
AGENDA ITEM SUMMARY / STAFF REPORT**FLORENCE PLANNING COMMISSION****ITEM NO:**Meeting Date: October 22, 2024

ITEM TITLE:Resolution PC 24 33 ANN 05 & PC 24 34 ZC 05
88366 4th Avenue, Florence OR – Roger Center Annexation

OVERVIEW:

Application: The petitioner requests annexation of one lot totaling roughly 0.14 acres, identified as Assessor’s Map Reference (MR) 18-12-04-20, Tax Lot (TL) 01503. Under Florence City Code, the City Council may assign zoning of City of Florence medium-density residential, in conformity with the Comprehensive Plan designation of the property.

Process and Review: Annexation petitions and associated zone assignments are processes that include two public hearings: one with the Planning Commission (PC), which makes a recommendation to the City Council, and another public hearing with City Council, which will make the final decision. There are requirements for providing noticing to property owners, utility providers, a newspaper, and to the Department of Land and Conservation and Development (DLCD) for the annexation and zoning assignment processes.

The applicable criteria are listed in the “Applicable Criteria” section of the findings. Only the code sections, comprehensive plan policies and appendices, state statutes, and administrative rules believed to apply may be considered in the decision-making process. Petition/application materials, public testimony, agency referrals, and research that speak to the criteria may also be considered. The findings, attached, include a review of the petition/application against the applicable criteria and incorporate public testimony and agency referral comments or concerns where applicable.

Testimony/Agency Referrals: No public testimony was received. Agency referrals are included in Exhibit D. Information, comments, and concerns, where covered by applicable criteria, are addressed in the Findings of Fact.

ISSUES/DECISION POINTS: None

ALTERNATIVES:

1. Recommend City Council approve Resolutions PC 24 33 ANN 05 & PC 24 34 ZC 05 as presented or with modifications, or
 2. Recommend City Council deny the annexation and request findings be rewritten to support denial of the annexation, or
 3. Continue the public hearing to a date certain, or
 4. Close the hearing and leave the written record open for 7 days
-

RECOMMENDATION: Alternative 1. Recommend City Council approve Resolutions PC 24 33 ANN 05 & PC 24 34 ZC 05 as presented

AIS PREPARED BY: Jacob Foutz, Planning Manager

ATTACHMENTS:

- Resolution PC 24 33 ANN 05
- Exhibit A Map of Annexation Area
- Exhibit B Findings of Fact
- Exhibit C: Petition for Annexation and Application
- Exhibit D: Referral Comments

- Resolution PC 24 34 ZC 05
- Exhibit A Map of Zone Change Area
- Exhibit B: Findings of Fact (not duplicated from above)

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 24 33 ANN 05

A RESOLUTION RECOMMENDING APPROVAL OF ANNEXATION OF PROPERTY WITHIN THE UGB, IDENTIFIED AS 88366 4TH AVE, LOT 1, BLOCK 20, OF HECETA BEACH PLAT, DATED 1915, TO THE FLORENCE CITY COUNCIL.

WHEREAS, the owner initiated the annexation with a petition to the City as required by Oregon Revised Statutes (ORS) 222.111(2) and Florence City Code (FCC) 10-1-1-4; and

WHEREAS, consent was achieved in accordance with ORS 222.170(1) with all owners of land owning a majority of the contiguous land and a majority of the assessed value of all real property; and

WHEREAS, the proposed annexation is within the Florence Urban Growth Boundary and contiguous to the City boundaries as required by ORS 222.111(1); and

WHEREAS, the Planning Commission met in a public hearing on October 22, 2024, after giving the required notice per FCC 10-1-1-6 to consider the proposal, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission determined, after review of the proposal, testimony, and evidence in the record, that the proposal was consistent with Realization 2020, the City's acknowledged Comprehensive Plan, and adopted findings of fact in support of the annexation; and

NOW THEREFORE BE IT RESOLVED that the Florence Planning Commission:

- Section 1. Recommends approval of the annexation as depicted and described in Exhibit A; and
- Section 2. Bases its recommendation for approval on the findings of fact showing consistency with the Realization 2020 Comprehensive Plan, Florence City Code, and Oregon Revised Statutes and Oregon Administrative Rules (Exhibit B).

APPROVED BY THE FLORENCE PLANNING COMMISSION this 22th day of October, 2024.

Kevin Harris, Chairperson
Florence Planning Commission

Date

Exhibit A
Resolution PC 24 33 ANN 05
88366 4th Avenue, Florence OR – Center Annexation

Before Proposed Annexation

After Proposed Annexation



LEGEND

City Limits

Tax Lot Boundaries



LEGAL DESCRIPTION:

LOT 1, BLOCK 20, HECETA BEACH, AS PLATTED AND RECORDED IN BOOK 7, PAGE 25, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.

Tax Map 18-12-04-20-01503

88366 4th Avenue, Florence OR



PLANNING COMMISSION
Staff report and recommendation
for
Annexation PC 24 33 ANN 05
Zone Change PC 24 34 ZC 05

PC HEARING DATE: October 22, 2024

CC HEARING DATE: TBD

PREPARED BY: Jacob Foutz, Planning Manager

I. GENERAL INFORMATION AND FACTS

Applicant: Roger Center
5625 Nordahl Rd
Florence, OR 97439

Property Owner: Center Family Trust
5625 Nordahl Rd
Florence, OR 97439

Land Use Review: Annexation:
A request from the property owners to annex property located in the City of Florence Urban Growth Boundary from Lane County into the City of Florence City Limits.

Zone Assignment:
Upon annexation, the property requires zoning assignment by the Florence City Council. The corresponding zoning district matching the property’s plan designation is City of Florence Medium Density Residential.

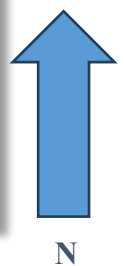
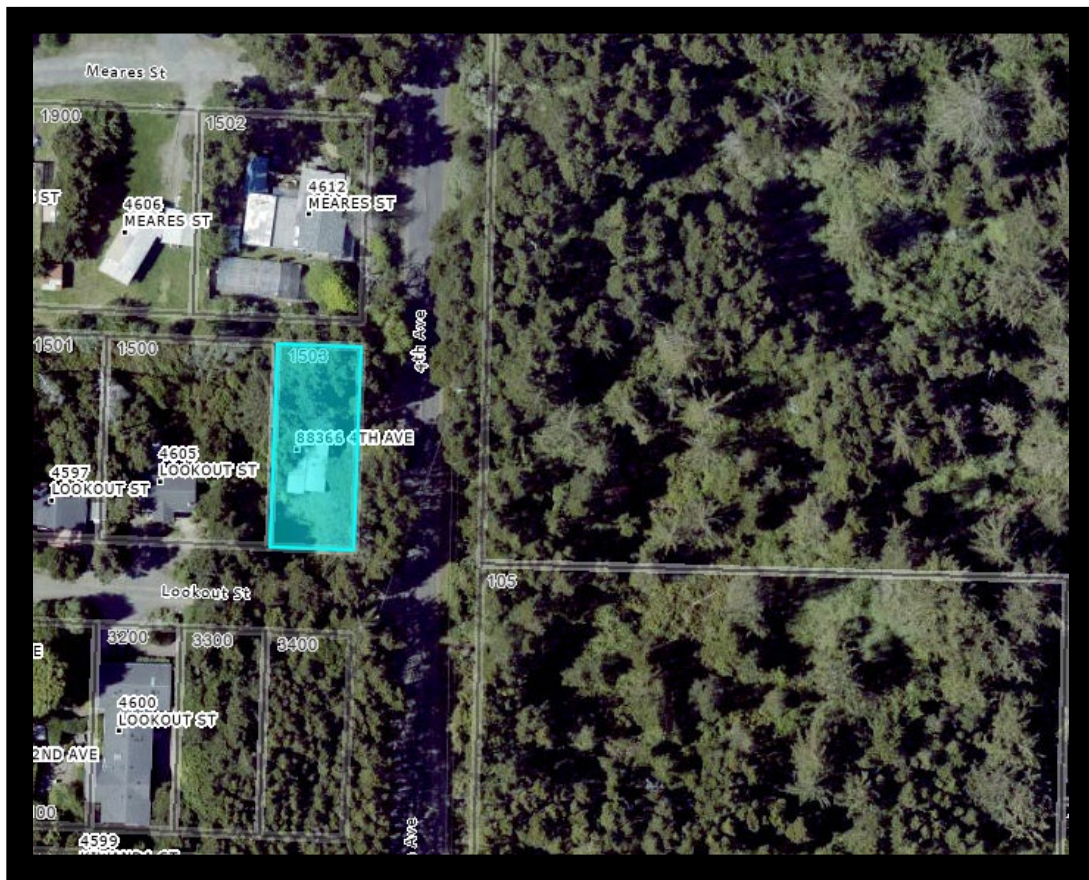
Subject Property Description: The subject property is at 88366 4th Avenue, Florence, OR, Tax lot 1503 on tax map 18-12-04-20.

Existing Zoning: Lane County zoning is Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB)

Proposed New Zoning: City of Florence Medium Density Residential

Adjacent Land Use(s):

Adjacent Property	Zoning	Use
North	Lane County Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB)	Detached single-unit dwelling
South	Lane County Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB)	Vacant undeveloped land
East	City of Florence Low-Density Residential (LR)	4 th Avenue Right of way and Vacant undeveloped land
West	Lane County Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB)	Detached single-unit dwelling



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

The applicant, Roger Center, requests annexation of Tax Lot 1503 from the City of Florence Urban Growth Boundary and Lane County jurisdiction to the City of Florence City limits and jurisdiction. Center Family Trust owns the property. If the proposed annexation is approved, the City of Florence City Council must use its authority to assign a city zoning designation. City staff has initiated a zoning assignment application to process concurrently with the proposed annexation.

The property includes construction for a new single-unit dwelling. The applicant has started the building permit process with the Lane County Building Department. The property has ROW access via 4th Avenue to the East. The abutting property and ROW to the East are within the City of Florence City Limits. The properties to the North, South, and West are in the City of Florence Urban Growth Boundary (UGB) but are outside the City Limits.

The petition requesting annexation and zoning assignment was received on August 21, 2024, and deemed complete as of September 12, 2024. State law allows a city to annex territory by consent of more than half the property owners, owning more than half the land area and more than half the assessed value (ORS 222.170 (2)). This type of annexation is known as a “Triple Majority” annexation.

Procedurally, Florence City Code, Title 10, Chapter 1 calls for processing the annexation as a Type IV application. The zoning assignment procedure applies to the property as illustrated in Exhibit A of the zoning assignment Resolution. Following FCC 10-1-5-B, the two actions will be processed through consolidated proceedings.

The property is designated in the Florence Realization 2020 Comprehensive Plan as Medium-Density Residential, and it is recommended to be zoned Medium-Density Residential upon annexation.

The property will continue to be served by Heceta Water PUD. After annexation, it will be provided with City services such as sewer and police protection. The property is within the Siuslaw Rural Fire Protection and Western Lane Ambulance Districts. It will continue to be served by all districts presently providing public services.

On October 14, 2024, referrals were sent to the Florence Public Works, Building, Utility Billing, Police Departments, Lane County Management Divisions, Heceta Water PUD, Western Lane Ambulance, and Siuslaw Valley Fire and Rescue.

Referral Comments received:

Lane county Transportation Planning:

Lane County Transportation Planning supports this annexation request. The subject property (“property”) is located within Florence’s Urban Growth Boundary abutting both 4th Avenue

and Lookout Street, neither of which are built to urban standards. 4th Avenue has been annexed by the City of Florence, but in order to support further urbanization of roads that serve urban development, Lookout Street must be annexed as well.

Western Lane Fire and EMS:

Western Lane Fire and EMS Authority has no concerns with annexation of this property into the City. This address is currently in our response area and would continue to receive emergency services from WLFEA.

III. ANALYSIS AND FINDINGS OF FACT

The criteria applicable to 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. The applicable decision criteria are listed below:

ORS 222.050, 222.111, 222.120, 222.125 and 222.170

Oregon Administrative Rules – 660-015-0000, Goal 10 Housing & 660-012-0060 Transportation

Realization 2020 Florence Comprehensive Plan. Chapters:

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

- 1: Citizen Involvement, Policy 4
- 2: Land Use, Policy 6, Residential Policy 10, and Residential Plan Designation
- 12: Transportation, Policies 1 & 8
- 14: Urbanization; Annexation section, Policies 1 through 7

Florence City Code, Title 10:

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

- Chapter 1: Zoning Regulations, Sections 10-1-1-4, 10-1-1-5, 10-1-1-6-3 & 4, 10-1-2-3, & 10-1-3
- Chapter 10: Residential Districts, Section 1 A.

Although Comprehensive Plan goals and policies are addressed in this report, generally, unless otherwise noted, if a request is found to be consistent with the Zoning Ordinance, it is considered compatible with the Comprehensive Plan.

FLORENCE REALIZATION COMPREHENSIVE PLAN

Chapter 1: Citizen Involvement Policies

4. Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.

Findings: This policy is consistent with city meetings being well publicized at regular times. The noticing used in this application meets the Code criteria detailed in FCC 10-1-1-6-4-D. These public hearing proceedings are being held at a regular time, place, and day for Planning Commission meetings.

Conclusion: Citizens were provided the opportunity to submit both verbal and written comments as described on the meeting agenda, notice of hearing, and the media notice published in the Siuslaw Newspaper. The option to provide public comment included both in-person and virtual options.

Chapter 2: Land Use
Policies

6. “The City shall conduct an internal review at least once every three years to assess the capacity of sewer, water and stormwater systems including three-year projections of additional consumption using a three percent growth rate.”

Findings: Consistent with this policy, the provision of City utility services to the proposed annexation area is based on the most up-to-date assessment of the projected capacity of these systems, assuming a 3 percent growth rate. This policy directs that the City conduct these internal reviews regularly to ensure that the City continuously can serve existing and new developments, including annexed properties.

Conclusion: The City has actively studied the capacity of these systems and hired consultants to supplement these studies. The city recently updated its Stormwater Management Plan and Public Facilities Master Plan. Public Works testimony using analysis from the documentation within these recent study results confirms that the City can serve the annexation area without affecting service to existing City residents, consistent with the direction of this policy.

Residential

Goal

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

Policy 10. Single family residential uses (including manufactured homes) shall be located in low and medium density residential areas, and shall be discouraged from high density residential areas to protect that land for the intended uses.

Findings: The subject property is zoned Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB) and is being developed with a single-family unit. The implementing City zone for this area is Medium-Density Residential.

According to RLID, 100% percent of the property includes soils (Yaquina loamy fine sand) identified as “*very deep, somewhat poorly drained soils that formed in mixed alluvium.*” Currently, the property contains the construction of a single-family home, which is an allowed use in the existing zoning and the new proposed medium-density residential zoning.

Upon annexation, any existing or proposed development on this property will be subject to City codes related to public infrastructure and resulting improvements, nuisance codes, and land use codes. Any proposed development on the property shall be subject to city zoning regulations and state building codes.

Conclusion: The proposed annexation and application of a City zone will not create excessive public expense any more than typical development in the area, and development regulations are in place to guide future development and abate any future issues.

Medium Density Residential:

The Medium Density Residential designation is intended for areas where existing lot sizes are in the neighborhood of 5,000 – 6,500 square feet, and for the majority of developable land remaining in the City, as well as urbanizable lands east of Highway 101. The corresponding zoning district is Single Family Residential. Single family homes and manufactured homes meeting certain minimum standards are allowed. Duplexes are a conditional use.

Findings: Upon annexation, the City Council may assign the property City of Florence medium-density zoning. The zone assignment of Medium-Density Residential would match the property’s underlying Comprehensive Plan Designation. Any future development on the property would be required to meet the conditions of this zone, as detailed in FCC Title 10 Chapter 10.

Conclusion: Upon annexation, the City of Florence City Council is anticipated to apply Medium-density Residential zoning to the subject property; at that time, the Zoning Ordinance of the City of Florence (ZOCF) would be the regulating land use code for the subject property.

Chapter 14: Urbanization

Goal

To provide for an orderly and efficient transition from County/rural land uses to City/urban land uses.

Findings: The annexation area is within the Florence urban growth boundary (UGB) and is contiguous to existing City limits (4th Avenue), and the proposal meets the applicable City code and Comprehensive Plan policies; it is, therefore, an orderly transition from rural to urban land uses. The existing public infrastructure is an orderly and efficient mechanism for providing urban services to this geographic area. The annexation will allow the provision of city sewers for the property. All connections to the sewer line will be funded through system development charges, connection fees, and property owner investment. This financing method allows for cost-effective service delivery to all system users.

Conclusion: This proposal is consistent with this Urbanization goal as the proposed annexation provides for an orderly and efficient transition from County/rural land uses to City/urban land uses, as demonstrated above.

Annexation Policies

1. The procedures of ORS 222.840 et. Seq. (Health Hazard Abatement) shall be initiated if needed to remove dangers to public health. In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize an annexation method allowable by state law that requires a majority of consents, and shall not utilize the “island annexation” procedures set forth by ORS 222.750.

Findings: The property owners have initiated the proposed annexation to receive city services, but

it has not been initiated to abate a health hazard. ORS 222.840 is not applicable to this specific proposal.

Conclusion: The City of Florence has utilized a method allowable by state law that requires a majority of consent and did not utilize an “island annexation.” The proposed annexation is not an island annexation because the territory to be annexed is contiguous with the Florence City limits. The City has received a signed petition from the property owners.

2. For properties within the North Florence Dunal Aquifer that are also within the Urban Growth Boundary, no land divisions shall be allowed prior to annexation to the City. The North Florence Dunal Aquifer boundary is delineated by the EPA Resource Document “For Consideration of the North Florence Dunal Aquifer as a Sole Source Aquifer,” EPA 910/9-87-167, September 29, 1987, Comprehensive Plan Appendix 5.

Findings: The property is located in the North Florence Dunal Aquifer.

Conclusion: No land division has been proposed with this application for annexation.

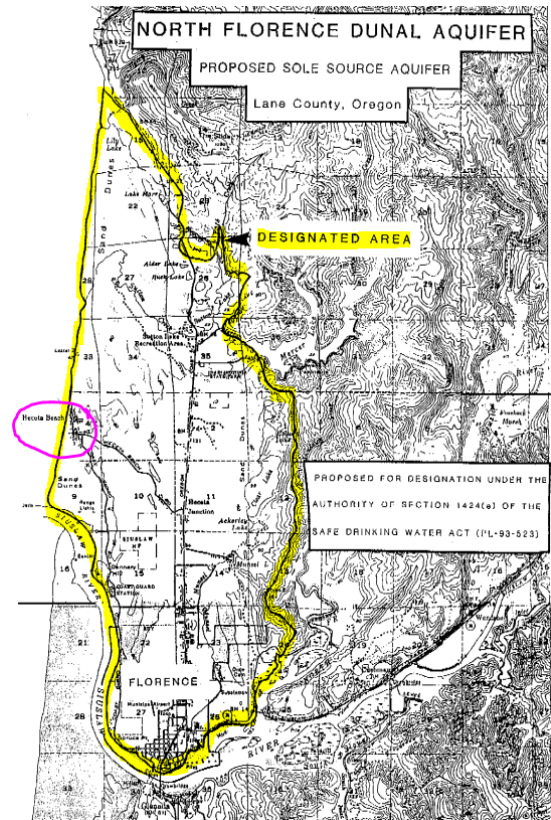
3. Conversion of lands within the UGB outside City limits shall be based on consideration of:
a) Orderly, economic provision for public facilities and services:

Findings: The utility services have the capacity to serve the properties within the proposed annexation, and the services and facilities can be provided in an orderly and economic manner, as described in detail below. The annexation request is not intended to address details about the placement of individual utility lines or other development-level utility details.

Water: The property is currently within Heceta Water People’s Utility District (HWPUD) service territory and will remain an HWPUD customer. Public Works recommends that the petitioner contact HWPUD for specific fire flow and domestic capacities for this area.

Stormwater: There will be no change in the requirements of handling stormwater upon annexation. Future development on the property will be expected to meet City Code, maintaining post-development stormwater flows from the property at pre-development levels. The associated policies reduce the risk of public impacts, including impacts on local natural resources.

Streets: The fronting portion of 4th Avenue has already been annexed to the City of Florence. FCC 10-1-4-E-2 requires the performance of a Traffic Impact Study upon “A change in zoning or plan amendment designation where there is an increase in traffic or a change in peak-hour traffic



impact.” The applicant is not proposing a change of use to the property; the applicant is applying to annex into the City to be able to connect to the City sewer. A TIS is not warranted for this application. For these same reasons, the Transportation Planning Rule does not apply—density is not changing, zoning is not impacted, and future development may impact the street network. It may be evaluated via a TIA/TIS when land use is proposed.

Fire and Life Safety: Siuslaw Valley Fire and Rescue District currently provides protection services to the annexation area and will continue to do so following the annexation.

Police: Once annexed, the city will provide public safety services. The Florence Police Department will expand its current emergency response service to patrol and respond to calls for the subject property.

Power: Central Lincoln People’s Utility District currently provides electricity to the property and will continue to do so following the annexation.

Communications: Lumen (formerly CenturyLink) currently provides phone service to the area and will continue to do so following the annexation. Other utility companies, such as Charter, provide other communications services and will continue to do so following the annexation. In addition, there are several cellular phone companies that offer service in the area.

Conclusion: The annexation area will be served through an orderly, economic provision of public facilities and services, including sewer, water, streets, fire and police protection, power, and communications.

- b) conformance with the acknowledged City of Florence Comprehensive Plan;
- c) consistency with state law.

Findings: This proposal is consistent with this policy as the Florence Realization 2020 Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) and is the acknowledged Plan for the City of Florence. As demonstrated in these findings, the annexation proposal is in conformance with this acknowledged Plan. The proposal is also consistent with state law, as presented below in the review of Oregon Revised Statutes.

Conclusion: The Comprehensive Plan recognizes property within the urban growth boundary as land intended to be brought into the city limits when requested if services can technically and economically be provided to serve the property's use. Services to the subject properties either already exist or can be provided as necessary to serve the proposed use of the property. The planning staff concludes that the proposal complies with all other applicable Comprehensive Plan policies concerning this annexation request.

4. The City will send a referral requesting comments on annexations to Lane County. The Comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.

Findings: Referral requests were sent to Lane County. Any comments received will become part of the public record for later hearings.

Conclusion: A referral requesting comments was sent to Lane County on October 14, 2024.

5. The City will send a referral requesting comments on annexations to the Heceta Water District, for annexations within the District’s service boundary. The comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.

Findings: The Heceta Water District was provided notice. As of the writing of this report, no testimony has been received. The Heceta Water District currently serves the Subject property. Any comments received will become part of the public record for later hearings.

Conclusion: A referral was sent to Heceta Water District requesting comments on October 14, 2024.

6. Annexed properties shall pay systems development charges as required by City Code.

Findings: Connecting the existing residence to City infrastructure will necessitate payment of applicable systems development charges, and future development may necessitate additional charges commensurate with impacts on the relevant infrastructure systems.

Conclusion: SDCs and connection charges have been paid to the Public Works department, and a plumbing permit will be required to be obtained before connecting City services.

7. As a matter of public policy, Lane County and the City of Florence share a substantial interest in development within the Urban Growth Boundary. In order to receive a full range of urban services provided by the City of Florence, development within the Urban Growth Boundary shall require annexation. However, it is also recognized that until annexation Lane County will retain primary permitting responsibility for those lands.

Findings: Lane County provides services and administers jurisdiction to all properties outside of the City of Florence and within the Urban Growth Boundary. Tax lots contiguous with the subject property to the East have previously been annexed into the City and are under City jurisdiction.

Conclusion: Upon approval of the proposed annexation, the City of Florence will be the responsible jurisdiction for permitting and development of the property.

OREGON REVISED STATUTES

ORS 222.111 Authority and procedure for annexation.

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or

without the same county in which the city lies.

Findings: The subject property proposed for annexation is located within the city of Florence's urban growth boundary and is directly contiguous to the City boundaries.

Conclusion: The subject property is contiguous to the city on the East side and is wholly within Lane County, the County in which The City of Florence lies.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Findings: The annexation petition of the property was initiated by the property owners of the real property in the territory to be annexed. At the time these findings are being written, the subject property is shown on county tax rolls and on RLID as being owned by Center Family Trust.

Conclusion: The legal owner of the subject property has signed the annexation petition that was submitted to the City of Florence, which initiated the annexation process, which will be heard by the Planning Commission and City Council of the City of Florence.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

Findings: Upon annexation, owners of the annexed property will pay property taxes at the same rate as other properties within the City, consistent with Oregon laws governing taxation.

Conclusion: The proposal for annexation does not include a tax differential schedule as allowed in this statutory section.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

Findings: The annexation area is within the Western Lane Fire and EMS District. Michael Schick, the Fire and EMS chief, stated that the subject property is currently under their jurisdiction and will continue to be so after the annexation.

Conclusion: The annexation area will not be withdrawn from the Fire District and will remain within the Western Lane Fire and EMS District.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Findings: Resolution No. 28, Series 2010, adopted by the City Council, the legislative body of the City, on July 6, 2010, expressed the City’s intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222 when sufficient written consents are received.

Conclusion: The City received a written petition from the property owner within the annexation area, as allowed in ORS 222.170; therefore, an election is not required.

ORS 222.120 Procedure for annexation without election; hearing; ordinance subject to referendum.

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

Findings: Chapter II Section 4 Item (2) (h) of the Charter for the City of Florence lists annexation as one of the City’s powers “to annex areas to the City in accordance with State law.” The Charter does not expressly require the City to submit a proposal for annexation of territory to the electors of the City for their approval or rejection. Resolution No. 28, Series 2010, expressed the City’s intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222 when sufficient written consents are received.

Conclusion: The city will not and is not required to be holding an election on this annexation request.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

Findings: Resolution No. 28, Series 2010, Section 2 specifically expressed the City Council’s intent to dispense with any and all annexation elections both in the city and in the annexed territory whenever permitted by ORS Chapter 222 and instead hold a public hearing.

Conclusion: The Planning Commission and City Council (the legislative body) will hold a public hearing on this annexation and zoning assignment proposal, allowing City electors to be heard about the proposed annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

Findings: The Planning Commission public hearing was noticed as a Type III quasi-judicial land use proceeding, with notice of the public hearing published in the Siuslaw News on October 9, 2024. The Florence City Council, as the legislative body making the final decision on the request for annexation, will hold a public hearing fully noticed as listed in this criterion. At that time, this criterion will be addressed.

Conclusion: This annexation is a Type IV review process but is noticed as a Type III process regulated by FCC 10-1-1-6-3-B.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(c) Declare that the territory is annexed to the city where the Department of Human Services, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

Findings: The proposed annexation is contiguous to the City limits on its eastern property line and the landowners have consented in writing to annexation. Subsection “b” above is met.

Conclusion: The Florence Planning Commission will recommend to the City of Florence City Council, which is the legislative body charged with making the above declaration via Ordinance.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

Findings: As discussed above, no properties will be withdrawn from the Western Lane Fire and EMS District. Any Ordinance passed by the City Council is subject to referendum per ORS 222.170 (1) and 222.170 (2).

Conclusion: The subject property will not be withdrawn from a service district as described in the above ORS. While not anticipated by staff, the ordinance used to annex the subject property legally

will be subject to referendum per ORS 222.170 (1) and 222.170 (2).

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.”

Findings: The property is listed on the County tax rolls as having one property owner. The written consent from the owner, Roger Center, was received by the City on a petition requesting annexation to the City.

Conclusion: The legal property owner has signed the annexation consent petition.

ORS 222.170 Effect of consent to annexation by territory; proclamation with and without city election.

(1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:

____ (a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

____ (b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

Findings: The area under consideration consists wholly of the applicant’s property. Written consent from the property owners was signed and provided with the petition for annexation received by the City on August 21, 2024.

Conclusion: The applicant has signed the annexation consent and owns property representing 100% of the assessed value of the real property under consideration.

(2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.”

Findings: The property owners have consented to the proceedings; the first hearing will be held by the City of Florence Planning Commission and is scheduled to take place on October 22, 2024, in the City of Florence Council Chambers. The second hearing to be heard by the City Council will be held at a later date to be determined.

Conclusion: The proposed annexation will be determined utilizing the public hearing process outlined under ORS 222.120, which has been noticed as a Type III process as regulated by FCC 10-1-1-6-3-B.

(3) “Annexed properties shall pay system development charges as required by City Code.”

Findings: The proposed annexation is consistent with criteria 3. Florence City Code Title 9 Chapter 1 Section 4-A requires properties annexed to pay systems development charges. A condition of approval will be added to ensure that SDC’s requirements are met.

Conclusion: SDCs and connection charges shall be paid to the Public Works department. A plumbing permit must be obtained prior to connecting City services.

ORS 373.270 Transferring jurisdiction over county roads within cities

(1) Jurisdiction over a county road within a city may be transferred under this section whenever:

(a) The county governing body deems it necessary, expedient or for the best interest of the county to surrender jurisdiction over any county road or portion thereof within the corporate limits of any city; and

(b) The governing body of the city deems it necessary or expedient and for the best interests of the city to acquire jurisdiction over the county road or part thereof to the same extent as it has over other public streets and alleys of the city.

Findings: This criterion and the other criteria of ORS 373.270 would be followed during a jurisdictional transfer. The fronting portion of 4th Avenue has previously been annexed into City limits and remains under City responsibility.

Conclusion: Jurisdictional transfer of public rights-of-way is not being pursued as part of this annexation request.

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-6: TYPES OF REVIEW PROCEDURES:

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

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.

a. Notice shall also be provided to the airport as required by ORS 227.175 and FCC 10-21-2-4 and any governmental agency that is entitled to notice under an intergovernmental agreement

with the City or that is potentially affected by the proposal. For proposals located adjacent to a state roadway or where proposals are expected to have an impact on a state transportation facility, notice of the hearing shall be sent to the Oregon Department of Transportation.

b. For a zone change application with two or more evidentiary hearings, notice of hearing shall be mailed no less than ten (10) days prior to the date of the Planning Commission hearing and no less than ten (10) days prior to the date of the City Council hearing.

c. For an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.186 and ORS 227.175(8).

d. Notice shall be mailed to any person who submits a written request to receive notice.

e. For appeals, the appellant and all persons who provided testimony in the original decision.

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: Subsections 1c and 1e are not applicable. Notice was provided as required in subsections 1a, 1b, 1d, and 2.

Conclusion: Notice has been provided as required above.

10-1-1-6-4: TYPE IV PROCEDURE (LEGISLATIVE)

D. Notice of Hearing:

1. Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., re-zonings and comprehensive plan amendments).

Findings: The applicant has proposed annexing the property at 88366 4th Avenue in Florence, OR. This process will involve at least two public hearings.

Conclusion: The Planning Commission is scheduled to hear this application and hold a public hearing at its October 22, 2024 meeting. The City Council will hear this application after Lane County finalizes the building permit on the property or transfers it to the City Building Department.

10-1-2-3: ZONING OF ANNEXED AREAS: The City Council may establish zoning and land use regulations that become effective on the date of annexation. This zoning district shall be consistent with the objectives of the Florence Comprehensive Plan and Zoning Code. When zoning is not established at the time of annexation, an interim zoning classification most nearly matching the existing County zoning classification shall be automatically applied until the City Council establishes zoning and land use regulations in accordance with the conditions and procedures of Chapter 1 of this Title. (Amd. by Ord. 30, Series 1990).

Findings: The zoning district corresponding to the subject property's Comprehensive Plan designation is Medium-Density Residential, as regulated by FCC Title 10, Chapter 10. This zoning district will be assigned upon approval of the request from the City Council and finalization of the annexation process with the county and state. These findings review the applicable code and Comprehensive Plan objectives and policies.

Conclusion: The City Council is anticipated to apply the City of Florence Medium-Density Residential zoning classification upon annexing the subject property.

10-1-3: Amendments and Changes

B. Quasi-Judicial Changes:

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

Findings: On October 22, 2024, the Planning Commission is to hold a public hearing on this annexation request and quasi-judicial zone assignment. The findings of fact were available in advance of the hearing and were reviewed against the applicable city and state policies.

Conclusion: Annexation of properties within the UGB is permitted if the request meets the applicable ORS and the City's urbanization policies. These have been reviewed earlier, with supporting findings.

TITLE 10: CHAPTER 10: RESIDENTIAL DISTRICTS

10-10-1: RESIDENTIAL ZONES AND PURPOSE:

B. Medium Density Residential (MDR): The Medium Density Residential District is intended to provide a quality environment for medium density, urban residential uses and other compatible land uses determined to be necessary and/or desirable.

Findings: The property, which has a single-dwelling unit under construction, is proposed to be zoned Medium-Density Residential. Since no development is proposed or approved under this application, no specific policies are applicable under this annexation or zoning proposal. However, if any development is proposed after annexation, FCC 10-10 will be applicable.

Conclusion: Staff believes the Medium-Density Residential zoning is appropriate, as it corresponds to the subject properties' Comprehensive Plan designation of Medium-Density. The approximately 0.14-acre Property consists of one tax lot (1503).

IV. SUMMARY CONCLUSIONS AND STAFF RECOMMENDATION

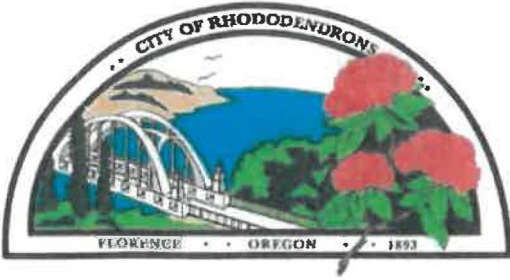
This request by the applicants, Roger Center, to annex Tax lot 1503 on Assessors map 18-12-04-42, situated in the City of Florence's urban growth boundary into the City of Florence city limits and assign a City Medium-Density Residential zoning designation, will meet all of the applicable decision criteria for annexation into the city limits.

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 recommend **APPROVAL** of this annexation and rezone request, PC 24 33 ANN 05; PC 24 34 ZC 05, to the Florence City Council to annex the following into the City limits, and apply the zone of Medium-Density Residential;

Lot 1, Block 20, HECETA BEACH, as platted and recorded in Book 7, Page 25, Lane County Oregon Plat Records, in Lane County, Oregon.

V. Conditions of approval: None

1. SDCs and connection charges shall be paid to the Public Works department. A plumbing permit must be obtained prior to connecting City services.



PC 24 33 ANN 05 & PC 24 34 ZC 05

CC 24 09 ANN 05 & CC 24 10 ZC 05

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

Annexation and Zoning Assignment

Applicant Information

Name: Roger Center Phone 1: 541-999-1740
E-mail Address: centerbrothers@hotmail.com Phone 2: _____
Address: 2625 NOR-DANL RD FLORENCE OR 97439
Signature: [Signature] Date: 8-20-24
Applicant's Representative (if any): _____

Property Owner Information

Name: SAMS Phone 1: SAMS
E-mail Address: SAMS Phone 2: _____
Address: SAMS
Signature: [Signature] Date: 8-20-24
Applicant's Representative (if any): N/A

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.

(Attach Additional Sheets as Necessary)

For Office Use Only:

Received
RECEIVED
City of Florence

AUG 21 2024

By: [Signature]

Approved

Exhibit

Property Description

Is the property located within the Florence Urban Growth Boundary? Yes No

Property Address: 88366 4TH AVE FLORENCE OR 97439

General Location (example: City Hall is at the SE corner of 2nd and Highway 101):

Assessor's Map and Tax Lot: 18-12-04-42 TC 01503

Lot Size: 50x120 (County) Zoning District: RES.

List other owners or occupants (electors): OWEN PIXIE CENTER

Residential Units to be Annexed: 1 Type: NEW HOUSE STATED

Is/Are the property/ies currently developed? Yes (Skip to Additional Information Req.) No

Proposed Development Plan: Permits build New HOME

Does the land use plan designation allow this proposed use? Yes No

Additional Information Required

The below is check list of the required information to determine an application complete. Florence City Code (FCC) references are provided for your convenience. FCC is available at City Hall or on-line at www.ci.florence.or.us under "City Government", click on "City Code".

FCC Title 10, Chapter 1 states that staff has 30 days to review the application for completion. A written notice explaining application deficiencies or acknowledging a complete application will be provided to the applicant and/or representative. Please be aware that the applicant has the burden of proof to show how the project meets the applicable criteria as (refer to FCC 2-10-6). If you have questions, contact the Planning Department at 541-997-8237.

Existing Utilities:

- Is the area of annexation located within the Heceta Water District? Yes No
- Is the area of annexation located within the Siuslaw Rural Fire District? Yes No
- Is the area of annexation currently served by individual or collective septic systems?

Needed Public Facilities:

Typically, these questions are answered by the Public Works Director prior to application. Please contact Public Works at (541) 997-4106. A pre-application meeting can be scheduled by calling the Planning Department at (541) 997-8237.

Water – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Sewer – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Streets – Are adequate streets available? Yes No
Street: 4TH AVE Adequate capacity for additional service? Yes No

Known pre-existing non-conforming conditions on-site: Replace Home

Proposed Method of Annexation

- Petition signed by owners of at least one-half of the land area in the affected territory.
- Petition signed by the majority of electors registered in the territory proposed to be annexed and written consents of the annexation of their land from the owners of more than half of the land in the territory to be annexed.

Review Criteria

Please provide detailed responses to each of the criteria below (please attach sheets as necessary):

A) Describe how the proposed annexation will allow or promote orderly, economic provision of public facilities and services. Replace Home with New Permitted Home

B) How does the proposed annexation contribute to the availability of sufficient land for various land uses, i.e., residential, commercial, etc. to ensure choice in the market place?
No change

C) Please provide a detailed description of conformity of the proposed annexation with the approved City of Florence 2020 Comprehensive Plan. To NOT HAVE SEPTIC

D) Are lands available within the existing city limits which are available for the uses proposed in the annexation? If not, please provide the justification for that conclusion.

Date Submitted: _____ Fee: _____
Received by: _____

Paid

PETITION FOR ANNEXATION


to the

City of Florence, Oregon

The undersigned hereby petitions for and gives our consent for the area described below to be included in the request for annexation to the City of Florence. With these signatures, we are verifying that we have the authority to consent to annexation as the property owner(s) and/or elector(s) or on behalf of our corporation, business, or agency.

The property to be annexed is as follows:

Assessors Map Reference and Tax Lot: 18-12-04-02 Tax Lot 1503
Property Address (if appropriate): 88366 4TH AVE FLORENCE
Property Owner /Electors Name(s): Roger Center
Pike Center
Center Family Trust Agreement

Signature(s):


Pike Center

Date: 8-20-24



TITLE NO. 0343620
ESCROW NO. FL24-0097 BW
TAX ACCT. NO. 0777761
MAP/TAX LOT NO. 18 12 04 42 01503

READ AND APPROVED
DocuSigned by:
Roger Dale Center, Trustee DATE 5/10/2024
DocuSigned by:
Pixie Lynn Center, Trustee DATE 5/10/2024
79FAE875ACBD44A...
AE8380E4FAA5415...

GRANTOR

SCOTT EARLY and TABITHA EARLY

GRANTEE

ROGER DALE CENTER and PIXIE LYNN CENTER, Trustees of the CENTER FAMILY TRUST AGREEMENT dated December 2, 1993
5625 NORDAHL ROAD
FLORENCE, OR 97439

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADe TITLE CO.
675 OAK STREET, STE 100
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

SCOTT EARLY and TABITHA EARLY, as tenants by the entirety, Grantor,

conveys and warrants to

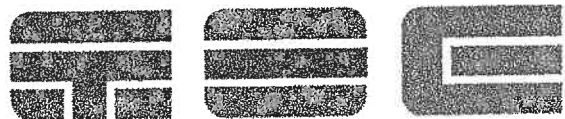
ROGER DALE CENTER and PIXIE LYNN CENTER, Trustees of the CENTER FAMILY TRUST AGREEMENT dated December 2, 1993, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

Lot 1, Block 20, HECETA BEACH, as platted and recorded in Book 7, Page 25, Lane County Oregon Plat Records, in Lane County, Oregon.

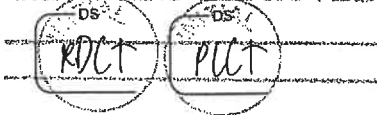
The true consideration for this conveyance is \$100,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.



CASCADE TITLE CO.

READ AND APPROVED

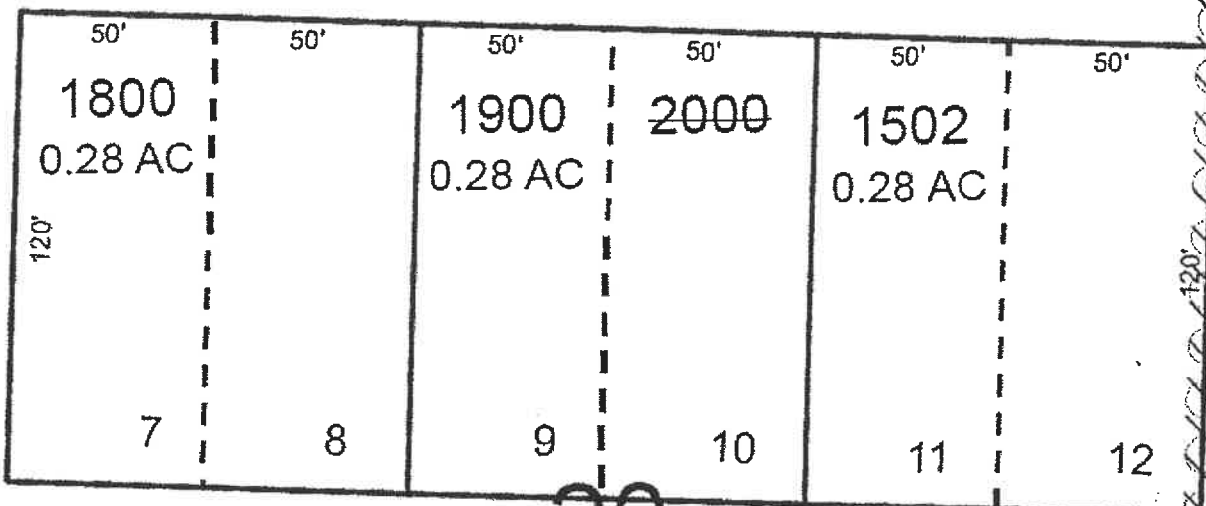


MAP NO.
18-12-04-42

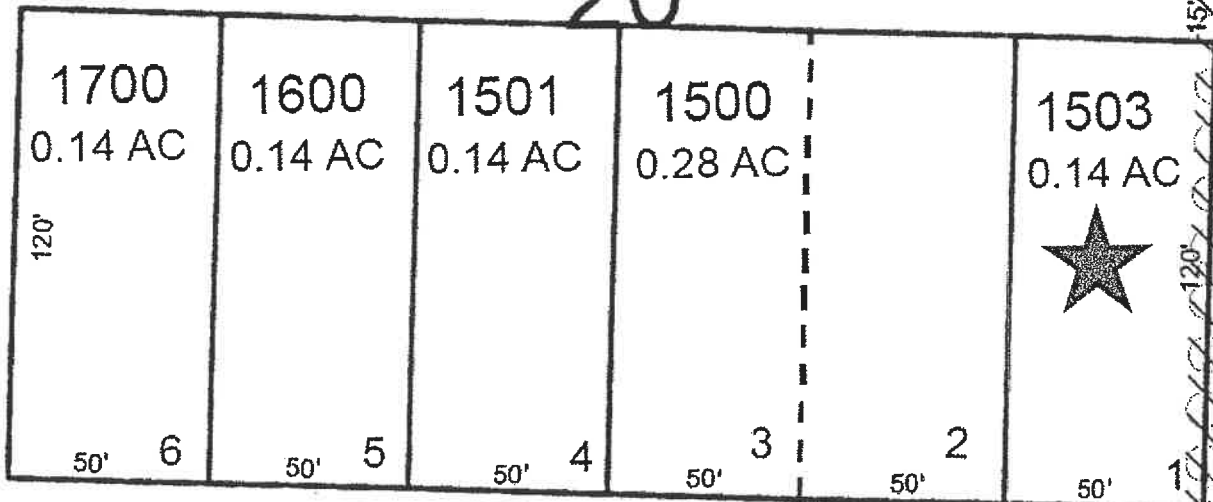
MEARES STREET

141.0

SECOND AVENUE



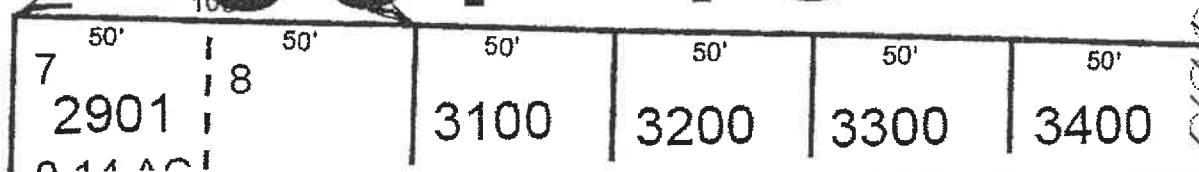
20



RHODODENDRON DRIVE

LOOKOUT

097-18 STREET



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

Exhibit C

August 21, 2024

RE: Zoning Designation Request

Please accept this letter as my request for zoning designation change for map and tax lot # 18-12-04-20 Tax Lot #01503. Ownership is in the name of Roger Center and Pixie Lee Center. I'm requesting the referenced parcel to be annexed to Low Density Residential. Legal description is attached on separate page.

Please contact Roger Center 541-999-1740.

A handwritten signature in blue ink, appearing to read "Roger Center", written over a horizontal line.

Roger Center



PUBLIC WORKS DEPARTMENT | TRANSPORTATION PLANNING
3040 N DELTA HIGHWAY | EUGENE, OR 97408
P: 541.682.6996 | F: 541.682.8554

Exhibit D(1)

October 16, 2024

TO: Planning Department, City of Florence
FROM: Aaron Staniak, Lane County Transportation Planning
RE: **TRANSPORTATION PLANNING REFERRAL RESPONSE**
DEPARTMENT FILE: PC 24 33 ANN 05 & PC 24 34 ZC 05
APPLICANT: Roger Center
ASSESSOR'S MAP & TAX LOT: 18-12-04-42-01503
ADDRESS: 88366 4th Ave, Florence

Proposal: Annexation and Zoning Assignment.

TRANSPORTATION PLANNING RECOMMENDATIONS:

Lane County Transportation Planning supports this annexation request. The subject property ("property") is located within Florence's Urban Growth Boundary abutting both 4th Avenue and Lookout Street, neither of which are built to urban standards. 4th Avenue has been annexed by the City of Florence, but in order to support further urbanization of roads that serve urban development, Lookout Street must be annexed as well.

TRANSPORTATION PLANNING CONDITIONS OF APPROVAL:

There are no conditions of approval for this annexation request.

TRANSPORTATION PLANNING FINDINGS:

The subject property ("property") is located within Florence's Urban Growth Boundary. The property fronts both 4th Avenue and Lookout Street. 4th Avenue is to the east of the subject property while Lookout Street is to the south. 4th Avenue is under the jurisdiction of the City of Florence and the segment of Lookout Street along the property is functionally classified as a Local Access Road and is considered a Local Access Road.

Exhibit D(2)

From: [Michael Schick](#)
To: [Jacob Foutz](#)
Subject: RE: Proposed Annexation of 88366 4th Avenue Florence, OR 97439
Date: Monday, October 14, 2024 3:26:29 PM

Jacob,
Western Lane Fire and EMS Authority has no concerns with annexation of this property into the City. This address is currently in our response area and would continue to receive emergency services from WLFEA.

Michael R Schick, EFO, PhD

Fire & EMS Chief
Western Lane Fire and EMS Authority
2625 Hwy 101
Florence, OR 97439
(541) 997-3212 (office)
(541) 999-9098 (cell)
chief@wlfea.org

From: Jacob Foutz <Jacob.Foutz@ci.florence.or.us>
Sent: Monday, October 14, 2024 3:09 PM
To: Planning Department <PlanningDepartment@ci.florence.or.us>
Subject: Proposed Annexation of 88366 4th Avenue Florence, OR 97439

Good afternoon,

The City of Florence received an annexation request for a property located at 87657 Hwy 101, Florence, OR 97439-8846.

Please see the attached notice of hearing and send any comments or concerns to planningdepartment@ci.florence.or.us. All comments must be received by noon on October 18.

Thanks,

Jacob Foutz (he/him)

Planning Manager
Jacob.Foutz@ci.florence.or.us
Direct: 541-902-5929
City of Florence
250 Hwy 101
Florence, OR 97439

Follow Us! [\[ci.florence.or.us\]](http://ci.florence.or.us) City Website | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Vimeo](#)

The City of Florence is an equal opportunity employer and service provider.

PUBLIC RECORDS LAW DISCLOSURE:

This email is a public record of the City of Florence and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 24 34 ZC 05

**A RESOLUTION RECOMMENDING APPROVAL TO THE FLORENCE CITY
COUNCIL OF THE ASSIGNMENT OF MEDIUM DENSITY DISTRICT ZONING AS
PART OF A PROPOSED ANNEXATION TO PROPERTY IDENTIFIED AS 88366 4TH
AVE, LOT 1, BLOCK 20, OF HECETA BEACH PLAT, DATED 1915.**

WHEREAS, the property owner(s) submitted petition for annexation of their property as required by FCC 10-1-1-4, 10-1-1-6 and 10-1-2-3; and

WHEREAS, under FCC 10-1-2-3, the City Council may establish zoning and land use regulations that become effective on the date of annexation; and

WHEREAS, the Planning Commission met in a public hearing on October 22, 2024, after giving the required notice per FCC 10-1-1-6 to consider the proposal, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission determined, after review of the proposal, testimony, and evidence in the record, that the proposal was consistent with Realization 2020, the city's acknowledged Comprehensive Plan and adopted Findings of Fact in support of the zoning assignment;

NOW THEREFORE BE IT RESOLVED that the Planning Commission recommends assigning zoning of Medium Density to 88366 4th Avenue, Lot 1, Block 20 of Heceta Beach Plat, dated 1915 as presented in Exhibit A and based on the Findings of Fact in Exhibit B.

APPROVED BY THE FLORENCE PLANNING COMMISSION this 22nd day of October 2024.

Kevin Harris, Chairperson
Florence Planning Commission

Date

Exhibit A

EXHIBIT A

Resolution PC 24 34 ZC 05

88366 4th Avenue, Florence OR - Zone Assignment





Before Proposed Rezoning



After Proposed Rezoning



LEGEND

 Low Density	 City Limits
 Medium Density	 Urban Growth Boundary



Tax Map 18-12-04-20-01503
88366 4th, Florence OR

Proposed Zone Assignment-
CITY OF FLORENCE MEDIUM DENSITY RESIDENTIAL

Existing Zoning-
Lane County zoning is Suburban Residential/Mobile Home (RH/MH) with an Interim Urban Combining District(U) overlay (UGB)