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**City of Florence
Planning Commission Meeting
250 Hwy 101, Florence, OR 97439
December 22, 2020**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Chairperson John Murphey called the meeting to order at 5:30 PM.

Commissioners Present: (via videoconference) Chairperson John Murphey, Vice Chairperson Phil Tarvin (led meeting), Commissioner Sandra Young, Commissioner Eric Hauptman, Commissioner Ron Miller, Commissioner Andrew Miller, Commissioner Brian Jagoe.

Staff Present: (via videoconference) Planning Director Wendy FarleyCampbell, Public Works Director Mike Miller, Senior Planner Roxanne Johnston, Assistant Planner Dylan Huber-Heidorn, and Administrative Assistant Aleia Bailey

At 5:31 PM, Vice Chair Tarvin opened the meeting and Aleia Bailey did a Roll call. All members were present, and Vice Chair Tarvin led the salute to the Flag.

1. APPROVAL OF THE AGENDA

Start Time: 5:31 PM

Action: Approved

Motion: Comm. Jagoe

Second: Chairperson Murphey

Vote: 7-0

There was no discussion on the agenda and it was approved unanimously.

2. APPROVAL OF THE MINUTES OF December 8, 2020

Start Time: 5:32

Action: Approved

Motion: Comm. Young

Second: Comm. R. Miller

Vote: 7-0

There was no discussion nor corrections on the minutes. The minutes were approved unanimously.

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

No Speaker's cards were received nor public comments made.

4. RESOLUTION PC 20 30 DR 07 – Heceta Self Storage Corporation - Unshielded Lighting Plan and Barbed

Wire Fence Design Review: A design review application was submitted by Larry and Crystal Farnsworth on behalf of Heceta Self Storage Corporation to construct a phased, 470-unit storage facility and office

building on multiple lots along Kingwood St. between the Oregon Coast Military Museum to the south and the Florence Public Works building to the north, within the Limited Industrial District, regulated by Florence City Code Title 10 Chapter 20.

Vice Chair Tarvin asked if any member had a conflict of interest. Chairperson Murphey declared a conflict of interest and recused himself from the hearing, as the applicant and the Chairperson's business transact business together. No ex-parte contacts nor biases were declared by any of the Commissioners.

Vice Chair Tarvin opened the public hearing for Item 4 at 5:39 PM and called on Senior Planner Roxanne Johnston to deliver the staff report. Johnston commented that Assistant Planner Dylan Huber-Heidorn would be providing information on commercial lighting and that the barbed wire fencing would be discussed first. Johnston explained that barbed-wire fencing and unshielded lighting were the two items of many on the Farnsworth's Design Review application that were not able to be administratively reviewed and therefore required Planning Commission review. Those to be reviewed administratively included landscaping, stormwater, utilities, and more lighting.

Johnston discussed the property's history, reminding the Commission that they had previously reviewed a zone change from Pacific View Business Park to Limited Industrial in March 2019, which would allow self-storage uses, as well as the Farnsworth's vegetation clearing permit application in March 2020. She relayed the codes used to process the application and explained that FCC Title 10, Chapters 6 (Design Review) and 37 (Lighting) are used to review the criteria for lighting and that FCC Title 6-1 of the Police codes lists criteria under 'General Offenses' for approval by the Planning Commission of the barbed-wire fencing.

Johnston explained that the applicants leased the property from the City.

Johnston shared images of the proposed fencing which included cloth slats to make it opaque, and explained that three strands of barbed wire angled in towards the development and on top of a 6-foot chain linked fence would bring the fence height to 7 feet. She explained that a swath of vegetation could mitigate the appearance of the fencing along Kingwood St. She shared the code criteria where barbed-wire would be allowed, which included security purposes when regular fencing would not be sufficient for keeping people out of the development in order to keep them safe from possible internal hazards, that the fencing could be approved if it were placed in such a way as to prevent potential risk of injury by pedestrians, and that the fencing would be constructed to cause the least amount of harm to pedestrians/people/employees. She explained that the fencing would be angled inward. The last criteria had to do with when there is no feasible alternative. She explained that there would be no feasible alternative to keeping people who did not belong there out, reiterating that security cameras would not be a sufficient deterrent.

Johnston moved on to Lighting as explained and defined in FCC 10-37. She provided a definition for a luminaire as an entire lighting component including the lamp, fixture, and parts, and an explanation of shielding, which is basically an externally applied device made of a variety of materials where the bulb is directed downward from the horizontal plane. Johnston read FCC 10-37-4-7, which essentially states how the lighting should shine downward from the horizontal plane and not cast lighting upwards or sideways onto adjacent properties. She stated that no lighting was anticipated to travel across Kingwood or even the Public Works property to the north. Johnston showed an image of the spec sheet for the proposed lights provided by the applicant and part of the proposal, and she indicated how the fixture did not shield the bulb along a horizontal plane. She explained how the proposed bulb was visible from the side.

Johnston introduced Huber-Heidorn, who shared slides related to lighting and provided more technical information on commercial light rating standards. Huber-Heidorn provided an overview of lighting characteristics and rating systems including the B.U.G. system rating, taken from Dark Skies codes. He explained that the most prominent of light specifications included the B.U.G. Rating System, which means backlight, uplight, and glare. Lighting from this system is classified as forward light (front glare), back light (behind the fixture), and up lighting (anything above the horizontal plane). He further explained sub categories of this lighting, including low uplight, which would include the bulb shining up to 10 degrees above the horizontal plane and how the angle contributes to sky glow as light pollution which keeps viewers from being able to see stars and anything angled 10 degrees would be classified as 'high uplight' which would certainly contribute to sky pollution. He talked about a tool which shows the degrees of lighting that would be cast (in a sphere) depending on their angle and talked about how the B.U.G. system was devised by the Illuminating Engineering Society, which was then used to replace the cutoff classification systems which is discussed in the City's lighting codes which include Full Cutoff, Cutoff, Semi Cutoff and Non Cutoff.

Huber-Heidorn said that the key takeaway from the B.U.G. system is where uplighting is produced by different fixtures. All of the rating systems are in agreement that the proposed lighting produced uplighting where most lighting went outward and down, but a percentage broke the horizontal plane and cast light upwards, assuming a 25-foot roof and placement of the fixture and the distance between neighboring storage units.

Johnston showed the Commission an image of where the proposed lighting would be attached, based on the Farnsworth's storage units on Hwy 101. She shared images of the lighting plans and pointed out that light did not travel off-site. She explained that the lighting was proposed so that it could provide storage unit clients with lighting inside units opposite of the lights and not have lighting inside the units because they could be accessed illegally and other reasons. Johnston also talked about how lighting would be visible at night only during shorter days of the year. The bases of the fixtures were over 7" from the eave to the wall. The top shield of each fixture would need to protrude outward nearly 7 inches alone and how light traveling over the roof line was what needed to be avoided.

Johnston touched on a referral by the Oregon Department of Aviation (ODA) due to the project's nearness of the airport and how the applicant had already filled out a needed form and returned to the ODA.

Johnston relayed the approval options and alternatives for the conditions of approval as outlined in the related resolution. Johnston then shared the proposed conditions of approval for both the lighting and the fencing. She posed two questions to the Commission: "1. Is the barbed wire fencing as proposed needed for safety/security reasons?" and, "2. Do the unshielded lights meet the code when considering the criteria and definitions together?" She wrapped up the presentation by outlining the options for moving forward on the application and then asked for questions.

Comm. Jagoe wanted clarification on if security lighting would be on all night, their locations, and how many units there would be. Johnston stated that the applicant could provide that information. He also wanted to know the hours of operation. Johnston believed the regular business hours.

The applicants, Mr. and Mrs. Farnsworth, provided comments. Bailey provided the applicants with the ability to share screens. Mr. Farnsworth explained how the storage industry did not typically provide

lighting or utilities within the units, because heaters, freezers, and other items would overtax the system and could be used illegally. Typical lighting provided would be ambient daylight and during evening cross driveway lighting. He clarified that the business office hours 6am to 5:00pm, but that customers would have access to 9PM. Mr. Farnsworth explained how he had met with staff earlier and explained to them that they wanted to use the lighting for safety and security, acknowledging the airport. He stated that he asked staff if there was a way to use full cut-off light fixtures where they would be visible outside of the development, but low wattage within the interior of the project with the idea that no one would be able to see the lighting outside of the project. He used the overhead light plan concept to illustrate his point. Farnsworth disagreed with staff's trigonometry with regard to the projection of the lighting. He relayed that he believed the placement of the proposed lights and the roof pitch would mitigate upward lighting. He then shared code where exemptions were discussed, citing FCC 10-37-5 H and I. He stated that his proposed lighting was compliant with this section. He further explained his career as a pilot and how he believed the lighting proposal would have no effect on the airport and that surrounding facilities were almost identical to those he proposed and had been used in the area without 'too much difficulty.' He argued that his lighting was important to his customers, provided security and business needs and that he was trying to be good neighbors by continuing the lighting internally and that they should have an exemption as outlined in code. He stated that his barbed wire fencing had never been breached in his other facility.

Comm. Hauptman asked if the barbed wire would be visible from Kingwood. Mr. Farnsworth stated that the vegetation would serve as a visual buffer, but a small area may be visible. He further shared that he was proposing evergreen doors as opposed to some storage facilities that use orange. Additionally, he explained the cloth strips that would be inserted into the chain linked fencing. He showed an image of a site plan near the office that would contain a landscaped area, where the barbed-wire fencing would begin, which would be set back quite a distance from Kingwood.

The remaining Commissioners were asked if they had questions by Vice Chair Tarvin. They had no questions. Johnston explained that the applicant had not asked for an exemption for this request. The applicant corrected Johnston stating that he had provided a letter listing the exemptions at the end of the Planning Commission application packet, showing the letter FCC 10 37-1-5, H and I for the lighting. There were no further questions on the letter.

The applicant was asked by Vice Chair Tarvin if the applicants had read the Findings of Fact and understood the conditions of approval as currently proposed. The Mr. Farnworth said he believed they did.

Vice Chair Tarvin asked for any Speaker's cards for public testimony. There were none.

FarleyCampbell stated she wanted to comment on FCC10-37-5-H and -I, that subsection -I was related to low wattage fixtures 525 lumens or less, and those proposed were 3400 lumens and did not qualify under the subsection. She also pointed out that if the light throw was to be contained under an architectural element and inasmuch as the eave would contain the lighting, there may not have been enough evidence from the B.U.G. report by the manufacturer of the proposed lighting. Farley-Campbell wanted to clarify to the Commission that they would need to determine if Mr. Farnsworth's lighting proposal qualifies for an exemption under H, as staff doesn't believe he qualifies for I. No variance was being reviewed. The definition of shielding is what brought the application to the Planning Commission because the bulb was visible, that we didn't have a code definition for a horizontal plane, but that shielding was defined. The question was whether or not glare or shine skyward unless it was contained. The code

did not provide enough evidence of at exactly what point the depth of the eave would stop the illumination from glare, which is why the B.U.G. slide was shown and discussed.

Johnston showed the slide showing the overview of the lighting image and asked for directions on how to proceed. He asked Johnston to review the conditions and the central decisions to be approved, and then the approval options, which she did. Staff respectfully declined from a recommendation because the application for the fencing and unshielded lighting was not included in the administrative review.

Vice Chair Tarvin asked if the record needed to remain open. Comm. Young asked for clarification on whether the record needed to remain open if the Commission could approve the lighting because there was not enough evidence that criteria could be met. As far as exception H, Huber-Heidorn added that the combination of the roof and 7.5 inches of the eave, in his interpretation, would not block the lighting. Vice Chair Tarvin offered that a condition of approval be created that would require pointing down the lightings, using a bracket, by 30 degrees which would provide the solution and meet code in turn avoiding a continuation of the decision. Comm. Young stated that there was not enough evidence in the record to approve an exemption under FCC 10-37 – 5 H. Vice Chair asked FarleyCampbell for a point of order if the Commission could ask the applicants questions. She affirmed that the hearing was still open and that would be okay. Mr. Farnsworth reiterated that he needed visible bulbs in order to see across the drive aisles and restated the use of area lighting for other properties. Comm. Ron Miller asked if moving the fixtures up closer to the eaves could block lighting. Vice Chair posed to the applicant that for internal lighting, if they could be aimed so that they tilted downward 30 degrees rather than directly in plane with the wall, that the Commission could get through the approval process because otherwise the Commission did not have the ability to allow the exemption and wanted to work in a partnership for a solution. The applicant asked if he would have to manufacture 54 shims. Vice Chair shared his experience in the lighting industry and said it would be attached to a 4" box or to a half-inch conduit at the back of the light using an insert for the outlet/elbow at 30 degrees between the lighting and box which would turn the light down. He also said that there are extensions that allow the light to be canted downwards and that there are many ways in the industry to arrive at the desired effect. After the applicant asked for verification of a number, in degrees, the applicant agreed that whatever the Commission wanted to do was fine by them. Comm. Young stated that conditioning the 30 degrees the applicant could continue on with the project. No Commissioners objected to closing the hearing and moving on to the discussion. Young referenced that a condition would be made. The hearing was closed at 7:11PM.

Discussion and deliberation. Vice Chair Tarvin asked if there was any discussion. Comm. Hauptman said that the earlier condition Vice Chair Tarvin had proposed would be acceptable. Comm. Young moved that approval of PC 20 30 DR 07 with the approval of barbed wire as proposed and approval of the lighting with the condition that the location of the lighting would direct lighting downward 30 degrees. Johnston asked for clarification that the Commission include approval regarding the proposed condition referencing the maintenance for fencing. Comm. Young reminded staff that the application would not be responsible for the fencing along the airport. There was a discussion about the condition on the lighting and it was agreed that the 30-degree angle would serve the purpose. Comm. Jagoe seconded the motion to approve.

The applicant was given the opportunity to respond to the conditions, including the 30-degree angle proposal. Farnsworth asked for verification on the number and stated that a base plate would need to be built and that wanted to know what the absolute minimum the lighting could be placed to provide lighting across the aisle. He stated that the 30-degrees would point the fixtures straight down. Vice Chair Tarvin referred the applicant to the cut sheet provided for the fixture. The applicant agreed to the 30-degrees providing he could mount the fixtures higher up the wall.

FarleyCampbell clarified that the exceptions under FCC 10-37-5 H is the criterion being used with this decision. Bailey shared the conditions screens with the Commission. FarleyCampbell confirmed to Johnston the creation of Condition 7, which included that applicant shall ensure that in order to meet the requirements of FCC 10-37-5- H, the partially unshielded lighting would be directed downwards 30 degrees.

A roll call vote was taken to approve the conditions, including Condition 7 and the motion carried unanimously.

Start Time: 5:39 PM
Motion: Comm. Hauptman
Second: Comm. Young
Vote: 6-0

5. REPORT & DISCUSSION ITEMS

No Planning Commission members had reports or discussion items.

FarleyCampbell reported that staff had no hearing scheduled for January 12 and 26th and that the Commissioners would be informed if there is a need to meet on the 26th. The Benedick was tentatively scheduled for either Feb. 1 or 2nd, and it was pushed out so far so that the scheduling is to allow the incoming Council members to be present. She talked about how the application was creating a lot of press and asked invited the Commission to reach out to her if they had questions on the Benedick Annexation recommendation for approval. FarleyCampbell said staff was working on Type I and Type II applications. Some items are mentioned earlier are Code enforcement issues and being addressed. She thanked the Commission for their work in spite of Covid-19 and that they met 20 times and over 30 hearings during that time. Chair Murphey asked about the Cannery project. FarleyCampbell stated that they needed to cover their sand and that in the upcoming months that nuisances would be abated which included trees and blowing sands which were concerns of Florentine. Chair Murphy proposed that the Planning Commission start fining them (the Cannery applicants) and there was a discussion about the list of things the applicant needed to do and that there was a timeline provided.

Start Time:

The meeting adjourned at 7:41PM

ATTEST:

John Murphey, Chairperson

Aleia Bailey, Admin. Assistant