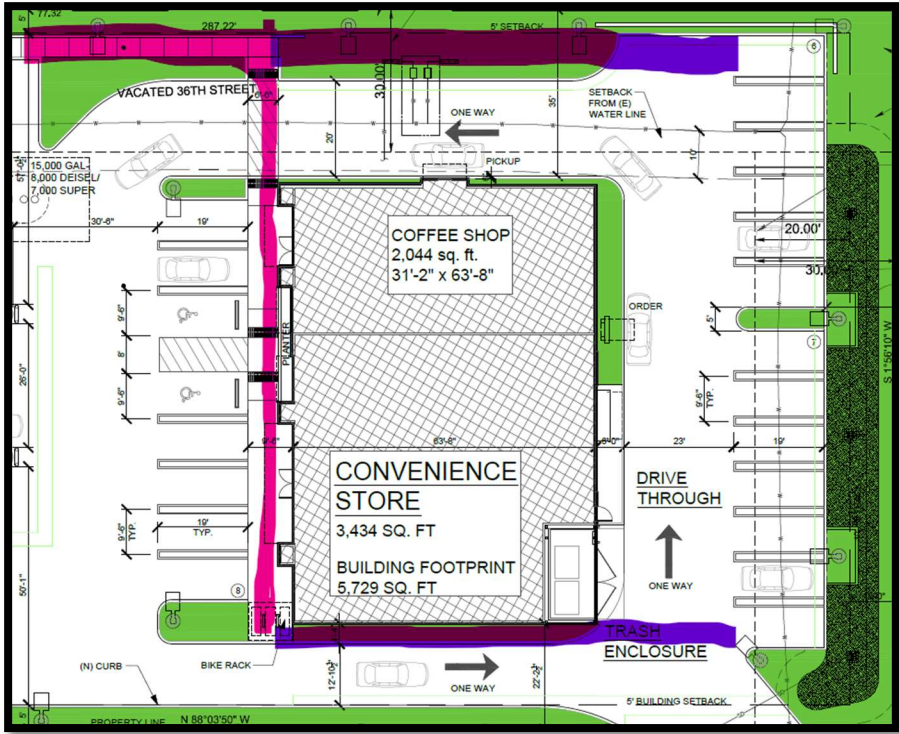


Conclusion: To ensure pedestrian safety, the walkway from Highway 101 shall be extended along the north property line to the east parking area with associated crosswalks.

B. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:

1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
3. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

Findings: Pedestrian street access via a straight walkway between the highway sidewalk and the storefront appears to be reasonably direct, safe, and convenient. However, the walkway is not safe, direct, or convenient from the east parking area. The applicants proposed walkway is show as highlighter pink in the below picture and the portions that are required to be extended by code are shown in purple. The pedestrian walkway system is shown below:



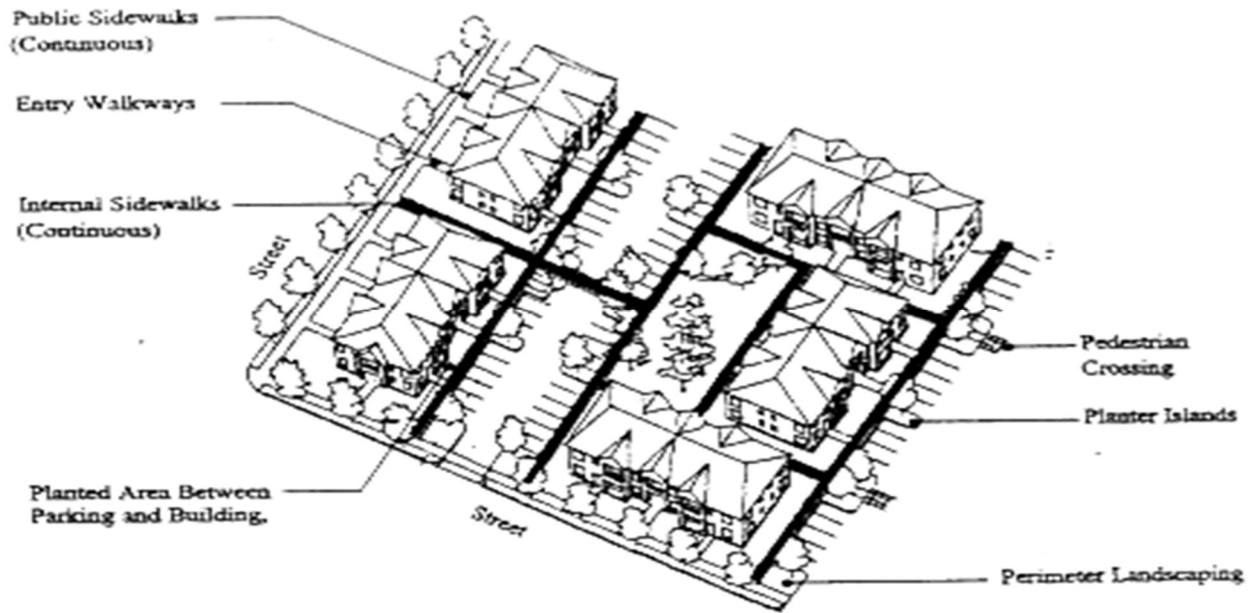
As stated, the northern property line is conditioned to be extended in a previous code criterion. However, the walkway along the south portion of the building, extending to the east parking area, has not been conditioned yet. A condition of approval will be added to ensure this connection is made safely, directly, and conveniently.

Conclusion: A walkway shall be installed along the southern portion of the building to connect to the east parking area with associated crosswalks.

C. Connections Within Development. Connections within developments shall be provided as required in subsections 1 - 3, below:

1. Walkways shall be unobstructed and connect all building entrances to one another to the extent practicable, as generally shown in Figure 10-35(5);
2. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and

[...]



Findings: This report addresses and conditions the lack of pedestrian access from the east parking lot. These have been included in the conclusion section below for reference.

Conclusion: A walkway shall be installed along the southern portion of the building to connect to the east parking area with associated crosswalks. To ensure pedestrian safety, the walkway from Highway 101 shall be extended along the north property line to the east parking area with associated crosswalks.

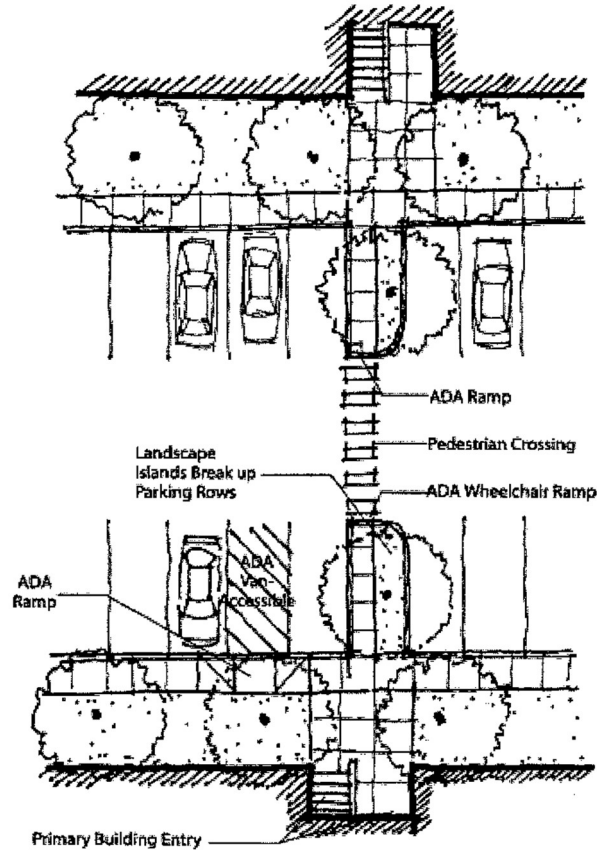
10-35-3-3: Walkway and Multi-Use Path Design and Construction: Walkways and multi-use paths shall conform to all applicable standards in subsections A - D, as generally illustrated in Figure 10-35(6):

- A. Vehicle/Walkway Separation. Except for pedestrian crossings (subsection B), where a walkway abuts a driveway or street it shall be raised six (6) inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.
- B. Pedestrian Crossing. Where a walkway crosses a parking area, or driveway, it shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crossings of not more than twenty-four (24) feet in length.

C. Width and Surface. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least five (5) feet wide, without curb. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least ten (10) feet wide. (See also, Section 10-36-2)

D. Accessible routes. Walkways and multi-use paths shall conform to applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

**Figure 10-35(6):
Pedestrian Walkway Detail (Typical)**



Findings: The applicant has been conditioned to provide pedestrian crossings. However, specificity in regard to materials has not been addressed; a condition of approval will be added to ensure this criterion is met. In addition, the proposed pedestrian walkway is not proposed at 5', which is out of compliance with the code. A condition of approval requiring all walkway surfaces to be five feet wide, not including the curb width, will be included.

Conclusion: Pedestrian crosswalks shall be marked with contrasting paving materials, such as light-colored concrete between the asphalt. All pedestrian walkways shall be five feet wide, not including the curb width.

10-35-4: Transit Facilities: Proposed uses other than single-family residences and duplexes must provide for transit riders by providing developmental improvements to accommodate current or planned transit stops pursuant to the following:

A. If the proposed uses are located on a site within ¼ mile of an existing or planned transit stop, the proposed pedestrian circulation system must demonstrate a safe and direct pedestrian route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop.

Findings: The Rhody Express's North Route provides transit flag stop opportunities within ¼-mile of the development site on both its northbound and southbound routes. The Express passes nearest the site at Redwood and 35th Streets intersection when it turns right toward Spruce Street.

It also stops roughly 400' from the site when it jogs east to Rite Aid as it travels south on Oak Street; however, crossing the highway would be required to catch the Express along that route segment.

The pedestrian connections included in the proposal and required by conditions of approval are adequate to provide safe and direct pedestrian routes from the transit stops, providing pedestrians with walkways and sidewalks to the Development site.

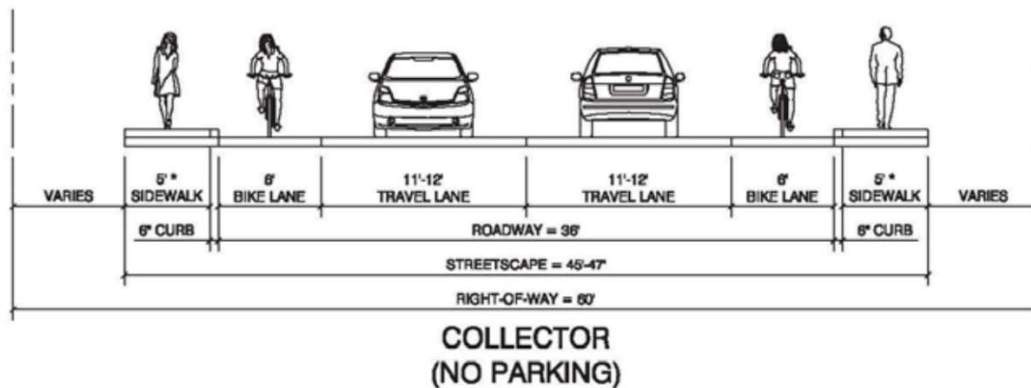
Conclusion: Through conditions of approval previously applied, transit facilities are accessible.

TITLE 10: CHAPTER 36: PUBLIC FACILITIES

10-36-2: STREET STANDARDS:

10-36-2-5: Rights-of-Way and Street Sections: Street rights-of-way and improvements shall be consistent with the Transportation System Plan and standards specified in Title 8 Chapter 2.

A. Street right-of-way and pavement widths shall be based on the following cross section standards. See individual zoning chapters for additional requirements regarding sidewalk width (for sidewalks wider than the standard 5 feet).



10-36-2-16: Sidewalks, Planter Strips, Bicycle Lanes: Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with applicable provisions of the Florence Transportation System Plan, Comprehensive Plan, adopted street plans, City of Florence Standards and Specifications and the following standards:

- A. Sidewalks may be placed adjacent to the street or at the property line with planter strips where practicable, or as otherwise directed by the Public Works Director.
- B. In areas with high pedestrian volumes, the City may approve a minimum 12-foot wide sidewalk area, curb tight, with street trees in tree wells and / or landscape planters.
- C. Bicycle lanes shall be constructed on all newly constructed arterial and collector streets as well as all arterial and collector streets that are widened to provide additional vehicular

capacity, as indicated in the TSP, unless otherwise designated.

Findings: Highway 101 contains a bicycle lane along the west side of the highway. No other street fronts the subject property.

Conclusion: These ROW improvements have already been made and, therefore, are not required of the applicant.

D. Sidewalks shall be provided on both sides of the street for all arterial and collector streets. Sidewalks shall be provided on at least one side of the street for local streets. Exceptions may be granted if the City determines that hillsides, drainage facilities, ditches, waters of the state, or natural landscapes are to be preserved, then sidewalks on one side or a multi-use path may be approved. Sidewalks are not required on T-courts (hammer-head).

Findings: This proposal does not require the installation of a new public sidewalk. The Highway 101 sidewalk is newer, and the only requirement, other than the provisions of internal private sidewalks, is a connection of a pedestrian walkway from the store to the existing Highway 101 sidewalk. The construction plans for this sidewalk will be reviewed by ODOT and Public Works, who will also work with the applicant to coordinate its construction.

Conclusion: These ROW improvements have already been made and, therefore, are not required of the applicant.

E. Where practical, sidewalks shall be allowed to meander around existing trees if in conformance with the requirements of the Americans with Disabilities Act.

Findings: No trees are proposed that would meander or impede accessible areas are planned.

Conclusion: The need to meander around trees is not required.

F. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

Findings: No sidewalks or planter strips are proposed for the right-of-way. However, the adjacent property owner is responsible for maintaining the sidewalk.

Conclusion: The maintenance of the sidewalk is the continuing obligation of the adjacent property owner, which is in alignment with case law on the subject.

10-36-2-17: Existing Rights-of-Way: Whenever existing rights-of-way adjacent to or within a proposed development are developed less than standard width, additional rights-of-way shall be provided at the time of subdivision or site development, in conformance with FCC 10-36-2-5.

Findings: All existing easements and rights-of-way are adequate for the proposed development, and no additional rights-of-way are needed.

Conclusion: No addition to the existing ROW is required or proposed.

10-36-2-18: Curbs, Curb Cuts, Ramps, and Driveway Approaches: Concrete curbs, curb cuts, curb ramps, bicycle ramps and driveway approaches shall be constructed in accordance with Chapter 35, Access and Circulation, City of Florence Standards and Specifications and the following standards:

A. Curb exposure shall be per City Standards and Specifications.

B. There shall be no curbs on alleys unless otherwise approved by the Public Works Director.

Findings: Curbs and driveways are discussed in Chapter 35 of this report.

Conclusion: Curbs and driveways are discussed in Chapter 35 of this report.

C. Curb extensions (bulb-outs) at local residential street intersections are optional. If provided, the minimum width between the curb extensions shall be 24-feet, unless otherwise approved by the Public Works Director. Curb extensions shall not be used on streets with bike lanes.

Findings: No curb extensions are proposed.

Conclusion: No curb extensions are proposed or required.

10-36-3: SANITARY SEWERS, WATER, STORMWATER, AND FIRE PROTECTION:

A. Sewers, Water, and Stormwater Mains Required: Sanitary sewers, water mains, and stormwater drainage shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Wastewater Master Plan, Water System Master Plan, and Stormwater Master Plan, Florence Code Title 9 Chapters 2, 3 and 5, and the applicable construction specifications. When streets are required to be stubbed to the edge of the subdivision; stormwater, sewer and water system improvements shall also be stubbed to the edge of the subdivision for future development.

Findings: Only water, a fire hydrant, and power lines are on the property. The submitted site plan and civil improvement plans show sanitary sewer, water, and stormwater. The City of Florence's public works department reviews these to ensure they meet their standards.

Conclusion: Sewer, water, and stormwater are proposed for the site.

B. Sewer, Water, and Stormwater Plan Approval: Development permits for stormwater drainage, sewer and water improvements shall not be issued until the Public Works Director or their designee has approved all stormwater, sanitary sewer and water plans in conformance with City standards, and Florence Code Title 9 Chapters 2, 3 and 5.

Findings: Public Works has been supplied with the proposed sewer, water, and stormwater plans.

Conclusion: The public works department will review and condition the above-mentioned plans before building permit issuance.

C. Existing Watercourse: Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety and consistency with the Stormwater Manual.

Findings: No existing watercourse exists, and this criterion does not apply.

Conclusion: Curbs and driveways are discussed in Chapter 35 of this report.

D. Over-Sizing: The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, and Florence Code Title 9 Chapter 1. The developer may be entitled to credit or reimbursement for over-sizing City master planned improvements.

Findings: No oversizing has been proposed. As discussed, the applicant must secure approval for the final plan from the Public Works Department.

Conclusion: No oversizing has been proposed, but it could be required by the public works department upon review.

E. Fire Protection: All new development shall conform to the applicable provisions of the Oregon Fire Code. Developers shall provide verification of existing and proposed water service mains and hydrant flow supporting the development site. Fire flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the Building Official or Fire Marshal.

Findings: An existing fire hydrant is located within the vacated 36th St., near the NW corner of the site, and ties to a water main within the vacated street. As part of the building permit review process, fire flow analyses, hydrant plans, and water service details shall be subject to review and approval by the Building Official and Fire Marshal.

Conclusion: The Fire Chief has no concerns with the development, but this criterion may be reviewed upon building permit submittal.

F. Inadequate Facilities: Development permits may be restricted by the City where a deficiency exists in the existing water, sewer or stormwater system that cannot be rectified by the development and that if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

Findings: Before obtaining plumbing permits, the applicant shall provide evidence of final approval from the Florence Public Works Department for all water and wastewater improvements and will be conditioned as such.

Conclusion: Before obtaining plumbing permits, the applicant shall provide evidence of final approval from the Florence Public Works Department for all water and wastewater improvements.

10-36-4: EROSION CONTROL: In addition to standard City requirements for stormwater, erosion control and sand management, projects that disturb one (1) or more acres of land over a period of time, a National Pollution Discharge Elimination System (NPDES) Permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit based on appropriate criteria.

Findings: Per FCC 10-36-4, the applicant shall obtain a National Pollution Discharge Elimination (NPDES) permit from the Department of Environmental Quality prior to issuance of a

development permit of land use permit as the site is equal to one acre in size.

FCC Title 4: Building Regulations, Chapter 1 Section 15-3 (Securing Loose, Open or Raw Sand) requires a Sand Management Plan for all construction projects that could negatively impact traffic safety or damage adjacent properties. The applicant will be required to provide such a plan to the Building Department and Public Works as required in this Chapter in accordance with the *2008 City of Portland Erosion and Sediment Control Manual*.

Conclusion: Per FCC 10-36-4, the applicant shall obtain a National Pollution Discharge Elimination (NPEDS) permit from the Department of Environmental Quality prior to issuance of a development permit of land use permit as the site is equal to one acre in size.

10-36-5: UTILITIES:

A. Underground Utilities:

1. Generally. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.

Findings: New utility lines are planned to be located underground.

Conclusion: All new utility lines are proposed to be located underground.

10-36-6: EASEMENTS:

A. Provision: Dedication of easements for storm water, sewers, water and for access thereto for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water; dedication of easements for sanitary sewers, and for access thereto for maintenance; and dedication of easements for other public utilities may be required of the land divider by the Planning Commission along lot rear lines, lot side lines or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this Title. Easements for utility lines shall be not less than fifteen feet (15') in width and the utility shall be located in the center of the easement. Before a partition or subdivision can be approved, there shall appear thereon a restriction, providing that no building, structure, tree, shrubbery or other obstruction shall be placed or located on or in a public utility easement. The City may require an additional five foot (5') easement for utility lines along street frontages when necessary.

B. Recordation: As determined by the City all easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be recorded with the final plat.

Findings: Existing utility easements lie along the eastern and northern sides of the site, specifically in the areas of vacated Redwood and 36th Streets. A new water easement is proposed along the northern property line for water.

Conclusion: The Planning Commission can call for additional easement dedication for utilities; however, those provided appear adequate for the proposed use.

10-36-7: CONSTRUCTION PLAN APPROVAL AND ASSURANCES:

- A. Plan Approval and Permit: No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City Public Works Director, permit fee paid, and permit issued.
- B. Performance Guarantee: The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.

Findings: As discussed, the applicant must secure final approval from the Public Works Department.

Conclusion: As conditioned before, [the applicant shall provide evidence of final approval from the Florence Public Works Department for all water and wastewater improvements.](#)

10-36-8: INSTALLATION:

- A. Conformance Required: Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. Adopted Installation Standards: The Standard Specifications for Public Works Construction, Oregon Chapter APWA, are hereby incorporated by reference; other standards may also be required upon recommendation of the Public Works Director.
- C. Commencement: Work shall not begin until the City has been notified in advance in writing.
- D. Resumption: If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.
- E. City Inspection: Improvements shall be constructed under the inspection and to the satisfaction of the City Public Works Department. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to City review. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements; it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

- F. Engineer's Certification and As-Built Plans: A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two (2) sets of "as-built" plans along with an electronic copy, in conformance with the City Engineer's specifications, for permanent filing with the City.
- G. Acceptance of Public Improvements: Public improvements shall only be accepted by the City after the "as-built" plans and actual improvements are approved, and all easements are recorded. Upon acceptance of public improvements, the City will accept ownership and maintenance responsibility.
- H. Warranty of Public Facilities: All public improvements shall be warranted against defects in materials and workmanship for a period of one year following acceptance of the improvements by the City. Once accepted, a minimum one (1) year warranty agreement on materials and workmanship shall be initiated between the City of Florence and the developer. A warranty bond or other financial security acceptable to the City in the amount of 12 percent of the original public improvement construction cost shall be maintained throughout the warranty period

Findings: As power and communication lines will be provided within an underground trench, this proposal will be subject to the construction standards, inspections, approvals, bonds and warranties as outlined in these sections and will be reviewed and required as part of the construction facility infrastructure permitting process.

Conclusion: As stated, public works have full authority to require changes in the submitted plans before construction.

TITLE 10: CHAPTER 37: LIGHTING

10-37-2: APPLICABILITY: Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

- A. Resumption of Use - If a property with non-conforming lighting is abandoned for a period of one year or more, then all exterior lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.
- B. Major Additions or Alterations - If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.
3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.

C. Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.

10-37-3: LIGHTING PLANS REQUIRED: All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

Findings: The applicant submitted a photometric site plan demonstrating the lumen output for the proposed development and lighting product specification sheets. The photometric plan also provides product details.

Conclusion: The applicant has submitted the required lighting plans.

10-37-4: LIGHTING STANDARDS:

- A. All exterior lighting fixtures subject to this code section must be designed as a full cut-off fixture or have a shielding method to direct light emissions downward below the horizontal plane onto the site and does not shine illumination or glare skyward or onto adjacent or nearby property.
- B. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) foot-candles over parking



spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.

Findings: The photometric plan shows that all parking spaces and walkways will be lit. However, there are areas that are out of compliance with the code. Specifically, the vehicle access portions of the site show an area with 8.3-foot candles and an area with 1.6-foot candles. And the fuel station canopy lights are not shielded on the sides, they will need to be recessed into the canopy or change to a full cutoff fixture. A condition of approval requiring these areas to be adjusted will be applied.

Conclusion: Lighting shall be adjusted so that no foot candles on site are greater than five footcandles or lesser than two footcandles, and a lighting plan that reflects the changes shall be submitted before the issuance of building permits. The fuel station canopy lights shall be shielded or changed to a full cutoff fixture.

C. Lighting in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.

Findings: Lighting is not proposed that would shine directly on the residential zoning and use to the east. The applicant proposes no mounting height greater than 16’.

Conclusion: No mounted lighting is proposed to be greater than 20’.

D. Main exterior lights for commercial, institutional, and industrial buildings, landscaping and parking lots shall be extinguished at end of business hours with a minimum lighting remaining for personal and building security and safety after hours.

Findings: While this use includes a gas station, which could be open 24 hours, the remaining lighting must be extinguished so that only minimum lighting remains.

Conclusion: All lighting not required for safety and security shall be extinguished at the end of business hours.

E. A thirty-day review period beginning with the first day in business using the new lighting system shall be required to evaluate and adjust illumination levels of lighting. The City may ask for lighting to be adjusted in this time period based on public comments or staff inspections.

Findings: Per FCC 10-37-4 E, lighting shall be reviewed during a 30-day review period following the issuing of a Certificate of Occupancy. Should the proposed lighting not meet the FCC 10-37 requirements, staff may require the lighting to be adjusted.

Conclusion: A thirty-day review period is required to evaluate and adjust illumination levels.

F. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination is restricted to the sign face and glare is eliminated.

Findings: No specific signage has been proposed for this application. There are only examples of the type of signage that may be used. A condition of approval will be applied to ensure this standard is met.

Conclusion: All externally lit commercial signs shall shine from the top and point down toward the ground. Signs with uplighting shall be shielded so that illumination is restricted to the sign face and glare is eliminated.

G. Lighting for roadway signs and pedestrian ways must be designed or have an opaque shielding method to direct light emissions downward and below the horizontal plane of the fixture in the permanently installed position.

Findings: Below is a clip from the applicant's submitted photometric plan.

PERFORMANCE LUMINAIRE SCHEDULE								
TYPE	DESCRIPTION	MANUF.	PART #	WATTAGE	LUMENS	CCT	VOLTAGE	NOTES
SA3H	POLE MOUNTED SITE AREA LUMINAIRE, W/ SHIELD	LITHONIA	DSX0-LED-P2-40K-T3M-MVOLT-HS-DDBXD	45	6,180	4,000	120-277	1
SA3R	POLE MOUNTED SITE AREA LUMINAIRE, RIGHT CORNER CUTOFF	LITHONIA	DSX0-LED-P2-40K-RCCO-MVOLT-EGSR-DDBXD	45	4,536	4,000	120-277	1, 3
SAFT	POLE MOUNTED SITE AREA LUMINAIRE, FWD THROW, W/ SHIELD	LITHONIA	DSX0-LED-P2-40K-TFTM-MVOLT-HS-DDBXD	45	6,316	4,000	120-227	1
SC	CANOPY SURFACE MOUNT	LITHONIA	CNY-LED-P2-40K-MVOLT-DDB	52	6,600	4,000	120-277	
SW1	WALL MOUNTED SCONCE	LITHONIA	WPX0-LED-ALO-SWW2-MVOLT-PE-DDBXD	8	994	4,000	120-277	2
SW2	WALL MOUNTED SCONCE	LITHONIA	WPX1-LED-P2-40K-MVOLT-DDBXD	24	2,912	4,000	120-277	2

NOTES:
 1. MOUNTING HEIGHT 16'-0" ABOVE GRADE
 2. MOUNTING HEIGHT 12'-0" ABOVE GRADE
 3. WITH EXTERNAL GLARE SHIELD (EGSR)

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
ENTIRE SITE	+	3.2 fc	8.3 fc	0.1 fc	83.0:1	32.0:1
PARKING SPACES - EAST	X	3.3 fc	5.0 fc	2.3 fc	2.2:1	1.4:1
PARKING SPACES - NORTH	X	3.0 fc	4.8 fc	2.6 fc	1.9:1	1.2:1
PARKING SPACES - STORE ENTRY	X	3.4 fc	4.7 fc	2.1 fc	2.2:1	1.6:1
VEHICLE ACCESS	◇	3.6 fc	8.3 fc	1.6 fc	5.2:1	2.3:1
WALKWAY	X	3.1 fc	4.9 fc	2.2 fc	2.2:1	1.4:1

Conclusion: All lighting proposed for pedestrian ways is shown to have a shield to direct light emissions downward. Any roadway sign will be required to be shielded downwards and will be inspected as part of the required lighting 30-day review period.

TITLE 9: UTILITIES

TITLE 9: CHAPTER 5: STORMWATER MANAGEMENT REQUIREMENTS

9-5-3: STORMWATER DESIGN CRITERIA:

9-5-3-1: GENERAL:

A. The criteria in Section 9-5-3 shall be used in the design of public and private stormwater drainage and management systems. Stormwater management facilities shall be constructed in

accordance with the Stormwater Manual: the 2008 Portland Stormwater Management Manual, as superseded by the December 2010 City of Florence Stormwater Design Manual; and the 2008 City of Portland Erosion and Sediment Control Manual.

Findings: The applicant states in their stormwater report that it was prepared for compliance with the minimum technical standards and requirements that are outlined in the 2010 City of Florence Stormwater Design Manual.

Conclusion: The criteria in section 9-5-3 are applied to the submitted application below; the 2010 City of Florence Stormwater Design Manual was used to prepare the submitted stormwater report.

9-5-3-2: STORMWATER QUANTITY (FLOW CONTROL):

- A. A 25-year, return period storm shall be used for the design of all private and public stormwater drainage systems.

Findings: The proposed stormwater drainage system will be privately owned and, according to page 5 of the Stormwater Report, designed in accordance with the City’s presumptive approach requirements. The presumptive approach consists of designing the 25-year, 24-hour storm stored and infiltrated.

Conclusion: A 25 year return period storm has been used in the design of this stormwater drainage system.

- B. Onsite stormwater management facilities shall be required to prevent the post-development runoff rates from a project site from exceeding the pre-development runoff rates from the site, based on a 2 through 25-year storm. Exemptions to this requirement may be approved by the City Manager or his/her designee if it is determined that a more effective solution is available and that downstream capacity will accommodate the increase in flow.

Applicant Findings: Two proposed rain gardens, one on the east and one on the west side of the site, will be installed to collect, treat, and slowly release the site runoff at an allowable rate that does not exceed the predevelopment 25-year, 10-year, and 2-Year storm event. Below is a summary of the results:

ENGINEERED METHOD SUMMARY						
PRE VS. POST CONSTRUCTION FLOW RATES						
FACILITY ID	PEAK FLOW RATE (CFS)					
	2-YEAR STOM		10 YEAR STORM		25 YEAR STORM	
PROJECT SITE	PRE	POST	PRE	POST	PRE	POST
A		0.17		0.19		0.27
B		0.15		0.16		0.18
TOTAL	0.36	0.32	0.58	0.35	0.71	0.45

Conclusion: As demonstrated above, the applicant has proposed post-development runoff rates

that are less than the site's pre-development runoff rates.

C. Each new development project is responsible for mitigating its impacts on the stormwater system. This mitigation requirement can be satisfied through the use of any of the following techniques, subject to the other limitations identified by this Code:

1. Construction of onsite facilities to limit the flow rate of stormwater runoff leaving the development site, in accordance with the Stormwater Manual.
2. Enlargement or improvement of the down gradient conveyance system in accordance with the requirements of this Code and the City of Florence Stormwater Management Plan.

Applicant Findings: The site will be divided into two main drainage areas, with proposed rain gardens at the east and west properties. The site has been designed to sheet flow to each stormwater planter area, detain, and slowly release the allowable runoff rate into the existing storm drain lines, one located at the site's southeast corner and the other underneath the sidewalk on Highway 101.

Conclusion: Onsite facilities are proposed to limit the flow rate of stormwater runoff leaving the development site. After his review, the public works director may require enlargement or improvement of the down gradient conveyance system.

D. The development of any land requiring a Drainage Plan shall address onsite and off-site drainage concerns, both up gradient and down gradient (a minimum of 1/4-mile) of the project, including:

1. Modifications to the existing onsite stormwater drainage and management facilities and drainage patterns shall not restrict or redirect flows creating backwater or direct discharge onto off-site property to levels greater than the existing condition unless approved by the affected off-site property owners and the City. Proof of off-site property owners approval shall be provided by having the affected property owner(s) sign an easement identifying the location of the backwater storage or impoundment area. This area shall be clearly shown on the submitted Drainage Plan site sheet(s). The easement shall be in a form approved by the City and recorded with the Lane County Deeds and Records Office.
2. Stormwater facilities shall be designed and constructed to accommodate all flows generated from the project property in accordance with the land use zoning as shown in the most recent approved City Code.
3. Capacity of the downstream drainage system to determine if increases in peak flow rates resulting from the proposed development can be accommodated.

Findings: The applicant's stormwater report indicates the development will not exacerbate water flow issues onto other properties and that the facilities are designed to accommodate flow from the project property as this section requires. The site will only route water to downstream drainage

systems during very large storms and only at rates less than or equal to the pre-development condition, meaning there will be no significant increase in peak flow rate to the public stormwater drainage system.

Conclusion: The applicant proposes adequate facilities that handle the flows in a way that will not negatively affect the stormwater facilities both up and down the gradient of 1/4th of a mile.

E. The types of stormwater management controls presented in the Stormwater Manual are available for owners and developers to use in satisfying the pre-developed and post-development runoff requirement. More than one of these types of controls may be needed to satisfy the runoff requirement. In areas where the runoff requirement in Section 9-5-3-2-F are exempt or partially exempt, the City may require improvements to the down gradient conveyance system.

Findings: The project must calculate stormwater flows using the Presumptive Approach, which is detailed in the Stormwater Manual. No additional improvements are necessary to the downgradient conveyance system (the public storm drain located in the 35th St. ROW).

Conclusion: No improvements to the downgradient conveyance system are proposed at this time; the public works director has the authority to require improvements upon his review.

9-5-3-3: STORMWATER QUALITY:

A. Stormwater management facilities to treat stormwater are required for certain types of projects. These water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan and for other projects as required by this section. Stormwater management facilities required for development shall be designed, installed and maintained in accordance with the Stormwater Manual, which is based on achieving at least 70% removal of the Total Suspended Solids (TSS) from the flow entering the facility for the design storm specified in the Stormwater Manual.

B. Water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan.

C. Projects located in the Zones of Contribution must have pre-treatment facilities prior to infiltration facilities as prescribed in the Stormwater Manual. When a wellhead protection plan is developed and adopted by the City, this specific requirement may be rescinded or modified by the City.

D. The water quality design storm shall be based on an intensity of 0.25 inches per hour, or 0.83 inches for a 24-hour SCS Type 1A rainfall return event.

E. Water quality facilities must be designed to prevent damage to the facility for flows exceeding the water quality design storm and to ensure no re-suspension of pollutants, consistent with the Stormwater Manual.

G. The types of stormwater management facilities presented in the Stormwater Manual are

available for owners and developers to use in satisfying the stormwater quality requirement. More than one of these types of facilities may be required to satisfy this requirement.

Findings: Stormwater management facilities required for development shall be designed, installed, and maintained in accordance with the Stormwater Manual, which is based on achieving at least 70% removal of the Total Suspended Solids (TSS) from the flow entering the facility for the design storm specified in the Stormwater Manual. It is unknown if at least 70% of the TSS from the flow entering the stormwater facilities has been achieved. A condition of approval requiring the applicant to submit evidence that at least 70% of the TSS from the flow entering the stormwater facilities has been achieved

Conclusion: The applicant shall submit evidence that at least 70% of the TSS from the flow entering the stormwater facilities has been achieved.

9-5-4: MAINTENANCE RESPONSIBILITY:

A. Private stormwater facilities must be maintained in accordance with the Operations and Maintenance Plan approved as part of the Drainage Plan. The Operations and Maintenance Agreement will be recorded with the Lane County Deeds and Records Office. The Stormwater Manual contains the Operations and Maintenance Agreement Form to be used. A log of all maintenance activity shall be kept by the owner and made available to the City upon request. The City may, at its option, inspect the facilities for compliance with the requirements. If a property owner fails to maintain their facilities, the City may issue a written notice specifying the required actions. If corrective actions are not completed in a timely manner, the City may pursue legal remedies to enforce the provisions of the Operations and Maintenance Plan. The City will only enter the property to perform the required corrections if the public's health and public property are in imminent danger. In this situation, reasonable attempts will be made to contact the property owner(s), but a written notice may not be required. The property owner(s) will be billed for City incurred expense.

B. The Maintenance Agreement shall provide that upon notification by the City of any violation, deficiency or failure to comply with the agreement or this Code, corrections shall be completed within ten (10) days after notice thereof. Thereafter the City may pursue legal action to enforce the provisions of the agreement. In an emergency situation, the City may provide for all necessary work to place the facility in proper working conditions. The persons specified as responsible for maintenance in the Maintenance Agreement shall be charged the costs of the work performed by the City or its agents.

Findings: An Operations and Maintenance Agreement has not been provided and will be required to be submitted before a building permit is issued.

Conclusion: An Operations and Maintenance Agreement shall be submitted before issuance of a building permit.

Chapter 2: Land Use

Commercial

Goal: To utilize appropriately designated land for the development of commercial businesses and establishments in a manner that provides for the needs and desires of the Florence resident, tourist, and regional marketplace while enhancing the attractive nature of this coastal community.

Policies

9. Commercial facilities along highways and arterials shall be designed to avoid congestion through alternative local street access or consistent with the City's access management guidelines found within its Transportation System Plan.

Findings: The proposal is consistent with this policy. The proposal includes a shared highway access point with Burger King, and that access has been restricted to right-in/right-out only to reduce potential congestion and traffic conflicts. ODOT has expressed support for this highway access strategy prior to the construction of Burger King. No local streets are available, but access to 35th Street (a collector) has been discussed in the review of FCC 10-35.

Conclusion: This proposal has been evaluated using the zoning code, which implements the comprehensive plan's land use goals and policies.

Chapter 12: Transportation

Goal 6: To provide a balanced transportation system that provides options for meeting the travel needs of all modes of transportation.

Policies

13. 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, marked bicycle lanes and sidewalks are required on all arterial and collector streets (other than those collectors identified as scenic drives) when those streets are newly constructed, reconstructed, or widened to provide additional vehicular capacity. For collector streets that are identified as scenic drives, provision shall be made to adequately accommodate bicycles and pedestrians when those streets are newly constructed, reconstructed, or widened to provide additional vehicular capacity.
- Development shall provide adequate on-site circulation for vehicles, buses, bicycles, and pedestrians and shall provide off-site transportation improvements necessary to ensure that the incremental demands placed on the transportation system by the development are met.

Findings: The proposal is consistent with this policy, with the addition of approval conditions. The requirements for pedestrian facilities such as the crosswalk, which can double as a method for bicyclists to walk their bicycles to the racks, create a connection to Highway 101, allow for safe access to Burger King to the south indirectly through use of the highway sidewalk, and reduce potential conflicts between vehicular and pedestrian traffic on the site.

Conclusion: This proposal has been evaluated using the zoning code, which implements the comprehensive plan's land use goals and policies.

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.

Findings: ODOT was duly notified of the application, and the applicant is conditioned to contact ODOT to review a change of use proposal specifically for the access drive on Highway 101. ODOT supplied referral comments after reviewing the TIA as discussed above. Lane County was not notified simply because FCC 10-35-24 states that the access authority requires an access permit. In this instance, ODOT and the City's roadways are involved, not Lane County's.

Conclusion: This proposal has been evaluated using the zoning code, which implements the comprehensive plan's land use goals and policies.

IV. SUMMARY CONCLUSIONS AND STAFF RECOMMENDATION

This request by the applicant, US Market, to receive design review approval for a Convenience Store, Gas station, and attached Coffee shop on Tax lot 06800 on Assessors map 18-12-23-22, situated in the City of Florence's city limits meets or is capable of meeting through a condition of approval, all of the applicable decision criteria for a design review in the City of Florence.

Therefore, based on the information in Sections I and II of this report and the above review criteria, findings of fact, and conclusions contained in Section III, **Staff recommends** the Planning Commission **APPROVES** of this design review, PC 24 32 DR 09, with conditions of approval from Section V of this report.

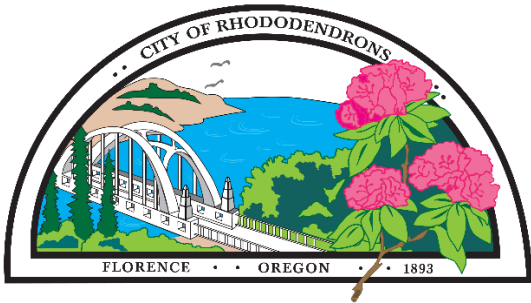
V. CONDITIONS OF APPROVAL: *These conditions are related to the code in the order they were evaluated in the report and shall be reviewed for compliance not on their own but with the applicable code sections and staff findings.*

1. All comments from the City of Florence Public Works Director shall be addressed and included in associated plans and submitted for review by public works prior to issuance of a building permit.
2. Required parking spaces shall be maintained and shall not be eliminated, used for the storage of materials of any type, or used for loading or unloading operations during business hours.
3. Fencing and evergreen hedges shall be well-kept and maintained.
4. The width of the striping line used in the parking areas shall be a minimum of 4" wide.
5. The applicant shall move the bike parking to within 9'6" of the main entrance.

6. The bicycle parking area shall not create a hazard to pedestrians and be clearly marked and reserved for bicycle parking only in accordance with FCC 10-3-10G.
7. The proposed windows shall be modified to include the features outlined in FCC 10-6-7-B-2(a&b).
8. The request for Design Review approval shall expire on October 8, 2025, unless substantial construction has taken place or an extension request is received in accordance with FCC 10-6-11(A-C).
9. Shrubs not proposed for 3-gallon containers shall be changed on the landscape plan to 3-gallon containers unless otherwise specified in the tree and plant list for the city of Florence, and evidence of this change shall be submitted before issuance of any building permits.
10. A tree shall be added to the parking island along the east property line, and shall be selected from the tree and plant list for the City of Florence.
11. Landscape plantings shall be 3-4 feet in height for screening on HWY 101 and be maintained so as not to interfere with pedestrian and bicycle access in accordance with FCC 10-35-2-13.
12. Prior to obtaining City building permits, the applicant shall provide evidence of ODOT access permissions required for the proposed access and circulation plans.
13. An easement and maintenance agreement addressing all shared access shall be created with the Burger King property owners. Proof of this agreement shall be submitted to the City before building permit issuance.
14. Signage for proper RIRO operations shall be installed before the issuance of CO.
15. Florence Public Works must approve the construction plans before constructing driveway improvements and other improvements, including the pedestrian sidewalk connection to Highway 101.
16. Landscaping shall be maintained so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets per FCC 10-34-2-14.
17. The walkway from Highway 101 shall be extended along the north property line to the east parking area with associated crosswalks.
18. A walkway shall be installed along the southern portion of the building to connect to the east parking area with associated crosswalks.
19. Pedestrian crosswalks shall be marked with contrasting paving materials, such as light-colored concrete between the asphalt.
20. All pedestrian walkways shall be five feet wide, not including the curb width.
21. Before obtaining plumbing permits, the applicant shall provide evidence of final approval from the Florence Public Works Department for all water and wastewater improvements.
22. Per FCC 10-36-4, the applicant shall obtain a National Pollution Discharge Elimination (NPEDS) permit from the Department of Environmental Quality prior to issuance of a development permit of land use permit as the site is equal to one acre in size.
23. Lighting shall be adjusted so that no foot candles on site are greater than five footcandles or lesser than two footcandles, and a lighting plan that reflects the changes shall be submitted before the issuance of building permits. The fuel station canopy lights shall be shielded or changed to a full cutoff fixture.
24. All lighting not required for safety and security shall be extinguished at the end of business hours.
25. All externally lit commercial signs shall shine from the top and point down toward the

ground. Signs with uplighting shall be shielded so that illumination is restricted to the sign face and glare is eliminated.

26. An Operations and Maintenance Agreement shall be submitted before the issuance of a building permit.



City of Florence
Community Development Department
250 Highway 101
Florence, OR 97439
Phone: (541) 997 - 8237
Fax: (541) 997 - 4109
www.ci.florence.or.us

Type of Request

THIS SECTION FOR OFFICE USE ONLY

Type I Type II Type III Type IV

Proposal: _____

Applicant Information

Name: US Market Phone 1: (503) 371-1193

E-mail Address: donsidhu1@aol.com Phone 2: _____

Address: 1311 Lancaster Dr., Salem, OR 97301

Signature: DocuSigned by: Dan Sidhu Date: 8/27/2024
2C3C01440003482...

Applicant's Representative (if any): David Hulbert - Lenity Architecture

Property Owner Information

Name: US Market Phone 1: (503) 371-1193

E-mail Address: donsidhu1@aol.com Phone 2: _____

Address: 1311 Lancaster Dr., Salem, OR 97301

Signature: DocuSigned by: Dan Sidhu Date: 8/27/2024
2C3C01440003482...

Applicant's Representative (if any): _____

NOTE: *If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.*

For Office Use Only:

Received

RECEIVED
By Sharon Barker at 9:50 am, Sep 09, 2024

Approved

Exhibit

Property Description

Site Address: Highway 101 near 35th St. (no address)

General Description: Vacant undeveloped land currently. Proposed gas station with convenience store

Assessor's Map No.: _ - 18 - 12 - 23 Tax lot(s): 1812232206800

Zoning District: H - Highway

Conditions & land uses within 300 feet of the proposed site that is one-acre or larger and within 100 feet of the site that is less than an acre OR add this information to the off-site conditions map

(FCC 10-1-1-4-B-3): One property (parcel 1812232207900) at 1.47 ac. within Zone H. All others less than 1 acre within zones H and MR. See attached.

Project Description

Square feet of new: +/- 5856 Square feet of existing: None

Hours of operation: 24/7 Existing parking spaces: None

Is any project phasing anticipated? (Check One): Yes No

Timetable of proposed improvements: Construction start: 1st quarter 2025

Will there be impacts such as noise, dust, or outdoor storage? Yes No

If yes, please describe: Grading and machinery.

Proposal: (Describe the project in detail, what is being proposed, size, objectives, and what is desired by the project. Attach additional sheets as necessary)

Proposed gas station with convenience store of approximately 3,434 sq. ft. with attached coffee shop of approximately 2,200 sq. ft. Includes 4 gas pumps with 8 stations for fueling. On site amenities include 20 parking spaces and a drive-thru lane for the coffee shop. Access to the existing Burger King property is included with two locations. Access to the street for pedestrians has been provided.

For Office Use Only:

Date Submitted: _____ Fee: _____

Received by: _____

Paid



7 OAKS
ENGINEERING

345 WESTFIELD ST. #107
SUNNYVALE, CA 94085
ADMIN@7OAKSENGINEERING.COM

STAMP:

REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2020
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

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CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS.

QC BY: DRAWN BY:

PROJECT NAME:
US MARKET

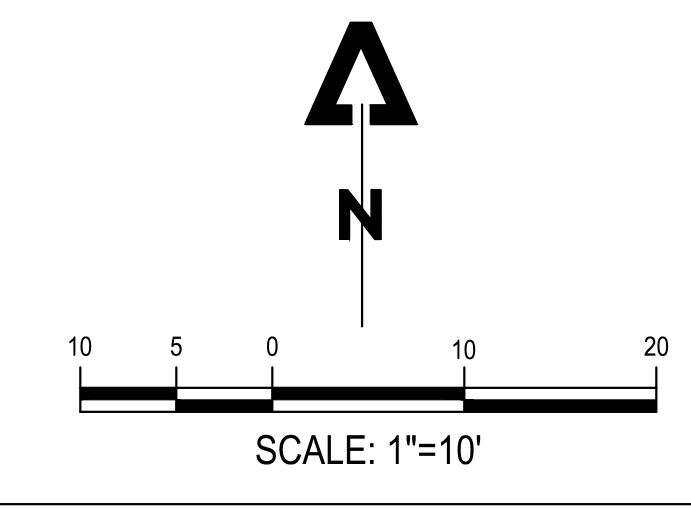
PROJECT ADDRESS:
NEC 35TH ST & US HWY 101

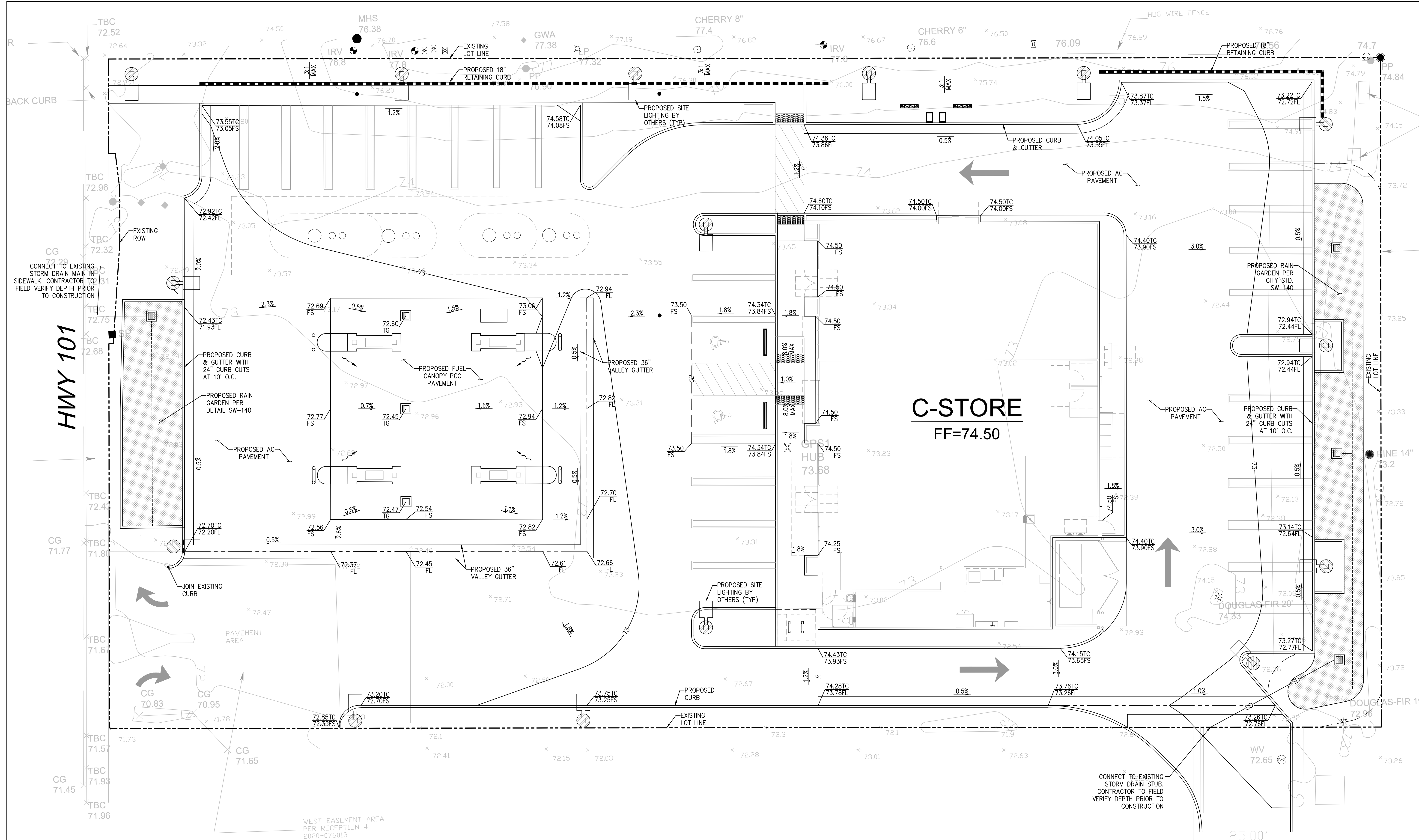
FLORENCE, OREGON

SHEET TITLE:
EXISTING CONDITIONS PLAN

DATE:
07/11/2024

SHEET NUMBER:
2





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7 OAKS
 ENGINEERING

345 WESTFIELD ST. #107
 SEASIDE, OR. 97138
 503.325.1845
 ADMIN@7OAKSENGINEERING.COM

STAMP:
 REGISTERED PROFESSIONAL ENGINEER
 96126PE
 PRELIMINARY
 OREGON
 MAY 12, 2020
 STEVEN JOHNSON

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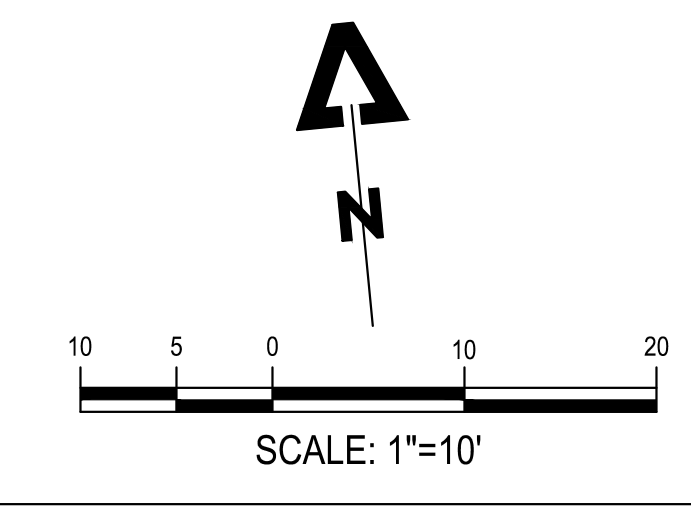
CC BY: DRAWN BY:

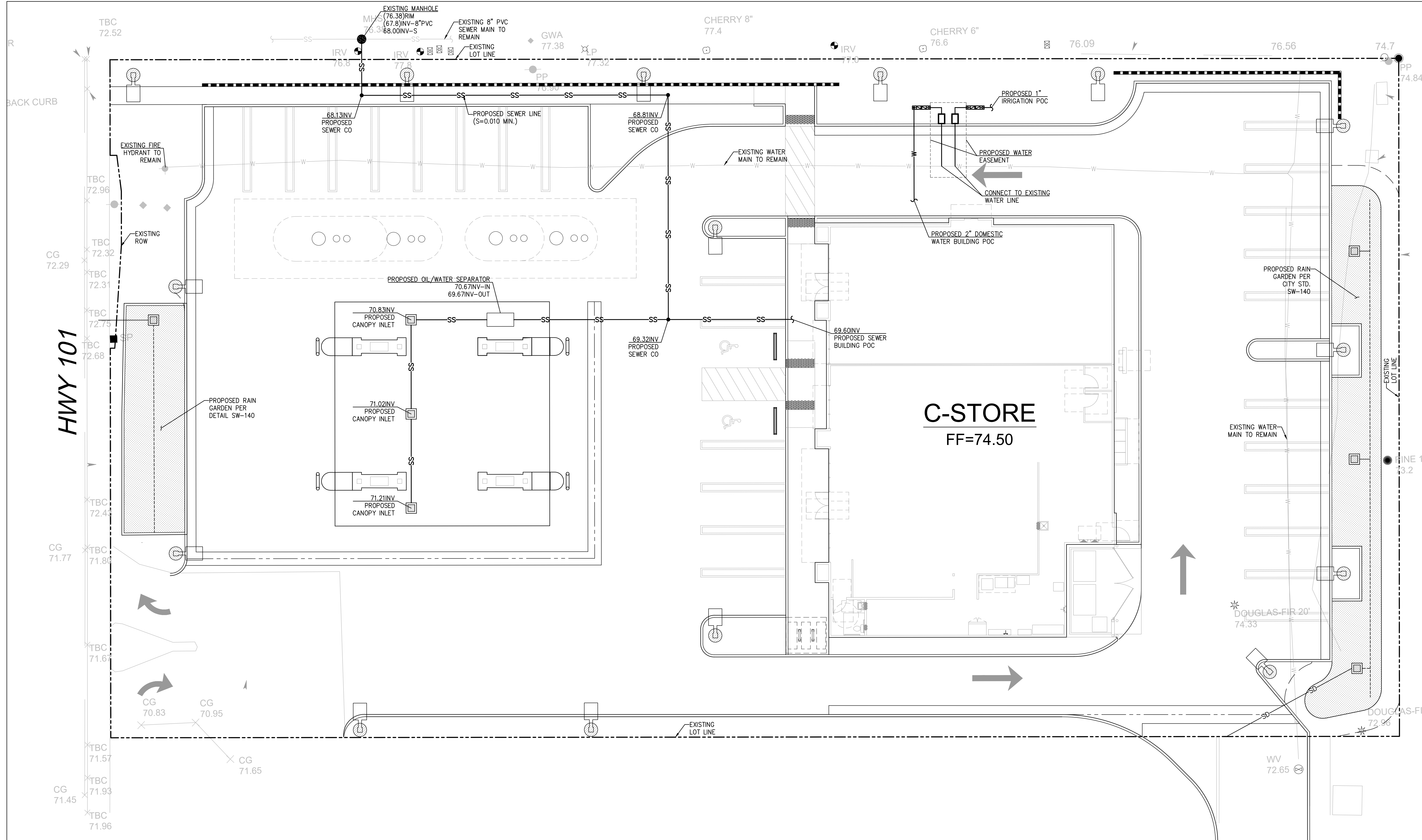
PROJECT NAME:
US MARKET
 PROJECT ADDRESS:
NEC 35TH ST & US HWY 101
FLORENCE, OREGON

SHEET TITLE:
PRELIMINARY GRADING PLAN

DATE:
 07/11/2024

SHEET NUMBER:
3





STAMP:

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FLORENCE, OREGON

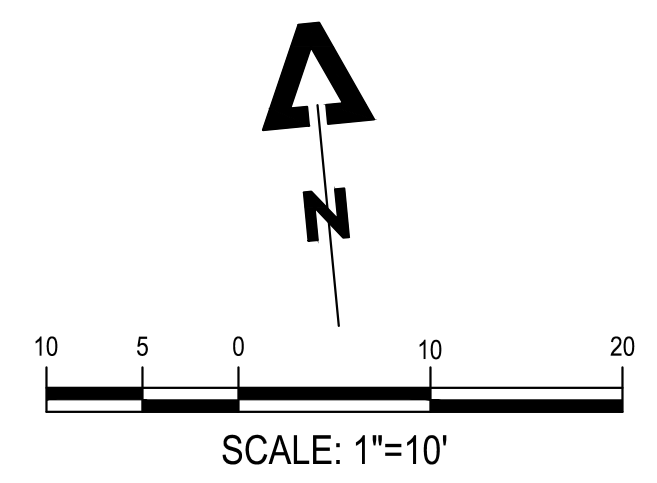
SHEET TITLE:
PRELIMINARY WET UTILITY PLAN

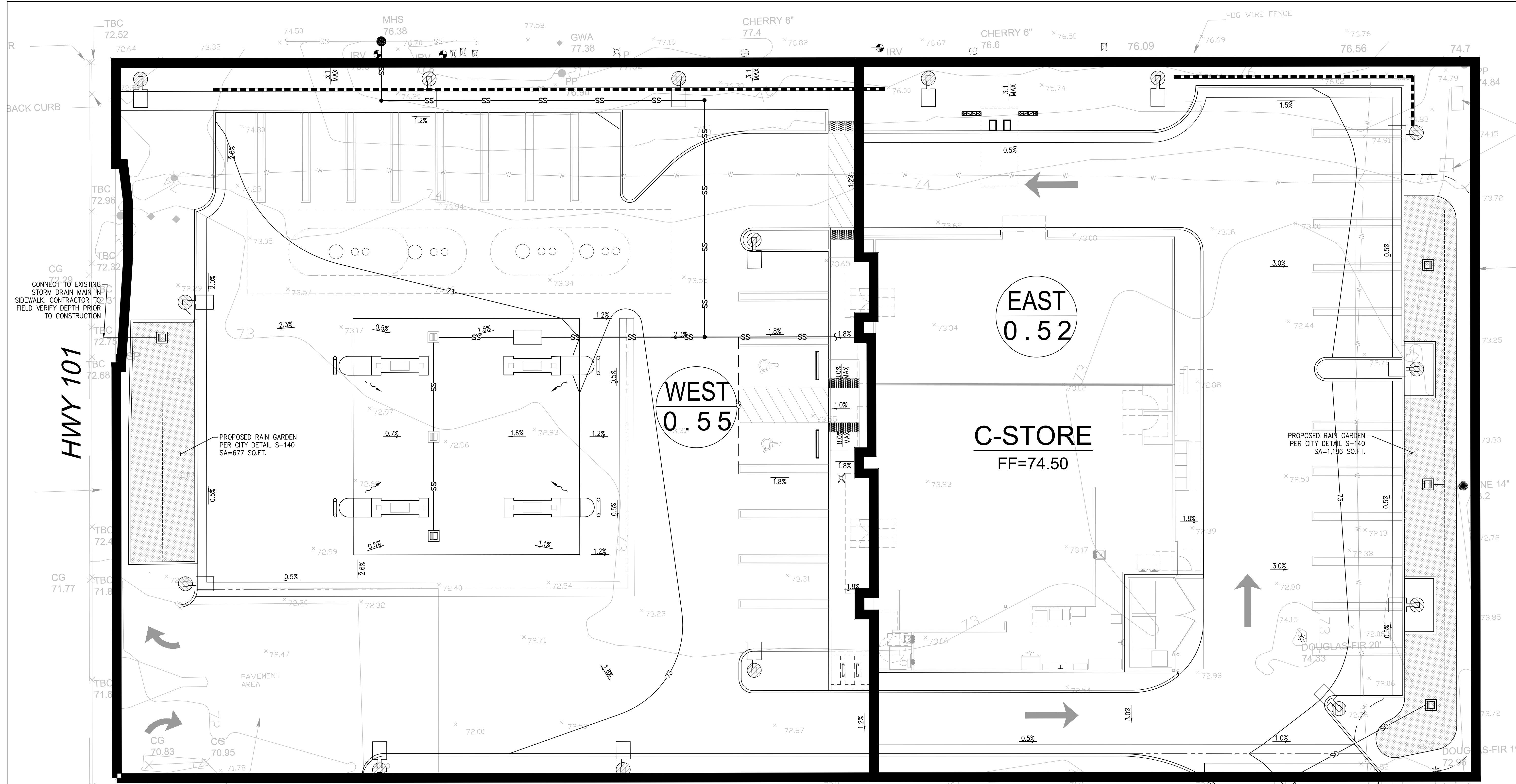
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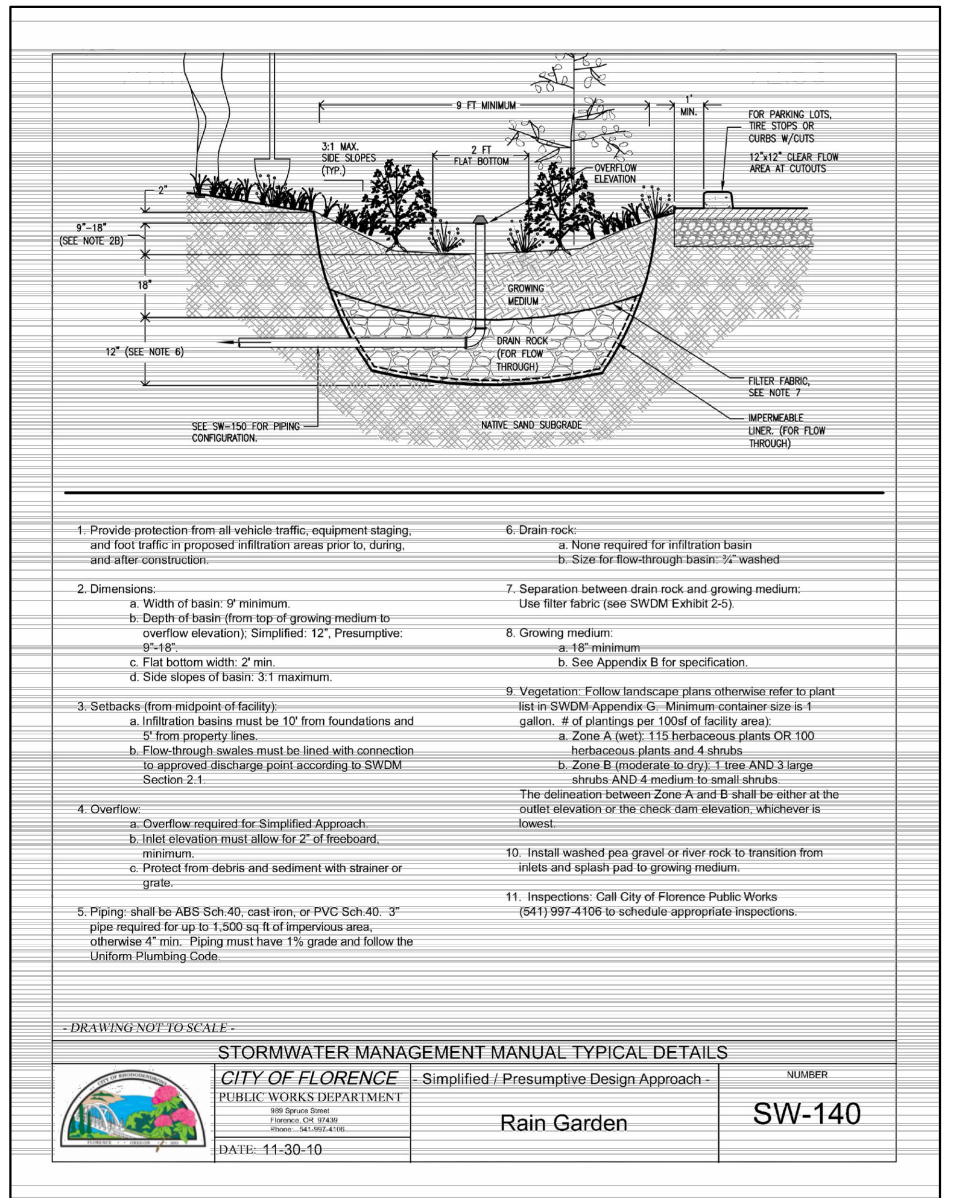


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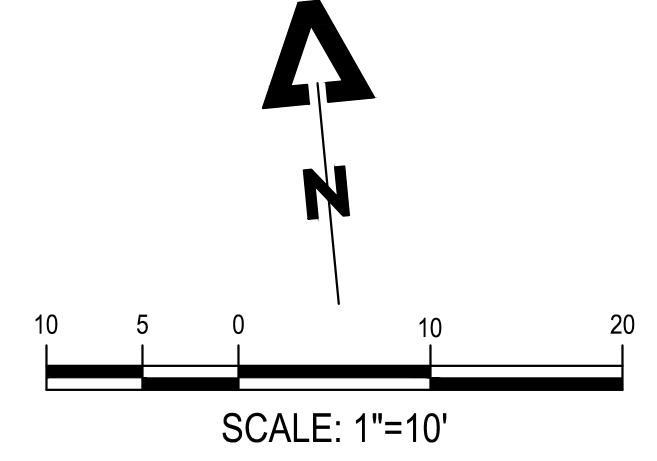
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LEGEND:
 HYDROLOGY SUBAREA BOUNDARY LINE
 SUB-AREA LABEL

FACILITY ID	ENGINEERED METHOD SUMMARY PREVS. POST CONSTRUCTION FLOW RATES					
	PEAK FLOW RATE (CFS)					
	2-YEAR STORM	10 YEAR STORM		25 YEAR STORM		
PROJECT SITE	FRE	POST	FRE	POST	FRE	POST
A		0.17		0.19		0.27
B		0.15		0.16		0.18
TOTAL	0.36	0.32	0.58	0.35	0.71	0.45



CONNECT TO EXISTING STORM DRAIN STUB. CONTRACTOR TO FIELD VERIFY DEPTH PRIOR TO CONSTRUCTION



7 OAKS ENGINEERING
 345 WESTFIELD ST. #107
 SUITE 107
 FLORENCE, OREGON 97132
 ADMIN@7OAKSENGINEERING.COM

STAMP:

 REGISTERED PROFESSIONAL ENGINEER
 96126PE
 OREGON
 MAY 12, 2020
 STEVEN JOHNSON

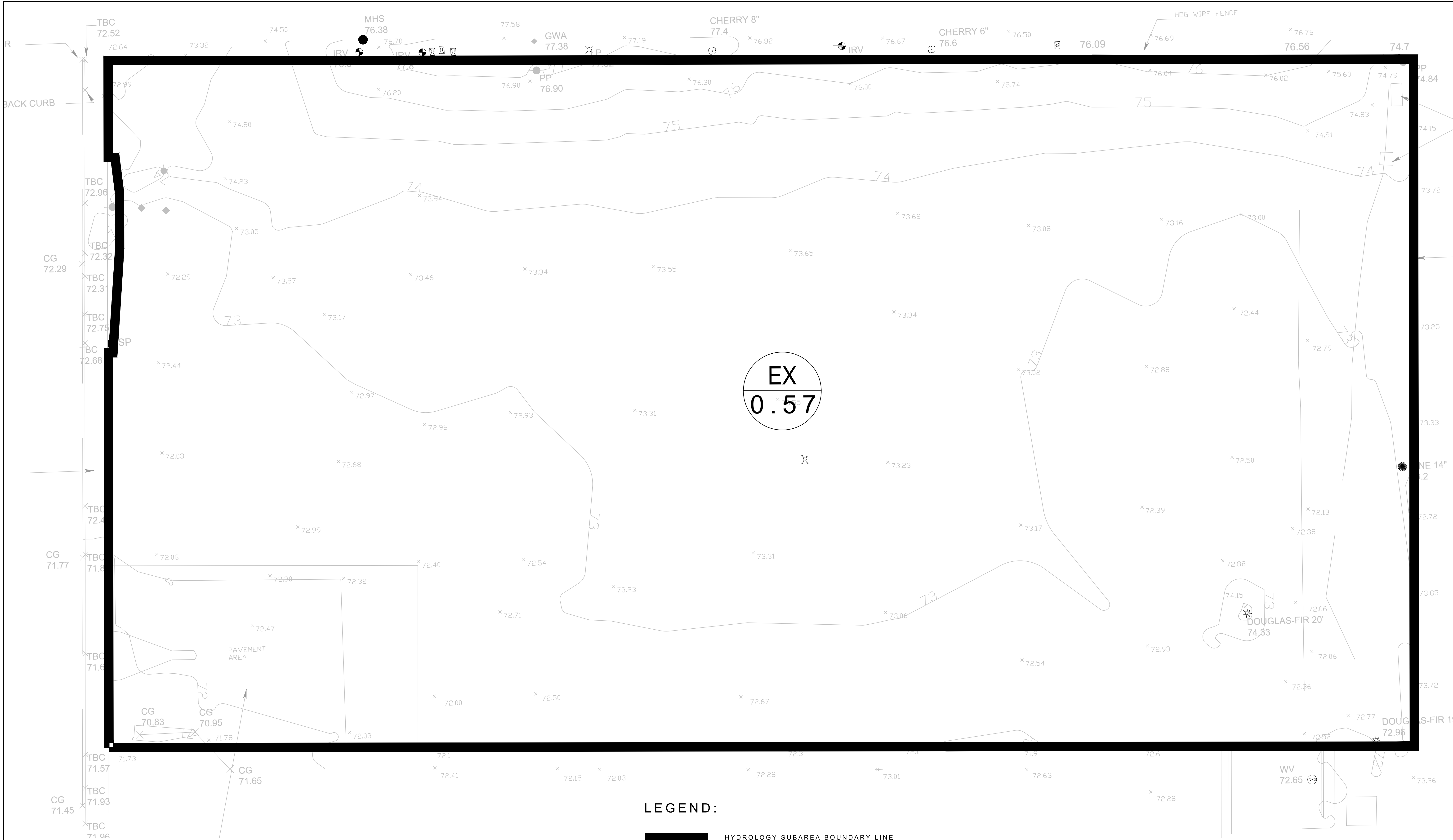
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 QC BY: _____ DRAWN BY: _____

PROJECT NAME:
US MARKET
 PROJECT ADDRESS:
NEC 35TH ST & US HWY 101
FLORENCE, OREGON

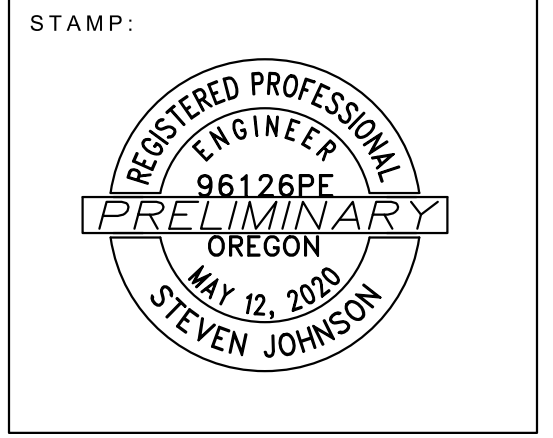
SHEET TITLE:
PRELIMINARY STORMWATER PLAN

DATE:
 07/11/2024
 SHEET NUMBER:
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7 OAKS
ENGINEERING

345 WESTFIELD ST. #107
SUNVUE, OR. 97131
ADMIN@7OAKSENGINEERING.COM



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US MARKET

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NEC 35TH ST & US HWY 101

FLORENCE, OREGON

SHEET TITLE:
EXISTING STORMWATER PLAN

DATE:
07/11/2024

SHEET NUMBER:
6

EX
0.57

LEGEND:

HYDROLOGY SUBAREA BOUNDARY LINE

SUB-AREA LABEL

FACILITY ID	ENGINEERED METHOD SUMMARY					
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