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**City of Florence  
Planning Commission Meeting Minutes  
250 Hwy 101, Florence, OR 97439  
February 22, 2022**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Chairperson Phil Tarvin called the meeting to order at 5:30 PM.

Commissioners Present: (Videoconference) Chairperson Phil Tarvin, Vice Chairperson Sandi Young, Commissioner Eric Hauptman, Commissioner Andrew Miller, Commissioner Ron Miller, Commissioner John Murphey, and Commissioner Clare Kurth

Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, Administrative Asst. Peighton Allen, Planning Technician Sharon Barker

At 5:30 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. All members present. Commissioner Chair Tarvin led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:32PM

Action: Approved

Motion: Commissioner Murphey

Second: Commissioner R. Miller

Vote: 7-0

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

**2. APPROVAL OF THE MINUTES: Minutes were approved for January 25, 2022**

Start Time: 5:34 PM

Motion: Vice Chair Young

Second: Commissioner Andrew Miller

Action: Approved

**3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:**

None were noted

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

Chair Tarvin relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases. No citizens present wished to challenge any commissioner.

Chair Tarvin asked the Commissioner's if they would like to declare a conflict of interest. There were no other declarations of conflict of interest. There were no exparte' contacts declared. There were no bias declared. No citizens present wished to challenge any commissioner.

Chair Tarvin: For our 4<sup>th</sup> Item on the Agenda - fence modification resolution. This hearing is being continued from January 25, 2022.

**4. Resolution PC 21 28 MOD 01 – Oak Commons Fence Modification** An application submitted by Dolly Brock, on behalf of the applicants Oak Street Commons HOA, for a modification from an 8-foot wood fence approved in the original PUD to the existing 6-foot wood fence along 32<sup>nd</sup> St. at the Oak Commons Townhome PUD for property shown on the Lane County Assessor's Map # 18-12-23-23, TL 11500; and located south of 32<sup>nd</sup> St., east on Oak St., and west of Highway 101.

Hearing opened 5:38 pm.

Planning Director Wendy FarleyCampbell gave a staff report. The hearing was a continuation of meeting held on January 25, 2022 and is for a modification of a approved PUD. The hearing was opened and staff report was received. The January 25<sup>th</sup> hearing was continued because of the question of who would be implementing the change of conditions. The applicant wanted to work with the developer to try to resolve some issues in getting the work paid for. The burden to fulfil the conditions of approval if approved would be on the applicant not the original developer, because the modifications would change what his requirements were and there are new requirements that will follow the new applicant. Planning Commission can now continue their deliberations. The landscaper had a submittal that was supplied to the HOA. The list of plantings is in Exhibit C of the Planning Commission packet.

Applicant Dolly Brock attended meeting via conference call.

Dolly Brock reiterated that the reason they are in this position is because the developer/original applicant didn't fulfill their obligation of installing an 8' fence and instead built a 6' fence. The HOA understands they are taking on financial responsibility for capping the existing fence and making sure that the additional landscaping is installed. The builder has given the HOA a check for \$5,000 and we intend to spend 100% of the check on landscaping. HOA budget will pay for capping and cutting the existing fence posts. The HOA believes additional landscaping (in lieu of an 8' fence) is the best way to go and might deter vandalism. Laurel Bay Gardens will plant species that are on the City's allowable plant list.

There were no questions from the Commissioners.

Applicant stated that she has read Staff Report and Findings of fact and that she understands the Conditions of Approval.

There was no public testimony.

Comm. Hauptman: wanted to know if there was a reason that the developer didn't build an 8' fence in the beginning.

Wendy FarleyCampbell; said a reason was not given.

Applicant: it was not explained to us either.

Comm Hauptman: expressed his frustration about developers not following the conditions of approval.

Hearing Closed: 5:50 pm.

Applicant waived right to submit final written argument.

Deliberation:

Comm. R. Miller asked if Planning Commission can make the developer pay for that condition of approval, how did he not build the correct fence in the beginning.

FarleyCampbell: The City held funds \$5000 of a larger bond to ensure the fence was put up in accordance with the conditions of approval of the PUD. The developer said that it would cost him \$5,000 to replace the fence. The bond was held to make sure developer met all his conditions of approval.

Comm Hauptman wanted to know about the curb repair.

Applicant: The developer has replaced and repaired the curb. The issue of the curb repair is between the builder and the City

FarleyCampbell: The City is holding the bond until the curb is repaired and inspected.

Comm Murphey asked FarleyCampbell what happens if this resolution is turned down tonight is the contractor responsible for the 8' fence.

FarleyCampbell said he was.

Comm A. Miller: made a motion to approve Resolution PC 21 28 MOD 01 – Oak Commons Fence Modification as proposed.

Vice Chair Young: second

Roll Call vote:

Comm Kurth: yes

Comm Murphey: no

Comm A. Miller: yes

Comm R. Miller: no

Comm Hauptman: no

Vice Chair Young: yes

Chair Tarvin: yes

Motion carried: 4-3

Hearing Opened: 5:38

Hearing Closed: 5:50

Reports and Discussion items:

Comm Murphey: I have a comment, that from this time forward if we approve a project that is not built as approved, if they come back before the Planning Commission for changes my vote will always be no. It has happened too many times in the last few years. Staff has to spend extra time and money to redo these.

Comm Hauptman: I agree with what Comm Murphey said.

Director Report:

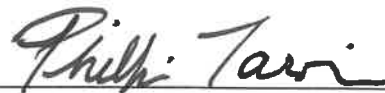
Wendy FarleyCampbell: Asked Commission if they would like to have a work session for their next meeting for Title 4 Chapter 6 Vegetation Preservation. A couple EMAC members are interested in attending this work session. Talked about setting up a subcommittee of 4 to possibly bring to City Council. Commission was in favor of having a work session. Also it was asked if other subcommittee members would like space on the agenda. Chair Tarvin said he may give an update on alternate treatments on exterior of metal buildings.

The calendar: March 8<sup>th</sup> workshop

The meeting adjourned at 6:06 PM.

ATTEST:

  
Sharon Barker, Planning Technician



Phil Tarvin, Chairperson