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**AGENDA ITEM SUMMARY / STAFF REPORT**  
**FLORENCE PLANNING COMMISSION**

**ITEM NO:**  
Meeting Date: November 12, 2024

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**ITEM TITLE:** Resolution PC 24 36 ANN 06 & PC 24 37 ZC 06  
4726 Sea Breeze Lane, Florence OR – Huntingdon Annexation

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**OVERVIEW:**

Application: The petitioner requests annexation of one lot totaling roughly 0.34 acres identified as Assessor’s Map Reference (MR) 18-12-10-32, Tax Lot (TL) 00800, and the associated Sea Breeze Lane ROW. Under Florence City Code, the City Council may assign zoning of City of Florence Low-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 on December 9 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.

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**ISSUES/DECISION POINTS:** None

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- ALTERNATIVES:**
1. Recommend City Council approve Resolutions PC 24 36 ANN 06 & PC 24 37 ZC 06 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
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**RECOMMENDATION:** Alternative 1. Recommend City Council approve Resolutions PC 24 36 ANN 06 & PC 24 37 ZC 06 as presented

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**AIS PREPARED BY:** Jacob Foutz, Planning Manager

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**ATTACHMENTS:**

- Resolution PC 24 36 ANN 06
- 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 37 ZC 06
- Exhibit A Map of Zone Change Area
- Exhibit B: Findings of Fact (not duplicated from above)

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**CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION PC 24 36 ANN 06**

**A RESOLUTION RECOMMENDING APPROVAL OF ANNEXATION OF PROPERTY WITHIN THE UGB, IDENTIFIED AS 4726 SEA BREEZE LANE, LOT 8, RHODODENDRON TERRACE WEST II, AS PLATTED AND RECORDED IN FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON, AND SEA BREEZE LANE RIGHT OF WAY, A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; SAID PARCEL BEING A STRIP OF LAND 50 FEET IN WIDTH, LYING 25 FEET ON EACH SIDE OF THE CENTERLINE; SAID CENTERLINE BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING SOUTH 527.86 FEET AND EAST 344.19 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD NUMBER 65 (RHODODENDRON DRIVE); RUN THENCE NORTH 79° 22' 20" WEST 110.96 FEET; THENCE ALONG THE ARC OF A 100 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 36° 27' 08" WEST 136.20 FEET) A DISTANCE OF 149.82 FEET; THENCE NORTH 6° 28' 04" EAST 163.55 FEET, AND THERE ENDING, ALL IN LANE COUNTY, OREGON. ALSO: BEGINNING AT THE NORTH END OF ABOVE-DESCRIBED CENTERLINE, SAID POINT BEING SOUTH 235.34 FEET AND EAST 172.63 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; RUN THENCE SOUTH 83° 31' 56" EAST 25.00 FEET; THENCE NORTH 6° 28' 04" EAST 67.09 FEET; THENCE ALONG THE ARC OF A 50 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS SOUTH 59° 45' 59" WEST 80.18 FEET) A DISTANCE OF 221.11 FEET; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS SOUTH 30° 13' 53" EAST 23.90 FEET) A DISTANCE OF 25.62 FEET; THENCE SOUTH 83° 31' 56" EAST 25.00 FEET TO THE POINT OF BEGINNING AND THERE ENDING, ALL IN LANE COUNTY, OREGON. THESE BEARINGS AND DISTANCES BASED ON THE PLAT OF RHODODENDRON TERRACE WEST II AS PLATTED AND RECORDED ON FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, LANE COUNTY, OREGON.**

**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 November 12, 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 12 day of November, 2024.

\_\_\_\_\_  
Kevin Harris, Chairperson  
Florence Planning Commission

\_\_\_\_\_  
Date

EXHIBIT

A

**LEGAL DESCRIPTIONS**

**4726 SEA BREEZE LANE:** LOT 8, RHODODENDRON TERRACE WEST II, AS PLATTED AND RECORDED IN FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON

**SEA BREEZE LANE RIGHT OF WAY:** A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; SAID PARCEL BEING A STRIP OF LAND 50 FEET IN WIDTH, LYING 25 FEET ON EACH SIDE OF THE CENTERLINE; SAID CENTERLINE BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING SOUTH 527.86 FEET AND EAST 344.19 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD NUMBER 65 (RHODODENDRON DRIVE); RUN THENCE NORTH 79° 22' 20" WEST 110.96 FEET; THENCE ALONG THE ARC OF A 100 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 36° 27' 08" WEST 136.20 FEET) A DISTANCE OF 149.82 FEET; THENCE NORTH 6° 28' 04" EAST 163.55 FEET, AND THERE ENDING, ALL IN LANE COUNTY, OREGON. ALSO: BEGINNING AT THE NORTH END OF ABOVE-DESCRIBED CENTERLINE, SAID POINT BEING SOUTH 235.34 FEET AND EAST 172.63 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; RUN THENCE SOUTH 83° 31' 56" EAST 25.00 FEET; THENCE NORTH 6° 28' 04" EAST 67.09 FEET; THENCE ALONG THE ARC OF A 50 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS SOUTH 59° 45' 59" WEST 80.18 FEET) A DISTANCE OF 221.11 FEET; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS SOUTH 30° 13' 53" EAST 23.90 FEET) A DISTANCE OF 25.62 FEET; THENCE SOUTH 83° 31' 56" EAST 25.00 FEET TO THE POINT OF BEGINNING AND THERE ENDING, ALL IN LANE COUNTY, OREGON. THESE BEARINGS AND DISTANCES BASED ON THE PLAT OF RHODODENDRON TERRACE WEST II AS PLATTED AND RECORDED ON FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, LANE COUNTY, OREGON.

**EXHIBIT**

**A**

# Exhibit A

## Resolution PC 24 36 ANN 06

4726 Sea Breeze, Florence OR – Huntingdon Annexation

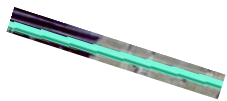
### Before Proposed Annexation



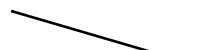
### After Proposed Annexation



#### LEGEND



City Limits

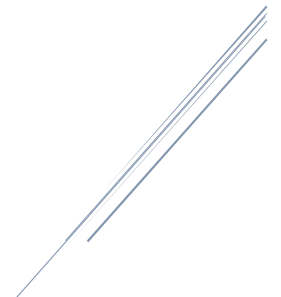


Tax Lot Boundaries



Tax Map 18-12-10-32-00800

4726 Sea Breeze Lane,  
Florence OR





**PLANNING COMMISSION**  
Staff report and recommendation  
for  
Annexation PC 24 36 ANN 06  
Zone Change PC 24 37 ZC 06



**PC HEARING DATE:** November 12, 2024

**CC HEARING DATE:** December 9, 2024

**PREPARED BY:** Jacob Foutz, Planning Manager

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**I. GENERAL INFORMATION AND FACTS**

**Applicant:** Ellen & Christopher Huntingdon  
4726 Sea Breeze Ln  
Florence, OR 97439

**Property Owner:** Ellen & Christopher Huntingdon  
4726 Sea Breeze Ln  
Florence, OR 97439

**Land Use Review:** Annexation:  
A request from the property owners to annex property and ROW 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 current Lane County zoning is a Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay. The corresponding zoning district matching the property's plan designation is the City of Florence Low-Density Residential.

**Subject Property Description:** The Subject Property is at 4726 Sea Breeze Lane, Florence, OR, Tax lot 00800 on tax map 18-12-10-32.

**Existing Zoning:** Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay (UGB)

**Proposed New Zoning:** City of Florence Low-Density Residential

**Adjacent Land Use(s):**

<b>Adjacent Property</b>	<b>Zoning</b>	<b>Use</b>
North	Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay	Mobile Home Dwelling
South	Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay	Single-Family Dwelling
East	Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay	Mobile Home Dwelling
West	Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay	Mobile Home Dwelling

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

The applicant requests the annexation of Tax Lot 00800 from the City of Florence Urban Growth Boundary and Lane County jurisdiction to the City of Florence limits and jurisdiction. The property is owned by Ellen & Christopher Huntingdon. 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 subject property includes an existing Single-Family dwelling. It has ROW access via Sea Breeze Lane, which is included in this annexation application and connects to City Street Rhododendron Drive. The surrounding and abutting properties to the North, South, West, and East are within the City of Florence Urban Growth Boundary (UGB).

The petition requesting annexation and zoning assignment was received on September 6th, 2024, and deemed complete as of October 11, 2024. State law allows a city to annex territory by consent of more than half the property owners, who own more than half the land area, which also constitutes 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. In accordance with 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 Low-Density Residential, and it is recommended to be zoned Low-Density Residential upon annexation.

The property will continue to be served by Heceta Water PUD, which maintains water infrastructure directly adjacent to it. After annexation, the Property 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. The property will continue to be served by all districts presently providing public services.

On October 29, 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:**

At the time of this report, the city has received comments from Lane County Transportation Planning and Siuslaw Valley Fire and Rescue.

**Lane County Transportation Planning:**

“Thank you for providing Lane County Transportation Planning (LCTP) the opportunity to comment on this application. LCTP supports this annexation as proposed. Beyond that, we have no further comments.”

**Western Lane Fire and EMS:**

“Western Lane Fire and EMS Authority has no objection to the proposed annexation. This address is currently in our Fire and EMS response area and would remain in our response area following annexation.”

**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 in order for this request to 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 Lane County zoning Suburban Residential/Mobile home (RA/MH) with an interim urban combining district (U) Overlay (UGB) and is developed with a single-family unit. The implementing City zone for this area is Low-Density Residential.

According to RLID, 100% percent of the property includes soils (Netarts fine sand) identified as having 3 to 12 Percent Slopes. Currently, the property contains the construction of a single-family home, which is an allowed use in the existing zoning and the new proposed low-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.

#### Low Density Residential:

The Low-Density Residential designation is intended for areas where existing lot sizes are in the neighborhood of 9,000 square feet or larger and for areas where environmental constraints preclude smaller lots. The corresponding zoning district is Low-Density Residential. This designation provides primarily for single family homes and for manufactured homes meeting certain minimum standards.

**Findings:** Upon annexation, the City Council may assign the property to the City of Florence low-density zoning. The zone assignment of low-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 Low-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 (Rhododendron Drive), 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 economical manner, as described in detail below. The annexation request does not address 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 a HWPUD customer. Public Works recommends that the petitioner contact HWPUD for specific fire flow and domestic capacities for this area.

**Stormwater:** The requirements for handling stormwater upon annexation will not change. Future development on the property will be expected to meet the 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:** Sea Breeze Lane is proposed to be annexed to the City of Florence as part of this application. 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 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:** Western Lane Fire and EMS currently provide protection services to the annexation area and will continue to do so after 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 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:** The city received comments from Lane County's Transportation Planning Supervisor, Cassidy Mills. She explained Seabreeze's classification and the process for jurisdictional transfer. In addition, she stated, "That's great to learn that Sea Breeze will be annexed."

**Conclusion:** A referral requesting comments was sent to Lane County on October 29, 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 29, 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:** Currently, Lane County manages and provides services to properties outside the City of Florence but within the Urban Growth Boundary. This proposal is to annex both a tax lot and a section of the Sea Breeze Lane right-of-way (ROW). While the proposed annexation includes the right-of-way (ROW) for Sea Breeze Lane, the City of Florence will not automatically assume maintenance responsibilities upon annexation. Maintenance transfer would require a separate jurisdictional transfer initiated by the Public Works Department and approved by the City Council. This transfer process is independent of the annexation approval and will be evaluated based on city resources and operational priorities.

**Conclusion:** If the proposed annexation is approved, the City of Florence will take responsibility for permitting and developing the annexed property. For the Sea Breeze Lane ROW, the City Council must initiate a jurisdictional transfer request if the City wants to assume maintenance duties.

#### 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 property proposed for annexation lies within the City of Florence's Urban Growth Boundary (UGB), an area designated to support managed growth and the efficient extension of urban services. The property's location within this boundary makes it eligible for annexation, aligning with Florence's growth strategy and land-use objectives. Contiguity with the City of Florence's existing boundaries is established through Sea Breeze Lane, which is included in the annexation request. This connectivity ensures that the property can be seamlessly integrated into the city limits, facilitating streamlined service provision and compliance with relevant municipal and state regulations for annexation.

**Conclusion:** The properties proposed for annexation are contiguous with the City of Florence on the eastern side, where they connect to the city's transportation network via Rhododendron Drive. The property lies entirely within Lane County, the jurisdiction encompassing Florence. This contiguity and location within the UGB support the annexation process, ensuring that the property is logically and geographically positioned for inclusion in the city.

(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 RLID as being owned by Ellen and Christopher Huntingdon.

**Conclusion:** The legal owners of the subject property have signed the annexation petition submitted to the City of Florence, which initiated the annexation process. The petition will be heard by the City of Florence's Planning Commission and City Council.

(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 Register Guard on October 22, 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 area 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 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 two owners. The City received written consent from the owners, Ellen and Christopher Huntingdon, on a petition requesting annexation to the City.

**Conclusion:** The legal property owners have 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:** Written consent from the property owners was signed and provided with the petition for annexation received by the City on September 6, 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 November 12, 2024, in the City of Florence Council Chambers. The second hearing to be heard by the City Council will be held on December 9, 2024.

**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 will be followed during the jurisdictional transfer.

**Conclusion:** Jurisdictional transfer of public rights-of-way will occur as initiated by the City of Florence Public works Department and the City Council.

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 by the City Code.

#### 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 4726 Sea Breeze Lane 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 November 12, 2024 meeting. The City Council is anticipated to hear this matter at its December 9, 2024 meeting.

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 Low-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 Low-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 November 12, 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:

A. Low Density Residential (LDR): The Low Density Residential District is intended to provide a quality environment for low density, urban residential uses and other Planned Unit Development as determined to be necessary and/or desirable.

**Findings:** The property, which has a single-dwelling unit, is proposed to be zoned Low-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 Low-Density Residential zoning is appropriate, as it corresponds to the subject properties' Comprehensive Plan designation of Low-Density. The approximately 0.34-acre Property consists of one tax lot (00800).

IV. SUMMARY CONCLUSIONS AND STAFF RECOMMENDATION

This request by the applicants, Ellen and Christopher Huntingdon, to annex Tax Lot 00800 on Assessor's Map 18-12-10-32 and the associated Sea Breeze Lane ROW, situated within the City of Florence's urban growth boundary, into the city limits and to assign a City Low-Density Residential zoning designation, meets all applicable decision criteria for annexation and zoning assignment.

Based on the findings in Sections I, II, and III of this report, staff recommends that the Planning Commission recommend **approval** of both the annexation request (PC 24 36 ANN 06) and the zone change request (PC 24 37 ZC 06) to the Florence City Council. The recommended actions are as follows:

- **Annexation:** Approve the annexation of Tax Lot 00800 and the associated Sea Breeze Lane ROW into the Florence city limits.
- **Zoning Assignment:** Apply the City of Florence Low-Density Residential zoning designation to the annexed property, aligning with the property's Comprehensive Plan designation.

The property, 4726 Sea Breeze Lane, is legally described as follows: ***Lot 8, RHODODENDRON TERRACE WEST II, as platted and recorded in File 72, Slide 141, Lane County Oregon Plat Records, in Lane County, Oregon***

Sea Breeze Lane is described as follows: *A parcel of land lying in the Southwest one-quarter of Section 10, Township 18 South, Range 12 West of the Willamette Meridian; said parcel being a strip of land 50 feet in width, lying 25 feet on each side of the centerline; said centerline being described as follows: Beginning at a point being South 527.86 feet and East 344.19 feet from the one-quarter corner common to Sections 9 and 10 in Township 18 South, Range 12 West of the Willamette Meridian, said point also being on the Westerly right-of-way of County Road Number 65 (Rhododendron Drive); run thence North 79° 22' 20" West 110.96 feet; thence along the arc of a 100 foot radius curve right (the long chord of which bears North 36° 27' 08" West 136.20 feet) a distance of 149.82 feet; thence North 6° 28' 04" East 163.55 feet, and there ending, all in Lane County, Oregon. ALSO: Beginning at the North end of above-described centerline, said point being South 235.34 feet and East 172.63 feet from the one-quarter corner common to Sections 9 and 10 in Township 18 South, Range 12 West of the Willamette Meridian; run thence South 83° 31' 56" East 25.00 feet; thence North 6° 28' 04" East 67.09 feet; thence along the arc of a 50 foot radius curve left (the chord of which bears South 59° 45' 59" West 80.18 feet) a distance of 221.11 feet; thence along the arc of a 20.00 foot radius curve right (the chord of which bears South 30° 13' 53" East 23.90 feet) a distance of 25.62 feet; thence South 83° 31' 56" East 25.00 feet to the point of beginning and there ending, all in Lane County, Oregon. These bearings and distances based on the plat of Rhododendron Terrace West II as platted and recorded on File 72, Slide 141, Lane County Oregon Plat Records, 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 36 ANN  
PC 24 37 ZC 06

CC 24 11 ANN (C)  
CC 24 12 ZC 06



*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](http://www.ci.florence.or.us)

**Type of Request**

**Annexation and Zoning Assignment**

**Applicant Information**

Name: Ellen Huntingdon Phone 1: 541-999-5633  
E-mail Address: ell.huntingdon@gmail.com Phone 2: \_\_\_\_\_  
Address: 4726 Sea Breeze Ln, Florence, OR 97439  
Signature: Ellen Huntingdon Digitally signed by Ellen Huntingdon  
Date: 2024.09.06 12:45:15 -07'00' Date: 09/06/2024  
Applicant's Representative (if any): \_\_\_\_\_

**Property Owner Information**

Name: Ellen Huntingdon Phone 1: 541-999-5633  
E-mail Address: ell.huntingdon@gmail.com Phone 2: \_\_\_\_\_  
Address: 4726 Sea Breeze Ln, Florence, OR 97439  
Signature: Ellen Huntingdon Digitally signed by Ellen Huntingdon  
Date: 2024.09.06 12:46:01 -07'00' Date: 09/06/2024  
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.*

**(Attach Additional Sheets as Necessary)**

**For Office Use Only:**

Received

Approved

Exhibit

**RECEIVED**

*By Clare Kurth at 8:59 pm, Sep 06, 2024*



**Property Description**

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

Property Address: 4726 Sea Breeze Ln, Florence, OR 97439

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

Property is located in a residential cul-de-sac off of Rhododendron Drive. \_\_\_\_\_

Assessor's Map and Tax Lot: 1812103200800

Lot Size: 0.34 Acres (County) Zoning District: Lane County

List other owners or occupants (electors): Christopher Huntingdon

Residential Units to be Annexed: 1 Type: Primary Residence

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

Proposed Development Plan: \_\_\_\_\_

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](http://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: \_\_\_\_\_ Adequate capacity for additional service?  Yes  No

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

Pre-existing condition on-site: I have already been in contact with public works, specifically Mike Miller to discuss City Sewer connection. Our individual septic failed, and we are in need of sewer connection.

#### 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.

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?

C) Please provide a detailed description of conformity of the proposed annexation with the approved City of Florence 2020 Comprehensive Plan.

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



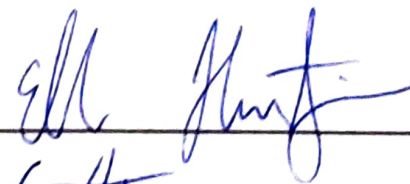
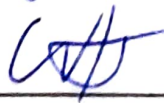
The undersigned hereby petitions for and gives our consent for the area described below to be included in the request for annexation to the City of Florence. With these signatures, we are verifying that we have the authority to consent to annexation as the property owner(s) and/or elector(s) or on behalf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

The property to be annexed is as follows: 4726 Sea Breeze Lane  
Florence, OR 97439

Assessors Map Reference and Tax Lot: 1812103200800  
Property Address (if appropriate): 4726 Sea Breeze LN, Florence, OR 97439

Property Owner /Elector(s) Name(s):  
Ellen Huntingdon  
Christopher Huntingdon

Signature(s):

  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date:

9/6/2024  
\_\_\_\_\_

RECEIVED  
By Clare Kurth at 9:00 pm, Sep 06, 2024



**Jacob Foutz**

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**From:** LCTPReferrals <lcpwtpreferrals@lanecountyor.gov>  
**Sent:** Tuesday, November 5, 2024 11:42 AM  
**To:** Planning Department  
**Cc:** 'lcpwtpreferrals@lanecountyor.gov'  
**Subject:** RE: Proposed Annexation of 4726 Sea Breeze Lane and Associated ROW

Hello,

Thank you for providing Lane County Transportation Planning (LCTP) the opportunity to provide comment on this application. LCTP supports this annexation as proposed. Beyond that, we have no further comments.

Have a good day,  
Aaron Staniak (he, him)  
Engineering Technician II  
Lane County Public Works  
aaron.staniak@lanecountyor.gov  
541-682-6955

---

**From:** Jacob Foutz <Jacob.Foutz@ci.florence.or.us>  
**Sent:** Tuesday, October 29, 2024 3:02 PM  
**To:** Planning Department <PlanningDepartment@ci.florence.or.us>  
**Cc:** 'c.neville@hwpud.com'; 'mwagner@cencoast.com'; 'charles.deister@charter.com'; 'cara.trautmann@charter.com'; 'pete@coastcom.net'; 'tiffany@oregonfast.net'; 'Soto, David' <david.a.soto@lumen.com>; 'centralcoastdisposal@gmail.com'; 'brian.enochian@wasteconnections.com'; 'amber.bell@lanecountyor.gov'; 'sasha.vartanian@lanecountyor.gov'; 'lcpwtpreferrals@lanecountyor.gov'; 'Marissa.Davis@ci.florence.or.us'; 'Phae.Latta@ci.florence.or.us'; 'shellilea.m.conley@usps.gov'; 'rebecca.L.Anderson2@usps.gov'; 'mike.miller@ci.florence.or.us'; 'chief@wlfea.org'; 'robbie@hyak.co'; 'rachel.jenkinson@LaneCountyOr.gov'; 'jennifer.o'neal@LaneCountyOr.gov'  
**Subject:** Proposed Annexation of 4726 Sea Breeze Lane and Associated ROW

[EXTERNAL ⚠]

Good afternoon,

The City of Florence received an annexation request for a property located at 4726 Sea Breeze Lane, Florence, OR 97439-8846.

Please see the attached notice of hearing and send any comments or concerns to [planningdepartment@ci.florence.or.us](mailto:planningdepartment@ci.florence.or.us). All comments must be received by noon on November 5th.

Thanks,

**Jacob Foutz (he/him)**

Planning Manager



**Jacob Foutz**

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**From:** Michael Schick <chief@wlfea.org>  
**Sent:** Tuesday, October 29, 2024 3:16 PM  
**To:** Jacob Foutz  
**Subject:** RE: Proposed Annexation of 4726 Sea Breeze Lane and Associated ROW

Jacob,  
Western Lane Fire and EMS Authority has no objections to the proposed annexation. This address is currently in our Fire and EMS response area and would remain in our response area following annexation.

**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](mailto:chief@wlfea.org)

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**From:** Jacob Foutz <Jacob.Foutz@ci.florence.or.us>  
**Sent:** Tuesday, October 29, 2024 3:02 PM  
**To:** Planning Department <PlanningDepartment@ci.florence.or.us>  
**Cc:** 'c.neville@hwpud.com'; 'mwagner@cencoast.com'; 'charles.deister@charter.com'; 'cara.trautmann@charter.com'; 'pete@coastcom.net'; 'tiffany@oregonfast.net'; 'Soto, David' <david.a.soto@lumen.com>; 'centralcoastdisposal@gmail.com'; 'brian.enochian@wasteconnections.com'; 'amber.bell@lanecountyor.gov'; 'sasha.vartanian@lanecountyor.gov'; 'lcpwtpreferrals@lanecountyor.gov'; 'Marissa.Davis@ci.florence.or.us'; 'Phae.Latta@ci.florence.or.us'; 'shellilea.m.conley@usps.gov'; 'rebecca.L.Anderson2@usps.gov'; 'mike.miller@ci.florence.or.us'; 'chief@wlfea.org'; 'robbie@hyak.co'; 'rachel.jenkinson@LaneCountyOr.gov'; 'jennifer.o'neal@LaneCountyOr.gov'  
**Subject:** Proposed Annexation of 4726 Sea Breeze Lane and Associated ROW

Good afternoon,

The City of Florence received an annexation request for a property located at 4726 Sea Breeze Lane, Florence, OR 97439-8846.

Please see the attached notice of hearing and send any comments or concerns to [planningdepartment@ci.florence.or.us](mailto:planningdepartment@ci.florence.or.us). All comments must be received by noon on November 5th.

Thanks,

**Jacob Foutz (he/him)**

Planning Manager

[Jacob.Foutz@ci.florence.or.us](mailto:Jacob.Foutz@ci.florence.or.us)

Direct: 541-902-5929

**CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION PC 24 37 ZC 06**

**A RESOLUTION RECOMMENDING APPROVAL TO THE FLORENCE CITY COUNCIL OF THE ASSIGNMENT OF LOW-DENSITY DISTRICT ZONING AS PART OF A PROPOSED ANNEXATION TO PROPERTY IDENTIFIED AS 4726 SEA BREEZE LANE, LOT 8, RHODODENDRON TERRACE WEST II, AS PLATTED AND RECORDED IN FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON, AND SEA BREEZE LANE RIGHT OF WAY, A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; SAID PARCEL BEING A STRIP OF LAND 50 FEET IN WIDTH, LYING 25 FEET ON EACH SIDE OF THE CENTERLINE; SAID CENTERLINE BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING SOUTH 527.86 FEET AND EAST 344.19 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD NUMBER 65 (RHODODENDRON DRIVE); RUN THENCE NORTH 79° 22' 20" WEST 110.96 FEET; THENCE ALONG THE ARC OF A 100 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 36° 27' 08" WEST 136.20 FEET) A DISTANCE OF 149.82 FEET; THENCE NORTH 6° 28' 04" EAST 163.55 FEET, AND THERE ENDING, ALL IN LANE COUNTY, OREGON. ALSO: BEGINNING AT THE NORTH END OF ABOVE-DESCRIBED CENTERLINE, SAID POINT BEING SOUTH 235.34 FEET AND EAST 172.63 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 9 AND 10 IN TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; RUN THENCE SOUTH 83° 31' 56" EAST 25.00 FEET; THENCE NORTH 6° 28' 04" EAST 67.09 FEET; THENCE ALONG THE ARC OF A 50 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS SOUTH 59° 45' 59" WEST 80.18 FEET) A DISTANCE OF 221.11 FEET; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS SOUTH 30° 13' 53" EAST 23.90 FEET) A DISTANCE OF 25.62 FEET; THENCE SOUTH 83° 31' 56" EAST 25.00 FEET TO THE POINT OF BEGINNING AND THERE ENDING, ALL IN LANE COUNTY, OREGON. THESE BEARINGS AND DISTANCES BASED ON THE PLAT OF RHODODENDRON TERRACE WEST II AS PLATTED AND RECORDED ON FILE 72, SLIDE 141, LANE COUNTY OREGON PLAT RECORDS, LANE COUNTY, OREGON.**

**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 November 12, 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 Low- Density to:

1. 4726 sea breeze lane, lot 8, rhododendron terrace west II, as platted and recorded in file 72, slide 141, lane county Oregon plat records, in lane county, Oregon as presented in Exhibit A and based on the Findings of Fact in Exhibit B.
2. Sea breeze lane right of way, a parcel of land lying in the southwest one-quarter of section 10, township 18 south, range 12 west of the Willamette meridian; said parcel being a strip of land 50 feet in width, lying 25 feet on each side of the centerline; said centerline being described as follows: beginning at a point being south 527.86 feet and east 344.19 feet from the one-quarter corner common to sections 9 and 10 in township 18 south, range 12 west of the Willamette meridian, said point also being on the westerly right-of-way of county road number 65 (rhododendron drive); run thence north 79° 22' 20" west 110.96 feet; thence along the arc of a 100 foot radius curve right (the long chord of which bears north 36° 27' 08" west 136.20 feet) a distance of 149.82 feet; thence north 6° 28' 04" east 163.55 feet, and there ending, all in lane county, Oregon. Also: beginning at the north end of above-described centerline, said point being south 235.34 feet and east 172.63 feet from the one-quarter corner common to sections 9 and 10 in township 18 south, range 12 west of the Willamette meridian; run thence south 83° 31' 56" east 25.00 feet; thence north 6° 28' 04" east 67.09 feet; thence along the arc of a 50 foot radius curve left (the chord of which bears south 59° 45' 59" west 80.18 feet) a distance of 221.11 feet; thence along the arc of a 20.00 foot radius curve right (the chord of which bears south 30° 13' 53" east 23.90 feet) a distance of 25.62 feet; thence south 83° 31' 56" east 25.00 feet to the point of beginning and there ending, all in lane county, Oregon. These bearings and distances based on the plat of rhododendron terrace west ii as platted and recorded on file 72, slide 141, lane county Oregon plat records, lane county, Oregon as presented in Exhibit A and based on the Findings of Fact in Exhibit B.

**APPROVED BY THE FLORENCE PLANNING COMMISSION** this 12 day of November 2024.

\_\_\_\_\_  
Kevin Harris, Chairperson  
Florence Planning Commission

\_\_\_\_\_  
Date

# Exhibit A

## Resolution PC 24 37 ZC 06

4726 Sea Breeze Lane and Sea Breeze Lane ROW,  
Florence OR - Zone Assignment



Before Proposed Rezoning

After Proposed Rezoning



**LEGEND**

 Low Density	 City Limits
 Medium Density	 Urban Growth Boundary



Tax Map 18-12-10-32-00800  
4726 Sea Breeze Lane,  
Florence OR

Proposed Zone Assignment-  
*City of Florence Low-Density  
Residential*

Existing Zoning-  
*Lane County zoning Suburban  
Residential/Mobile home  
(RA/MH) with an interim urban  
combining district (U) Overlay  
(UGB)*

