



City of Florence

250 Hwy 101, Florence, OR 97439

www.ci.florence.or.us

October 18, 2024

Our Coastal Village, Inc and Chestnut Management LLC
 Attn: Layne Morrill
 P.O. Box 108
 Yachats, OR 974989

Dear Layne Morrill,

Thank you for submitting Land Use application PC 24 28 SUB 01, a request for replat as part of the Elm Park PUD application. The project is located on Assessor's Map Ref 18-12-27-31, Tax Lots 01100 and 01200. After reviewing the submittal, the application was deemed "*incomplete*" and needs the following information: Items below in *italics* are directly from City Code.

- [FCC 10-10-4-E](#): Residential Density Standards
- Maximum density in MDR is 12 units per acre and 25 units per acre in HDR.
- Note 3 states replats shall use 12 units per acre for MDR and RMH.
- Proposed residential development is 1.47 acres with 32 units proposed equvalating to @ 22 units per acre.
 - Explain how protection for significant natural resources regulated by FCC 11-5-4 (wetland and riparian areas on, or adjacent to, the site) will be provided.

FCC 11-1-5: *Replatting Of Subdivided Lands: Replatting of an existing, but undeveloped, subdivision shall follow the following procedures:*

- A. *The applicant shall apply to the City for vacation of existing rights of way as applicable, unless proposed streets and/or common open space of equal area is dedicated to the City as public easements.*
- In accordance with this code section, the alley shall be dedicated to the City as a public easement. Please include this information in the narrative statement and submit revised plans stating the alley will be dedicated public right of way, unless partitions are applied for (see "B" below) that exclude the alley.
- B. *The applicant shall apply to the City for partition or subdivision approval as applicable according to the provisions of this Title.*
- Please submit either two tentative partition plans, one for the north ½ block and one for the south ½ block, or a subdivision plan for entire block in accordance with FCC 11-2-2 or 11-3-2 respectively. Both paths shall address FCC 11-5.

FCC 11-5-4: *UNSUITABLE AREAS: Areas identified in the Florence Comprehensive Plan as having designated or protected natural areas or potential hazards due to erosion, landslides, stream flooding, ocean flooding or other natural hazards shall not be divided in a manner that would be dangerous to the health and safety of those*

Public Works
 2675 Kingwood St.
 (541) 997-4106

**City Manager /
 City Recorder**
 250 Highway 101
 (541) 997-3437

**Community Development:
 Planning & Building**
 250 Highway 101
 (541) 997-8237

**Finance /
 Utility Billing**
 250 Highway 101
 (541) 997-3436

Justice Center
 900 Greenwood St.
 (541) 997-3515

Florence Events Center
 715 Quince St.
 (541) 997-1994



who would live in said areas, the general public, or natural values which have been protected.

- A. *All subdivision applications shall be reviewed by the City, using the Phase I checklist contained in Site Investigation Reports by Wilbur E. Ternyik, published by OCZMA.*
 - B. *Where problem areas are identified in the Phase I checklist, a full-scale Phase II site investigation will be required covering only those problem areas identified in the Phase I checklist. This site investigation must be prepared and paid for by the applicant. Before approval would be granted the site investigation would have to prove either:*
 - 1. *That upon specific examination of the site, the condition which was identified in the Comprehensive Plan Inventory did not exist on the subject property; or*
 - 2. *That harmful effects could be mitigated or eliminated through, for example, foundation or structure engineering, setbacks or dedication of protected natural areas.*
 - C. *Specifically, areas shown on the Hazards Map and the Soils Map of the Comprehensive Plan will require a Phase II site investigation report. Studies which have been adopted or included in the Comprehensive Plan by reference or studies done subsequent to the adoption of the Plan may be used to determine when a site investigation report is needed.*
- Branch's Wetland Delineation indicates wetlands in the NW corner of the property which are regulated in the Yaquina and Wet Area references of FCC 10-7. The drainage plan for this area may be required with this application in accordance with 10-7-3-H
 - Figures-3 and 5 of the wetland delineation report indicate a riverine wetland area R4SBC on the south western portion of the property. This area is not identified in the report's introduction section.
 - Address the presence or absence of this riverine wetland area. If present, include additional details for staff to review the required setbacks and mitigation as required by FCC 10-7-4.
 - Alta Survey from KPFF illustrates a top of bank (TOB). The TOB is part of Significant Riparian Reach, RAIR-B, a Goal 5 resource regulated by FCC 10-7-4. This reach is indicated in the Wetlands and Riparian Plan to have a 65 ft. wide buffer measured from the TOB, which extends onto the subject property.
 - Review the 10-7-4 code section and determine what application materials require revision to illustrate the TOB and the required minimum setback of 65 feet. The city needs to successfully acquire a land use permit as required under FCC 10-2-12-E-4 for the street and utility infrastructure on the north and west sides of the project area in order to not impact the structures and improvements proposed for in the buffer area. And depending on the location of the infrastructure improvements the project site may still be impacted by the riparian reach buffer.

Please feel free to contact staff at planningdepartment@ci.florence.or.us or (541) 997-8237.

Best Regards,



Clare Kurth, Associate Planner

Cc: Land Use File PC 27 PUD 01 & PC 24 28 SUB 01