

ITEM TITLE:*Resolution PC 24 40 DR 14*

OVERVIEW:

Application: The applicant, with participation from the Florence Urban Renewal Agency, requests a Design Review City-owned property located at 750 Quince St. The proposal pertains to the development of a 4-story, 86-room Wyndham brand Microtel with associated site improvements including stormwater facilities, parking, RV and trailer parking, an open space, electric vehicle charging stations, and indoor secured bicycle parking containing a workbench. The zoning district associated with the proposal is Old Town District Area C. Access is planned from two driveways on the east side of Quince. The developer will be providing street scaping (public improvements), including a crosswalk on Quince St. that connects to the Florence Event Center (FEC). The development of a hotel to support area tourism and the FEC has been a longtime vision included in various City plans and regulations such as the *Downtown Implementation Plan (1999)*, the *Florence Realization 2020 Comprehensive Plan*, and the *Transportation System Plan (2023)*.

Process and Review: This Design Review is a Type III land use application requiring a quasi-judicial public hearing. The Florence Planning Commission is the review body as set out in the [Florence City Code Title 10 Chapter 6](#). The findings of fact and application materials are attached to this AIS. The applicable criteria are listed in the “Applicable Criteria” section of the findings. Only code sections, comprehensive plan policies, and appendices are policy considerations that may be applied in the decision-making process. Application materials, public testimony, previous approvals, and research that speak to the criteria may also be considered.

Staff recommends a finding that the proposal can meet the requirements of the City code and the Florence Comprehensive Plan once the conditions of approval laid out in the draft resolution are enacted. The Planning Commission can amend the proposed findings of fact, resolution, and approval conditions as necessary.

Testimony/Agency Referrals: No public testimony was received. Referral comments were received by the Siuslaw Valley Fire and Rescue Chief (Exhibit O). Their comments are addressed within the proposed Findings of Fact (Exhibit A)

ISSUES/DECISION POINTS:

The application contains deviations from the zoning regulations. Some of these were approved in 2022, and the applicant requests that the same deviations be approved in this application.

The following are either proposed minor design departures from the criteria or require an interpretation by the Planning Commission to ensure the regulations' intent is followed.

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1. Parapet steps at 60- to 80-foot intervals instead of 30-40 feet. (Page 36-37 of Exhibit A)
 2. White glass panel fencing around the outdoor patio. (Page 40-41 of Exhibit A)
 3. Yellow diamond brand element on the signage. (Page 41 of Exhibit A)
 4. Three distinct finishes as an alternative to the single dominant exterior wall material requirement. (Page 41-42 of Exhibit A)
 5. The use of rectangular leaders. (Page 43 of Exhibit A)
 6. Omission of divided lights on individual hotel room windows. (Page 45 of Exhibit A)
 7. Parking in between the building and Quince. (Page 60-61 of Exhibit A)
 8. 6-foot glass panel fence surrounding the outdoor patio. (Page 62-63 of Exhibit A)
 9. North Driveway. (Page 86-87, 99 of Exhibit A, Exhibit N, J1, M, P)
 10. Crosswalk materials. (Page 95 of Exhibit A)
 11. Lighting Standards. (Page 110-111 of Exhibit A, Exhibit G, G2)
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ALTERNATIVES:

1. Approve the Design Review with conditions of approval and findings of fact as written;
2. Review and recommend changes to the design review findings and approve as amended;
3. Continue the Public Hearing to a date certain if more information is required or
4. Do not approve the request, revise the findings, and draft a resolution stating why the application does not meet the criteria.

RECOMMENDATION:

Alternative 1: Approve the Design Review with conditions of approval and findings of fact as written.

AIS PREPARED BY:

Jacob Foutz, Planning Manager

ITEMS ATTACHED:

Attachment 1: Proposed Resolution PC 24 40 DR 14
"A"- Findings of Fact
"B"- Application

"C" - Design Review Narrative
"D" - Architectural Sheets LU-1 through LU-10
"E" - Civil Sheets C1 through C18
"F" - Landscape Plan L0.0-L1.2& IR 1.0
"F1" - Landscape and Lighting
"G" - Lighting Plan
"G1" - Light Fixture Cut Sheets (Applicant Appendix C)
"G2" - 2-22-25 Photometric Plan
"H" - Phase 1 SIR (Applicant Appendix F)
"I" - Stormwater Plan (Applicant Appendix B)
"I1" - Geotech Report (Applicant Appendix D)
"I2" - Geotech Report 2008 (Applicant Appendix E)
"I3" - Geotech and Stormwater 2022 Approval
"J" - Traffic Impact Analysis, TIA (Applicant Appendix A)
"J1" - Southern Oregon Transportation Engineering TIA Review
"K" - Survey
"L" - Public Works Referral Memo 2022
"M" - TIA Review from 2023
"N" - Aerial overlay for driveway separation
"O" - SFVR Chief Referral Memo
"P" - Director Farley-Campbell's email to Applicant

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 24 40 DR 14

A REQUEST FOR DESIGN REVIEW FOR A FOUR-STORY 86-ROOM HOTEL WITH ASSOCIATED SITE IMPROVEMENTS AT 750 QUINCE STREET AS SHOWN ON ASSESSOR’S MAP # 18-12-26-33, TAX LOT 00903, BEING APPROX. 3.12-ACRES.

WHEREAS, an application was made by Matt Braun, Quince St. Hospitality, LLC, on behalf of the Florence Urban Renewal Agency for a Design Review approval as required by FCC 10-1-1-4, FCC 10-1-1-6-3, FCC 10-6; and FCC 10-7, and

WHEREAS, the Planning Commission met in a duly-advertised public hearing on March 4, 2025, as outlined in Florence City Code 10-1-1-6-3, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission of the City of Florence, per FCC 10-1-1-4, FCC 10-1-1-6-3, FCC 10-6, and FCC 10-7 finds, based on the Findings of Fact, application, staff recommendation, evidence, and testimony presented to them, that the application meets the applicable criteria through compliance with certain Conditions of Approval.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Florence finds, based on the Findings of Fact and the evidence in the record, that:

The request for a Design Review of the Wyndham brand Microtel and accompanying site improvements meets the applicable criteria in the Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as listed below.

Conditions of Approval:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

Approval shall be shown on conditions of approval as supported by the following record:

| | |
|------|---|
| “A” | Findings of Fact |
| “B” | Application |
| “C” | Design Review Narrative |
| “D” | Architectural Sheets LU-1 through LU-10 |
| “E” | Civil Sheets C1 though C18 |
| “F” | Landscape Plan L0.0-L1.2& IR 1.0 |
| “F1” | Landscape and Lighting |
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| "P" | Director Farley-Campbell's email to Applicant |

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision.

1. Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to the structural integrity or ADA access which are regulated by Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.
2. Regardless of the content of material presented, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.
3. Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact the State Historic Preservation Office and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative.
4. Any food truck use on the subject property shall be reviewed separately and approved by the City's business licensing and land use review process prior to operation.
5. If the Planning Commission does not approve the proposed modification for parapet steps at 60- to 80-foot intervals, the applicant shall submit a revised design that incorporates parapet steps at intervals of 30 to 40 feet in compliance with City standards.

6. If the Planning Commission does not approve the proposed white glass panel fencing around the outdoor patio, the applicant shall submit a revised design that utilizes a permitted fencing material in compliance with City standards.
7. If the Planning Commission does not approve the yellow diamond brand element on the signage, the applicant shall submit a revised signage design that complies with the muted palette standard while maintaining brand identity.
8. If the Planning Commission does not approve the proposed three distinct finishes as an alternative to the single dominant exterior wall material requirement, the applicant shall submit a revised design that consolidates the exterior materials to establish a clearly dominant finish while maintaining the project's historical design strategy and compatibility with the Old Town District's architectural character.
9. If the Planning Commission does not approve the use of rectangular leaders, the applicant shall revise the design to incorporate alternative leader styles that comply with Old Town design standards and submit updated plans for review and approval.
10. If the Planning Commission does not approve the omission of divided lights on individual hotel room windows, the applicant shall revise the design to incorporate divided light windows consistent with Old Town design standards and submit updated plans for review and approval.
11. To ensure continued slope stability, any future removal of critical vegetation will require a Type II Vegetation Clearing Permit to ensure that erosion control measures remain in place and the bank remains protected.
12. The applicant shall record a Covenant of Release outlining applicable hazards, restrictions, and/or conditions for the property, as required by FCC 10-7-7(D).
13. If the Planning Commission determines that the proposed mitigation measures—pedestrian pathways, landscaped berms, and professionally designed landscaping—do not adequately justify parking in front of the building, the applicant shall revise the site plan to relocate parking or provide additional mitigation measures and submit updated plans for review and approval.
14. All signage shall be installed in accordance with the City Code and shall comply with the requirements of FCC 4-7. The final signage design shall be reviewed and approved through a separate sign permit process during the building permit review to ensure compliance with applicable regulations.
15. The Planning Commission shall make a design determination on the proposed 6-foot glass panel fence surrounding the outdoor patio to ensure compliance with FCC 10-17C-4(H)(2). If the proposed design is not approved, the applicant shall revise the fencing material to comply with the City Code and resubmit for review and approval.

- 16.** Prior to building permit issuance, the applicant shall update TIA with the following information contained in Exhibit P:

 - A. Crash Data: Please pull the 2018-2022 from the ODOT website and address the data.
 - B. Access Safety: The north driveway does not meet the driveway separation standards from the FEC driveway. This is being addressed with a condition of approval to shift the driveway north to align with the FEC. This can be accomplished via an easement with the Urban Renewal. Keeping the driveway where proposed would require a variance, and assuming it could meet variance criteria would require an engineer's evaluation of safety concerns and their stamp on driveway design and its close proximity to the FEC's northern driveway. It was excluded from the site plans in the TIA.
 - C. Access South: The traffic counts for the "6th" and Quince St. intersection are referenced but are not in the appendices. Please have the engineer respond to the count origin and distribution. Also, what is the offset, if any, between the FEC southern driveway (6th) and the hotel driveway?
 - D. Vehicle Counts—It's okay to use the original data, but adding two years to the base year to reflect the actual build-out year would be helpful.
 - E. Pedestrian Crossing—Please have the engineer respond to the proximity of the crossing with the southern driveway location.
- 17.** The applicant shall relocate the north driveway to align with the Florence Events Center (FEC) driveway and shall obtain and record a reciprocal access easement with the property to the north (Tax Lot 902) prior to final site development approval. All modifications shall be reviewed and approved by the City prior to permit issuance.
- 18.** The applicant shall submit final driveway approach designs and apron designs for review and approval by the Public Works Director prior to the issuance of site development permits.
- 19.** Prior to building permit issuance, the applicant shall submit a fire access and safety plan for review and approval by Siuslaw Fire and Rescue and the Fire Code Official. The plan shall include the relocation of the Fire Department Connection (FDC) to the same side as the entrance hydrant to ensure safe and efficient fire suppression operations, detailed standpipe system specifications, and a code summary verifying the inclusion of fire alarm and sprinkler systems per the Oregon Fire Code. Designated fire lanes shall be clearly marked as "No Stopping/No Parking" as shown on Sheets C1 through C4, and the fire access design shall demonstrate adequate turning radius clearance for emergency vehicles. Final fire access approval shall be subject to Fire Code Official review and approval prior to building permit issuance.

20. The applicant shall perpetually maintain landscaping so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets.
21. Unless the Planning Commission determines that the applicant has provided sufficient justification for this deviation, the crosswalks shall be clearly marked with contrasting paving materials or incorporated into a raised/hump crossing area to meet the standard in 10-35-3-3(B).
22. The applicant shall ensure continued maintenance of the sidewalks and planter strips in the right-of-way in accordance with FCC 10-36-2-16(F).
23. The applicant shall be responsible for the cost and installation of all required stop signs and roadway signage as part of the approved street system. All signage shall be installed per the City of Florence Standards and Specifications before issuing a certificate of occupancy.
24. The applicant shall submit evidence to the Florence Planning Director demonstrating that the United States Postal Service has reviewed and approved the plan for a mailbox to serve the hotel. This evidence shall be provided prior to the issuance of a certificate of occupancy.
25. The applicant shall install street lighting in accordance with Resolution 16, Series 1999 and the City of Florence Standards and Specifications. All proposed lighting within the public right-of-way shall be Central Lincoln Public Utility District's ornamental streetlights. The applicant shall submit an application for public infrastructure improvement plans for Quince Street to ensure compliance with these standards.
26. All construction plans related to sewer, water, and stormwater shall be reviewed and approved by the Public Works Director or their designee prior to permit issuance.
27. The applicant shall submit evidence of an approved NPDES permit to the City of Florence Building Department prior to any development occurring on the subject property.
28. The applicant shall comply with all construction standards, inspections, approvals, and bonding/warranty requirements outlined in FCC 10-36-8. Before acceptance of public improvements, the applicant shall submit as-built plans and an engineer's certification to the City for review. Additionally, the applicant shall provide a warranty bond or other financial security in the amount of 12% of the original construction cost, to be maintained for at least one year following City acceptance of the improvements.
29. Unless the Planning Commission determines that the applicant has provided sufficient justification for this deviation, the applicant shall revise the lighting plan to ensure that all areas of the parking lot meet the minimum illumination standard of 2-foot candles, in compliance with FCC 10-37-4(B), prior to building permit issuance.

- 30. The applicant shall complete and execute the Stormwater Management Facility Operation and Maintenance Agreement, ensuring it includes specific maintenance details for the stormwater facilities and catchment basins. The agreement shall be recorded with the Lane County Deeds and Records Office and include specific maintenance details for the stormwater facilities and catchment basins to ensure long-term compliance with FCC 9-5-4. This agreement shall be fully signed and executed prior to final building inspections.
- 31. Applicant shall ensure compliance with ORS 455.417, which requires that 20% of parking spaces provide electrical conduit for future Level 2 EV charging. Proof of compliance shall be submitted to the City prior to Certificate of Occupancy is issued.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD on the 4th day of March 2025.

Debbie Ubnoske, Chairperson
Florence Planning Commission

DATE

Exhibit A



PLANNING COMMISSION

Type 3 Staff Report and Recommendation
for

File Number: PC 24 40 DR 14

HEARING DATE PC: March 4, 2025

PREPARED BY: Jacob Foutz, Planning Manager

I. GENERAL INFORMATION AND FACTS

Applicant: Matt Braun
4520 NE Mason Street
Portland, OR, 97218

Property Owner: FURA C/O Erin Reynolds
250 HWY 101
Florence, OR, 97439

Land Use Review: Review Type: Design Review in Old Town District/Area C

Subject Property Description: No Assigned Address, approximately 325' South of the 8th Street and Quince Street intersection, 18-12-26-33, Tax Lot 00903

Zoning Designation: Old Town District/Area C (OTDC)

Comprehensive Plan Map Designation: Comp Plan Designation of Downtown

Deemed Complete: December 23, 2024

120 Day Date: April 22, 2025

Adjacent Land Use(s):

| Adjacent Property | Zoning | Use |
|-------------------|---------------------------------|------------------------|
| North | Old Town District Area C (OTDC) | Vacant Land |
| South | Old Town District Area C (OTDC) | Estuary Trail |
| West | Old Town District Area C (OTDC) | Florence Events Center |

| | | |
|------|---------------------------------|---------------|
| East | Old Town District Area C (OTDC) | Estuary Trail |
|------|---------------------------------|---------------|

II. NATURE OF REQUEST/NOTICING/APPLICABLE REVIEW CRITERIA

The applicant proposes a four-story, 86-room Wyndham Microtel-branded hotel for development across Quince Street from the Florence Events Center. The project includes standard and EV parking, trailer parking, outdoor green space, an outdoor patio, a covered trash enclosure, two vehicular access points, stormwater detention, pedestrian circulation throughout the site, and connections to Quince Street.

This application is a resubmission of a previously approved proposal. The Florence Planning Commission/Design Review Board originally approved the project on [August 23, 2022](#) (Resolution PC 22 05 DR 04 and SR 22 11 SIR 06); however, the approval expired before development, necessitating resubmittal.

While the fundamental elements of the project remain largely unchanged, the applicant has incorporated modifications in response to previous Planning Commission feedback and conditions of approval.

This proposed project represents a design review for new construction, which requires the Planning Commission's review and approval.

NOTICES AND REFERRALS:

Notice: Notice of hearing was sent to property owners within 101’ and posted on the property on February 4th, 2025.

Referrals: Referrals sent on February 4th, 2025, at the time of these findings, we have received a response from Chief Michael Schick of Western Lane Fire and EMS Authority:

- 1) *“Can you confirm if that is a fire hydrant at the rear of the hotel within the island in the parking lot, looks to be at D3 on the Architectural Site Plan. I think we had talked before about a hydrant at the rear of the building.*
- 2) *I would like to see details of the standpipe system.*
- 3) *I would like to see the turn radius distances to ensure clearance for our aerial apparatus.*
- 4) *Is there a code summary available, I want to confirm inclusion of fire alarm system and sprinklers.*
- 5) *The Fire Department Connection (FDC) to support the sprinkler system is on the opposite side from the hydrant at the entrance. In order for us to supply water to the FDC we would connect to the hydrant which would result in a hose line across the entrance. In addition, our access to the FDC looks to be difficult at best. I suggest relocating the FDC to the same side as the entrance.*

2022 Oregon Fire Code

SECTION 912

FIRE DEPARTMENT CONNECTIONS

912.1 Installation. *Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7.*

912.2 Location. *With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the fire code official.”*

“I see the hydrant in the rear which is perfect. It still doesn’t look like they’ve moved the FDC and a Hydrant to the same side of the entrance yet and I will still be asking for that.”

Chief Schick's comments were forwarded to the applicant's planning team for a response on February 21, 2025.

Public Comments Received: No public comments have been received at the time of this report.

APPLICABLE REVIEW CRITERIA:

Florence City Code, Title 10:

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

- Chapter 1: Zoning Administration, Sections 1-4, 1-5, and 1-6-3
- Chapter 3: Off-Street Parking and Loading, Sections 2 through 5, and 7 through 11
- Chapter 6: Design Review, Sections 3A.1.a, 2. and 3., Sections 4, 5.1., 6-1 through 6-5, 7 -9, and 11
- Chapter 7: Special Development Standards, Sections 2, 3, 4, 6, and 7
- Chapter 17: Old Town District, Section 17C-2A, 17C-3, and 17C-4
- Chapter 19: Estuary, Shorelands and Beaches and Dunes, Sections 5 and 10
- Chapter 34: Landscaping, Sections 3, 4, and 5
- Chapter 35: Access and Circulation, Sections 2-2 through 2-6, 2-9, 2-12 through 2-14, and 3-1 through 3-3 & 4
- Chapter 36: Public Facilities, Sections 2-1-B & C, 2-2, 2-4, 2-5, 2-16 through 2-23, and 3 through 9
- Chapter 37: Lighting, Sections 2 through 6

Florence City Code, Title 9: Utilities (found at <https://www.ci.florence.or.us/council/title-9-utilities>)

Chapter 5: Stormwater Management, Sections 3, 4, and 7

Comprehensive Plan goals and policies are not addressed in this report unless specifically noted; if a request is found to be consistent with State Law and the Zoning Ordinance, it is considered compatible with the Comprehensive Plan. For the City to apply a particular Comprehensive Plan policy as a criterion, the provision must be explicitly clear that it is mandatory and applicable to individual applications.

III. ANALYSIS AND FINDINGS OF FACT

The criteria that must be addressed for 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.

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-4: APPLICATION:

- A. Applications and Petitions required by Title 10 and 11 of this Code shall be on forms prescribed by the City and include the information requested on the application form.

Findings: The applicant submitted a Design Review application for an 86-room Wyndham Microtel hotel across Quince Street from the Florence Events Center. The application was submitted using the prescribed forms provided by the city.

Conclusion: This criterion is satisfied. The applicant has submitted the required application forms and provided the necessary supporting materials as prescribed by the City.

- B. Applicability of Review Procedures: All land use and development permit applications, petitions, and approvals shall be decided by using the procedures contained in this chapter. The procedure type assigned to each application governs the decision making process for that permit or approval. There are four types of approval procedures [...]

[...]

- 3. Type III (Quasi-Judicial) Procedure (Public Hearing). Quasi-Judicial decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council;...

D. Evidence Submittal: Except when this Code expressly provides different time limitations, all documents and evidence relied upon by the applicant shall be submitted at least thirty (30) days prior to the hearing as provided in Subsection 10-1-1-6. (Amd. By Ord. No. 30 Series 1990)

Findings: At the time of writing, the applicant had not submitted evidence less than 30 days from the public hearing scheduled for March 4th, 2025.

Conclusion: This criterion is satisfied. The application is being processed using a Type III quasi-judicial procedure. A public hearing has been scheduled for March 4, 2025, and the applicant submitted all required evidence within the required timeframe in accordance with FCC 10-1-1-6.

10-1-1-5: GENERAL PROVISIONS

- A. 120-Day Rule: The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions – plan and code amendments – without an applicant under ORS 227.178.)

Findings: The Design Review application for the 86-room Wyndham Microtel hotel is

subject to the 120-day rule under ORS 227.178 and Florence City Code (FCC) Title 10, Chapter 1, Section 1-6. The City is required to take final action on the application, including resolution of all appeals, within 120 days from the date the application was deemed complete unless the applicant requests an extension in writing.

The application was deemed complete on December 23, 2024, establishing a 120-day deadline of April 22, 2025, for final action. The public hearing is scheduled for March 4, 2025, allowing sufficient time for review, deliberation, and issuance of a final decision within the required timeframe.

As of this finding, the applicant has not requested an extension of the 120-day timeline. The timeline will be adjusted accordingly if an extension request is submitted in writing.

Conclusion: This criterion is satisfied. The City is processing the application within the 120-day timeline, with a scheduled public hearing on March 4, 2025, ensuring compliance with ORS 227.178 and FCC 10-1-1-6. The applicant has requested no extension at this time.

B. Consolidation of proceedings: When an applicant applies for more than one type of land use or development permit (e.g., Type II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision.

1. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: the Council, the Commission, or the City Planning Official or designee.

2. When proceedings are consolidated:

a. The notice shall identify each application to be decided.

C. Check for acceptance and completeness. In reviewing an application for completeness, the following procedure shall be used:

1. Acceptance. When an application is received by the City, the City Planning Official or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant.

a. The required forms.

b. The required, non-refundable fee.

- c. The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.

2. Completeness.

- a. Review and notification. After the application is accepted, the City Planning Official or designee shall review the application for completeness. If the application is incomplete, the City Planning Official or designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant 180 days from the date that the application was submitted to submit the missing information. Applications which have been deemed incomplete and for which the applicant has not submitted required information or formally refused to submit additional information shall be deemed void on the 181st day after original submittal.
- b. Application deemed complete for review. In accordance with the application submittal requirements of this Chapter, the application shall be deemed complete upon the receipt by the City Planning Official or designee of all required information. The applicant shall have the option of withdrawing the application, or refusing to submit information requested by the City Planning Official or designee in section 101-1-5-C-2-a, above.

Findings: The application was received and reviewed for acceptance and completeness in accordance with FCC 10-1-1-5(C). The City Planning Official determined that the submission included all required forms, the non-refundable fee, and the necessary signatures from the applicant and property owner. The application was deemed complete on December 23, 2024, after review and confirmation that all required materials were submitted.

Conclusion: This criterion is satisfied. The application was reviewed for acceptance and completeness in accordance with FCC 10-1-1-5(C) and was deemed complete on December 23, 2024. The requirement for consolidation of proceedings does not apply as this application does not involve multiple land use or development permits.

- c. Standards and criteria that apply to the application. Approval or denial of the application shall be based upon the standards and criteria that were applicable at the time it was first accepted.

Findings and Conclusion: Applicable standards and criteria have not changed between when the applications were submitted, when the applications were reviewed, and when findings were drafted. Criterion Satisfied.

- d. Coordinated review. The City shall also submit the application for review and comment to the City Engineer, road authority, and other applicable County, State, and federal review agencies.

Findings and Conclusion: Notices to all relevant agencies were provided on February 4th, 2025. Criterion Satisfied.

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

- A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:

5. New construction requiring Design Review by the Planning Commission.

Findings and Conclusion: This proposal requires a Type III Planning Commission review and approval because it is new construction. Criterion Satisfied.

Notification of Hearing:

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- 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.
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- [...]
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- 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: The public hearing for the Design Review application is scheduled for March 4, 2025. In compliance with FCC 10-1-1-6(B)(1), notice of the public hearing was posted on the subject property and mailed to the applicant and all property owners of record within 100 feet of the subject site on February 4, 2025, which is at least 20 days before the hearing date.

As required by FCC 10-1-1-6(B)(2), the public hearing notice was published in a newspaper of general circulation on February 19, 2025. The newspaper's affidavit of publication has been added to the administrative record.

Conclusion: This criterion is satisfied. The City has provided public notice in compliance with FCC 10-1-1-6(B), including posting on the subject property on February 4, 2025, mailing notices to surrounding property owners on February 4, 2025, and publishing the notice in a newspaper of general circulation on February 19, 2025.

- B. Notice Mailed to Surrounding Property Owners - Information provided:
 - 1. The notice shall:
 - a. Explain the nature of the application and the proposed use or uses which could be authorized;
 - b. List the applicable criteria from the ordinance and the plan that apply to the application at issue;
 - c. Set forth the street address or other easily understood geographical reference to the subject property;
 - d. State the date, time and location of the hearing;
 - e. State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes further appeal based on that issue;
 - f. State that application and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - g. State that a copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing and will be provided at reasonable cost;
 - h. Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
 - i. Include the name of a local government representative to contact and the telephone number where additional information may be obtained.

Findings: Notice of the public hearing for the Design Review application was mailed to surrounding property owners on February 4, 2025, in accordance with FCC 10-1-1-6(B). The notice included a description of the nature of the application and proposed use, a list of

applicable criteria, and a geographical reference to the subject property. The notice also provided the date, time, and location of the hearing, explained the requirements for public testimony, and stated that failure to raise an issue with sufficient specificity may preclude appeal. Information regarding the availability of the application, staff report, and applicable criteria for public review was also included. Additionally, the notice provided contact information for a local government representative for further inquiries.

Conclusion: This criterion is satisfied. The City mailed notice to surrounding property owners in compliance with FCC 10-1-1-6(B), ensuring that all required information was provided regarding the nature of the application, applicable criteria, hearing details, public testimony procedures, and availability of application materials for review.

- C. Hearing Procedure: All Type III hearings shall conform to the procedures of Florence City Code Title 2, Chapters 3 and 10.
-
- D. Action by the Planning Commission:
-
- 1. At the public hearing, the Planning Commission shall receive all evidence deemed relevant to the issue. It shall then set forth in the record what it found to be the facts supported by reliable, probative and substantive evidence.
-
- 2. Conclusions drawn from the facts shall state whether the ordinance requirements were met, whether the Comprehensive Plan was complied with and whether the requirements of the State law were met.
-
- 3. In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.
-
- 4. There is no duty upon the Planning Commission to elicit or require evidence. The burden to provide evidence to support the application is upon the applicant. If the Planning Commission determines there is not sufficient evidence supporting the major requirements, then the burden has not been met and approval shall be denied.

Findings: The public hearing for the Design Review application is scheduled for March 4, 2025, and will be conducted in accordance with the procedures outlined in FCC Title 2, Chapters 3 and 10, as required for Type III quasi-judicial hearings. The Planning Commission will receive all relevant evidence, establish findings of fact based on reliable and substantive evidence, and determine whether the applicable ordinance requirements, Comprehensive Plan policies, and state law requirements have been met.

As FCC 10-1-1-6(D) requires, the burden of providing evidence in support of the application rests with the applicant. The Planning Commission is not obligated to elicit or require additional evidence beyond what has been submitted. If the Commission finds that the

evidence does not sufficiently demonstrate compliance with the applicable standards, the application may be denied on that basis.

Conclusion: This criterion is satisfied. The public hearing will be conducted in compliance with FCC Title 2, Chapters 3 and 10, and the Planning Commission will evaluate the application based on the submitted evidence, applicable ordinance requirements, Comprehensive Plan policies, and state law. The burden of proof remains with the applicant, and the Commission will make a final determination based on the evidence presented.

- E. Notice of Decision by the Planning Commission: A notice of the action or decision of the Planning Commission, and right of appeal shall be given in writing to the applicant. Any party who testified either in writing or verbally at the hearing must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.

Findings: Following the Planning Commission’s decision on the Design Review application, a written notice of the decision and right to appeal will be provided to the applicant and all parties who testified in writing or verbally at the hearing, in accordance with FCC 10-1-1-6(E). Any individual who provided testimony was required to submit a mailing address to ensure proper notification.

The notice will be personally served or sent by mail, and per FCC 10-1-1-6(E), it will be considered served upon deposit in the United States mail. The City will maintain records of all mailed notices as part of the administrative file.

Conclusion: This criterion is satisfied. The City will provide written notice of the Planning Commission’s decision and right to appeal in compliance with FCC 10-1-1-6(E). The notice will be served either personally or by mail, and it will be considered served once deposited in the United States mail.

TITLE 10: CHAPTER 3: OFF-STREET PARKING AND LOADING

Table 10-3-1, Minimum Required Parking By Use:

A. Residential and Commercial Dwelling Types:

| | |
|--|--|
| <u>Lodging: Motels, hotels (see also Bed and Breakfast Inns)</u> | <u>1 space per rental unit, hotels, etc. plus additional spaces as required for restaurants, gift shops, bars, public assembly rooms and other activities.</u> |
|--|--|

Findings: Per FCC Table 10-3-1, hotels and motels are required to provide one off-street parking space per rental unit, plus additional spaces for any restaurants, bars, gift shops, or public assembly rooms included in the development. The proposed 86-room Wyndham Microtel hotel is required to provide 86 off-street parking spaces to meet the minimum parking standard.

The applicant has provided a total of 100 parking spaces as shown on [Sheet LU-1](#); however, upon review, two food truck stalls and one loading space do not count towards the minimum parking requirement, resulting in an effective total of 97 qualifying parking spaces. Since no restaurants, bars, gift shops, or public assembly rooms are included in the proposal, no additional parking is required beyond the 86 spaces mandated by Table 10-3-1.

The applicant's provided parking count exceeds the minimum requirement by 11 spaces after adjusting for non-qualifying stalls. The parking count and compliance are further discussed under FCC 10-3-5.

Conclusion: This criterion is satisfied. The applicant has provided 97 qualifying off-street parking spaces, exceeding the minimum requirement of 86 spaces as established in FCC Table 10-3-1. No additional parking is required for ancillary uses, as none are proposed.

10-3-2: GENERAL PROVISIONS:

- A. The provision for and maintenance of off-street parking and loading spaces are continuing obligations of the property owners. No building or other permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space.
- B. At the time of new construction or enlargement or change in use of an existing structure within any district in the City, off-street parking spaces shall be provided as outlined in this Chapter, unless requirements are otherwise established by special review or City Council action. Additional parking spaces shall meet current code.
- C. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Chapter.
- D. Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees, and shall not be used for storage of materials of any type.
- E. Ingress and egress for parking and loading shall not endanger or impede the flow of traffic.
- F. The required off-street parking for nonresidential uses shall not be used for loading and unloading operations during regular business hours.

Findings: The applicant has provided a parking plan ([Sheet LU-1](#), Architectural Drawings) demonstrating that off-street parking requirements, including a designated loading space, will be provided in accordance with FCC 10-3-2(A) and (B). The proposal includes a total of 100 parking spaces, but upon review, three of these spaces do not count toward the required off-street parking. These include one designated loading space, which is discussed separately under FCC 10-3-2(F), and two 12' x 19' 'food cart' spaces, which are addressed

below.

The off-street parking requirement is met with 97 qualifying spaces, which aligns with the required number of parking spaces for the proposed use. No on-street parking is proposed as part of this application.

Under FCC 10-3-2(C), once off-street parking is provided, it must remain available for its intended purpose. The applicant has not proposed removing any existing parking spaces in the future, and all spaces will be maintained for use by hotel guests, employees, and visitors.

Under FCC 10-3-2(D), required parking spaces must be available for passenger vehicles of residents, customers, patrons, and employees and shall not be used for the storage of materials of any type. The proposed food cart spaces are included in the applicant's total parking count, but a food cart does not qualify as a passenger vehicle under this criterion. Since food carts constitute separate businesses, they must be reviewed through the City's business licensing process and are not part of this land use review. As a result, the two food cart stalls cannot count toward required off-street parking spaces, and their inclusion would need to be evaluated under a separate land use application if food cart use is pursued in the future.

The proposal complies with FCC 10-3-2(E) as the ingress and egress for parking and loading have been designed to ensure safe traffic flow and prevent any impediment to circulation. The designated loading area is separate from required off-street parking spaces, ensuring compliance with FCC 10-3-2(F), which prohibits the use of required off-street parking for loading and unloading operations during business hours.

Conclusion: This criterion is satisfied with a reasonable condition. The applicant has provided adequate off-street parking and loading spaces in compliance with FCC 10-3-2(A), (B), (C), (E), and (F). However, the two food cart spaces cannot count toward required parking, and their use must be processed separately through the City's business licensing and land use review process. (COA #4) With this adjustment, the required number of parking spaces is satisfied, and all required spaces will remain available for their intended use, ensuring compliance with city code.

[...]

I. The provisions of this Chapter shall be in addition to the provisions for parking design and construction in FCC Title 9 Chapter 5 and, where there are conflicts, Title 9 Chapter 5 shall prevail.

10-3-3: MINIMUM STANDARDS BY USE: The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10-3-1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below:

-

- A. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, and shared parking. Parking in driveways does not count toward required minimum parking.

Findings: The applicant has provided a total of 100 off-street parking spaces, including standard vehicle spaces, EV parking, trailer parking, and a designated loading area.

Upon review, three of these spaces do not count toward required parking, including one designated loading space and two spaces intended for food carts. As a result, the total number of qualifying off-street parking spaces is 97, which meets the minimum parking requirements for the proposed use.

In compliance with FCC 10-3-3(A), the applicant has not proposed parking within driveways, and all required parking spaces are located within off-street parking lots accessory to the hotel use. No on-street parking is proposed as part of the application.

Conclusion: This criterion is satisfied. The applicant has provided the required number of off-street parking spaces within off-street parking lots, ensuring compliance with FCC 10-3-3(A). The final parking count meets the minimum parking requirements after excluding spaces that do not qualify toward the total.

- C. The minimum number of parking spaces may also be determined through a parking demand analysis prepared by the applicant and approved by the Planning Commission. This parking demand analysis may include an acceptable proposal for alternate modes of transportation, including a description of existing and proposed facilities and assurances that the use of the alternate modes of transportation will continue to reduce the need for on-site parking on an on-going basis. Examples of alternate modes include but are not limited to:

1. Transit-related parking reduction. The number of minimum parking spaces may be reduced by up to 10% if:
2. The proposal is located within a ¼ mile of an existing or planned transit route, and;
3. Transit-related amenities such as transit stops, pull-outs, shelters, park-and-ride lots, transit-oriented development, and transit service on an adjacent street are present or will be provided by the applicant.

Findings: A parking demand analysis was neither requested by the Planning Commission or staff nor provided by the applicant, as the applicant is not seeking a parking reduction under FCC 10-3-3(C). The proposal provides the required number of off-street parking spaces without reliance on alternate modes of transportation or transit-related reductions.

Conclusion: This criterion is satisfied. The applicant has provided the required number of off-street parking spaces without requesting a reduction, and a parking demand analysis was not required or submitted under FCC 10-3-3(C).

- D. For Commercial and retail Trade types and for sites with five or more dwelling units, the following

standards must be met.

1. Commercial and retail trade. For Commercial and Retail Trade type uses provided in Table 10-3-1.C, at least 20 percent of the total number of parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger.
2. In buildings with five or more dwelling units, if parking spaces, the following standards apply.
 - a. if between one and six spaces are provided for dwelling units, 100 percent of the spaces must include electrical conduit adjacent to spaces that will allow for the installation of at least a Level 2 electrical vehicle charger.
 - b. If seven or more spaces are provided for dwelling units, 50 percent, or six, whichever is greater of the parking spaces provided must include electrical conduit adjacent to the spaces that will allow for installation of at least a Level 2 electric vehicle charger.

Findings: The parking requirements for hotels are outlined in Table 10-3-1.A, rather than Table 10-3-1.C, meaning FCC 10-3-3(D)(1) does not apply to this development. Additionally, FCC 10-2 explicitly excludes hotels from the definition of a dwelling unit, making FCC 10-3-3(D)(2) inapplicable. However, while the Florence City Code does not require EV charging provisions for hotels, [Oregon Revised Statutes \(ORS\) 455.417](#) mandates that 20% of parking spaces in new commercial developments be constructed with electrical conduit to support future installation of Level 2 electric vehicle chargers. The applicant has voluntarily proposed nine EV charging spaces with installed Level 2 chargers, including three that are handicap-accessible, exceeding any local requirements.

Conclusion: While FCC 10-3-3(D) does not apply to this development, ORS 455.417 requires that 20% of parking spaces provide electrical conduit for future Level 2 EV charging. To ensure compliance with state law, a condition of approval (COA#31) will require 20 parking spaces to include provisions for electrical service capacity.

E. Carpool and vanpool parking. Uses with at least 10 designated employee, student, or commuter parking spaces shall include designated carpool or vanpool parking.

1. At least 10% of the employee, student, or commuter parking spaces shall be carpool or vanpool parking.
2. Carpool and vanpool designated spaces must be the closest non-ADA parking spaces to the main employee, student, or commuter entrance.
3. Carpool and vanpool parking may count towards the minimum parking requirements by using FCC Table 10-3-1.
4. Carpool and vanpool parking shall be marked "Reserved – Carpool / Vanpool Only."

Findings: The applicant does not propose designated employee parking, and as such, the requirement for carpool and vanpool parking spaces does not apply. The proposal does not include at least 10 designated employee, student, or commuter parking spaces that would trigger this standard.

Conclusion: This criterion is not applicable.

10-3-4: MINIMUM REQUIRED PARKING BY USE: During the largest shift at peak season, fractional space requirements shall be counted as the next lower whole space (rounded down). Square footages will be taken from the gross floor area (measurements taken from exterior of building). Applicants may ask the Planning Commission for a reduction for parking spaces as part of their land use application. The applicant will have to provide the burden of evidence to justify the reduction proposed. The Planning Commission and/or staff may require the information be prepared by a registered traffic engineer. Table 10-3-1 lists the minimum parking spaces required by use, with a minimum no less than two (2) spaces for non-residential uses, plus additional space(s) as needed to meet the minimum accessible parking requirement.

Findings: The applicant has provided 97 qualifying off-street parking spaces, which meets the minimum parking requirement for the proposed hotel use.

The applicant is not requesting a parking reduction, and therefore, no additional burden of evidence or traffic engineering analysis is required under FCC 10-3-4. The Planning Commission is not required to evaluate a reduction, as the applicant has demonstrated compliance with the minimum parking requirement.

Conclusion: This criterion is satisfied. The applicant has provided the required number of off-street parking spaces in accordance with FCC 10-3-4 and Table 10-3-1. No parking reduction has been requested, and the proposal meets minimum parking requirements without the need for additional justification or traffic engineering analysis.

10-3-5: VEHICLE PARKING - MINIMUM ACCESSIBLE PARKING:

-
- A. Accessible parking shall be provided for all uses in accordance the standards in Table 10-3-2; parking spaces used to meet the standards in Table 10-3-2 shall be counted toward meeting off-street parking requirements in Table 10-3-1;
- B. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;
- C. Accessible spaces shall be grouped in pairs where possible;
- D. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;

Findings: The applicant has provided accessible parking spaces in compliance with FCC 10-3-5 and Table 10-3-2. As shown on Sheets [LU-1](#) and [C4](#), the proposal includes five accessible parking spaces, including standard, van-accessible, and trailer-accessible stalls. These accessible spaces count toward the required off-street parking total, as permitted by FCC 10-3-5(A) and Table 10-3-1.

In accordance with ODOT and US Access Board guidance, accessible EV charging spaces have also been incorporated to ensure usability for individuals with disabilities, even though EV accessibility is not explicitly required by the Florence City Code.

The accessible spaces are located near the building entrances, providing an unobstructed path of travel, as required by FCC 10-3-5(B). The site plan further demonstrates that, where feasible, accessible spaces are grouped in pairs, ensuring compliance with FCC 10-3-5(C).

The proposal does not include covered parking, and therefore, the requirement under FCC 10-3-5(D) for covered accessible parking to be provided in the same ratio as covered non-accessible parking does not apply.

Conclusion: This criterion is satisfied. The applicant has provided five accessible parking spaces, including standard, van, and trailer-accessible stalls, in compliance with FCC 10-3-5(A) and Table 10-3-2. These spaces are located near building entrances, grouped in pairs where possible, and include accessible EV charging spaces, ensuring compliance with FCC 10-3-5(B) and (C). The requirement for covered accessible parking does not apply as no covered parking is proposed.

- E. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

| Total Number of Parking Spaces Provided (per lot) | Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*) | Van Accessible Parking Spaces with min. 96" wide access aisle | Accessible Parking Spaces with min. 60" wide access aisle |
|---|---|---|---|
| | <i>Column A</i> | | |
| 1 to 25 | 1 | 1 | 0 |
| 26 to 50 | 2 | 1 | 1 |
| 51 to 75 | 3 | 1 | 2 |
| 76 to 100 | 4 | 1 | 3 |
| 101 to 150 | 5 | 1 | 4 |
| 151 to 200 | 6 | 1 | 5 |

Findings: The 86-unit Wyndham Microtel hotel requires 86 off-street parking spaces under FCC Table 10-3-1. The applicant has proposed 100 total parking spaces, of which 97 qualify toward the minimum parking requirement after adjustments for loading and food cart spaces.

Per FCC 10-3-5(E) and Table 10-3-2, at least four accessible parking spaces are required, with at least one designated as van-accessible. The site plan, as shown on Sheet [LU-1](#), provides five accessible spaces, including four standard spaces, one van-accessible space, and one additional accessible RV parking space located in the rear parking area.

In addition, three EV parking spaces will be made accessible, ensuring compliance with ODOT and US Access Board guidance for accessible EV charging.

All required accessible spaces will be identified with pavement markings and signage, as required by FCC 10-3-5(E). The signs will be posted directly in front of the spaces at a height between 42 and 72 inches, and the van-accessible space will be clearly designated as such.

Conclusion: This criterion is satisfied. The applicant has provided the required number of accessible parking spaces, including one van-accessible space, an additional accessible RV space, and accessible EV charging spots, in compliance with FCC 10-3-5(E) and Table 10-3-2. The accessible spaces will be properly identified with signage and pavement markings, ensuring compliance with height and placement requirements.

10-3-8: PARKING AREA IMPROVEMENT STANDARDS: All public or private parking areas, loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.

Findings: The applicant has proposed asphalt surfacing for all parking and drive areas, which meets the durability and dust-free surface requirements outlined in this section. The site plan, as shown on Sheets [C2](#) and [C5](#), confirms that all parking areas will be fully improved with asphalt. Additionally, the driveway aprons will be paved for the first 50 feet from the street, ensuring compliance with FCC 10-3-8.

Conclusion: This criterion is satisfied. The proposed parking and loading areas will be surfaced with asphalt, a durable and dust-free material, in compliance with FCC 10-3-8. The driveway aprons will also be paved for the first 50 feet from the street, meeting city standards.

[...]

C. All parking areas except those required in conjunction with a single-family, duet or duplex dwelling shall be graded so as not to drain storm water over public sidewalks. Parking lot surfacing shall not encroach upon a public right of way except where it abuts a concrete public sidewalk, or has been otherwise approved by the City.

Findings: The site plan, demonstrate that stormwater will be retained and controlled on-site, ensuring that no runoff will be directed toward public sidewalks. Additionally, as shown on Sheet [C2](#), no parking lot surfacing is proposed within public rights-of-way, confirming compliance with this requirement.

Conclusion: This criterion is satisfied. The parking areas are graded to retain and control stormwater on-site, preventing drainage onto public sidewalks, and no parking lot surfacing encroaches upon a public right-of-way, in compliance with FCC 10-3-8(C).

D. Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses.

Findings: While the subject site is not immediately adjacent to residential uses, the applicant has incorporated landscaping and maintained existing vegetation around all parking areas to further mitigate potential light impacts.

As shown on [Sheets L1.1 and L1.2](#), the landscaping plan includes screening elements along the site perimeter, ensuring that headlight glare will not impact any surrounding properties. Existing vegetation has also been retained where feasible to further buffer the parking areas.

Conclusion: This criterion is satisfied. The proposed and existing landscaping will adequately screen parking areas, preventing headlight glare from affecting surrounding properties, in compliance with FCC 10-3-8(D).

E. Except for parking areas required in conjunction with a single-family attached or detached, duet, duplex dwelling; or tri-plex, quad-plex, or cluster housing development that provides off-street parking through a carport or garage, all parking areas shall provide:

1. A curb of not less than six inches (6") in height near abutting streets and interior lot lines. This curb shall be placed to prevent a motor vehicle from encroaching on adjacent private property, public walkways or sidewalks or the minimum landscaped area required in paragraph E2 of this subsection.
2. Except for places of ingress and egress, a five foot (5') wide landscaped area wherever it abuts street right-of-way. In areas of extensive pedestrian traffic or when design of an existing parking lot makes the requirements of this paragraph unfeasible, the Planning Commission may approve other landscaped areas on the property in lieu of the required five foot (5') landscaped area. See also FCC 10-34-3-6 and -7 for parking lot landscaping standards.

Findings: Per FCC 10-3-8(E)(1), all parking areas must include a minimum six-inch (6") curb near abutting streets and interior lot lines to prevent vehicles from encroaching on adjacent private property, public walkways, sidewalks, or required landscaped areas. As shown on [Sheets C2 and C5](#), the proposed parking areas include curbing around all designated spaces, ensuring compliance with this requirement. In accordance with FCC 10-3-8(E)(2), a five-foot (5') wide landscaped buffer is required wherever parking areas abut a street right-of-way. As shown on [Sheet L1.1](#), all parking areas include at least a five-foot-wide landscaped buffer, effectively screening the parking lot from the public right-of-way. No alternative landscape configurations have been proposed or requested.

Conclusion: This criterion is satisfied. The applicant has provided six-inch curbing around all parking areas in compliance with FCC 10-3-8(E)(1) and has incorporated at least five feet of landscaped buffering along street rights-of-way, meeting the requirements of FCC 10-3-8(E)(2).

- F. No parking area shall extend into the public way except by agreement with the City.
- G. Except for parking in connection with dwellings, parking and loading areas adjacent to a dwelling shall be designed to minimize disturbance by the placement of a sight obscuring fence or evergreen hedge of not less than three feet (3') nor more than six feet (6') in height, except where vision clearance is required. Any fence, or evergreen hedge must be well kept and maintained.
- H. Lighting: Refer to Section 10-37 of this Title for requirements.

Findings: As shown on Sheet [C4](#), no parking areas are proposed to encroach upon public rights-of-way, ensuring compliance with this requirement. The subject site is not adjacent to any dwellings; therefore, this standard does not apply. However, the applicant has proposed landscaping adjacent to parking areas, as shown on [Sheets L0.0 through L1.2](#), which will provide additional buffering. Lighting findings and compliance details are addressed separately under the responses to Section 10-37 in this narrative.

Conclusion: These criteria are satisfied. No parking area extends into the public right-of-way, ensuring compliance with FCC 10-3-8(F). The requirement under FCC 10-3-8(G) does not apply since no adjacent dwellings exist. Lighting compliance is addressed separately under FCC 10-37.

- I. Except for single-family, duet and duplex dwellings, groups of more than two (2) parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right of way other than an alley.
- J. Unless otherwise provided, required parking and loading spaces shall not be located in a required front or side yard.
- K. Planning review is required for all parking lot construction or resurfacing.

Findings: Per FCC 10-3-8(I), parking areas with more than two spaces must be designed to prevent backing or maneuvering within a street right-of-way except in alleys. As shown on Sheets [LU-1](#), [C2](#), and [C4](#), the proposed parking lot layout ensures adequate on-site circulation, allowing all vehicle movements at public rights-of-way to occur in a forward motion, meeting this requirement.

Per FCC 10-3-8(J), required parking and loading spaces shall not be located in a required front or side yard unless otherwise permitted. The site plan, as shown on Sheet [LU-1](#), confirms that no parking spaces are located within the required 15-foot front yard or 5-foot side yard buffer areas, ensuring compliance.

Per FCC 10-3-8(K), all parking lot construction or resurfacing requires planning review. The proposed parking areas are being reviewed as part of this Type III land use application, fulfilling this requirement.

Conclusion: This criterion is satisfied. The parking areas are designed to prevent backing movements onto public rights-of-way, do not encroach upon required front or side yards, and are subject to planning review through this Type III application, ensuring compliance with FCC 10-3-8(I), (J), and (K).

L. A plan, drawn to a suitable scale, indicating how the off- street parking and loading requirements are to be met shall accompany an application for a building permit. The plan shall indicate in detail all of the following:

1. Individual parking and loading spaces.
2. Circulation area.
3. Access to streets and property to be served.
4. Curb cut dimensions.
5. Dimensions, continuity and substance of screening, if any.
6. Grading, drainage, surfacing and subgrading details.
7. Obstacles, if any, to parking and traffic circulation in finished parking areas.
8. Specifications for signs, bumper guards and curbs.
9. Landscaping and lighting.

Findings: The submitted plans, as shown on Sheets [LU-1](#), [L1.2](#), [EL01](#), and [C2-C15](#) provide the required details.

Conclusion: This criterion is satisfied. The applicant has provided a detailed parking and loading plan in compliance with FCC 10-3-8(L), addressing individual parking spaces, circulation, access, curbs, screening, grading, obstacles, signage, and lighting as required.

M. In addition to other penalties and remedies, the failure to provide, maintain and care for a parking area as required by this Section:

1. Is declared a public nuisance which may be abated under subsection 6-1-8-5 of this Code.
2. May be the basis for denying any business license required or permit issued by the City. (Ord. 625, 6-30-80; re-lettered by Ord. 669, 5-17-82; Ord. 4, Series 1985, 4-23- 85)

Findings: The failure to provide, maintain, and care for a required parking area constitutes a public nuisance under FCC 6-1-8-5 and may serve as grounds for denying a business license or permit issued by the City. The applicant has submitted a detailed parking plan, as shown on Sheets [LU-1](#), [L1.2](#), [EL01](#), and [C2-C15](#), which meets all applicable parking requirements. The proposal includes paved and properly designed parking areas with required screening, drainage, lighting, and landscaping, ensuring compliance with City standards. The ongoing maintenance of parking facilities will be required as a continuing obligation of the property owner to avoid code violations and potential enforcement actions under FCC 10-3-8(M).

Conclusion: This criterion is satisfied. The applicant has demonstrated compliance with the parking requirements under FCC 10-3-8 by providing a detailed parking plan. The property owner will be responsible for maintaining the parking area in accordance with City standards to avoid enforcement actions or penalties under FCC 6-1-8-5.

10-3-9: PARKING STALL DESIGN AND MINIMUM DIMENSIONS: All off-street parking spaces (except those provided for single-family and duplex homes) shall be improved to conform to City standards for surfacing, stormwater management, and striping and where provisions conflict, the provisions of FCC Title 9 Chapter 5 shall prevail. Standard parking spaces shall conform to minimum dimensions specified in the following standards and Figures 10-3(1) and Table 10-3-3:

- A. Motor vehicle parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long.
- B. Each space shall have double line striping with two feet (2') wide on center.
- C. The width of any striping line used in an approved parking area shall be a minimum of 4" wide.
- D. All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet;
- E. Parking area layout shall conform to the dimensions in Figure 10-3(1), and Table 10-3-3, below;
- F. Parking areas shall conform to Americans With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines.

FIGURE 10-3 (1)

| Space Dimensions in feet | Parking Angle <° | Stall Depth | | Aisle Width | | Stall width (B) | Curb Length (F) |
|--------------------------|------------------|-------------|------------|-------------|-------------|-----------------|-----------------|
| | | Single (C) | Double (E) | One Way (D) | Two Way (D) | | |
| | 30° | 15.6 | 26.7 | 12 | 18 | 9.5 | 19.0 |
| 45° | 18.4 | 33.4 | 13 | 18 | 9.5 | 13.4 | |
| 60° | 20 | 38.8 | 17 | 18 | 9.5 | 11.0 | |
| 70° | 20.3 | 40.6 | 18 | 19 | 9.5 | 10.1 | |
| 80° | 20 | 41.2 | 22 | 22 | 9.5 | 9.6 | |
| 90° | 19 | 40.5 | 23 | 23 | 9.5 | 9.5 | |

Findings: Per FCC 10-3-9, all off-street parking spaces must conform to City standards for surfacing, stormwater management, and striping, with conflicting provisions deferring to FCC Title 9, Chapter 5. The applicant has provided a detailed parking plan demonstrating compliance with these requirements, as shown on [Sheet C4](#).

Per FCC 10-3-9(A), standard motor vehicle parking spaces must measure nine feet and six inches (9'6") wide by nineteen (19) feet long. The site plan confirms that all parking spaces meet these dimensions.

Per FCC 10-3-9(B), each space must have double-line striping with a two-foot (2') center spacing. As shown on [Sheet C4](#), double-line striping is provided in accordance with this standard.

Per FCC 10-3-9(C), parking stall striping must have a minimum width of four inches (4"). As shown on [Sheet C4](#), all striping lines meet this requirement.

Per FCC 10-3-9(D), parallel parking spaces must measure eight feet and six inches (8'6") by twenty-two feet (22'). No parallel parking spaces are proposed in this application, making this criterion not applicable.

Per FCC 10-3-9(E), parking area layouts must conform to Figure 10-3(1) and Table 10-3-3, which establish standard dimensions for stall sizes and aisle widths. The site plan, as shown on Sheets [C4](#) and [LU-1](#), provides 90-degree parking spaces measuring 9'6" in width and 19' in depth, with a 23-foot-wide drive aisle, consistent with the required standards. All exterior parking spaces are curbed, ensuring proper separation from pedestrian and landscaped areas.

Per FCC 10-3-9(F), accessible parking spaces must meet Americans with Disabilities Act (ADA) standards for stall dimensions and van accessibility. As discussed in the FCC 10-3-5 findings, the applicant has provided five accessible parking spaces, including van-accessible stalls, all of which comply with ADA requirements.

Conclusion: These criteria are satisfied. The applicant has provided parking spaces that meet required dimensions, double-line striping, aisle widths, and ADA standards, ensuring compliance with FCC 10-3-9. No parallel parking spaces are proposed, making that requirement not applicable.

10-3-10: BICYCLE PARKING REQUIREMENTS: All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.

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- A. Minimum Size Space: Bicycle parking shall be on a two (2) feet by six (6) feet minimum.
- B. Minimum Required Bicycle Parking Spaces. Short term bicycle parking spaces shall be provided for all non-residential uses at a ratio of one bicycle space for every ten vehicle parking spaces. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number, with a minimum of two spaces.

Findings: Per FCC 10-3-10(A), bicycle parking spaces must measure at least two feet (2') wide by six feet (6') long. As shown on [Sheet LU-1](#), the provided bicycle parking spaces meet or exceed these minimum dimensions.

Per FCC 10-3-10(B), non-residential uses must provide short-term bicycle parking spaces at a ratio of one space per ten (10) vehicle parking spaces, with a minimum of two spaces. Since 86 vehicle parking spaces are required, this results in a requirement of nine (9) bicycle parking spaces. The applicant has exceeded this requirement by providing 13 total bicycle parking spaces, as shown on [Sheet LU-1](#). Six adjacent to the front entrance and seven available in a secure bike room accessed by a rear entrance.

Conclusion: This criterion is satisfied. The applicant has provided bicycle parking spaces that meet the minimum size requirements and exceed the minimum required quantity, ensuring compliance with FCC 10-3-10(A) and (B).

- C. Long Term Parking. Long term bicycle parking requirements are only for new development of group living and residential uses of three or more units. The long term parking spaces shall be covered and secured and can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building; Tri-plex, Quad-plex, Cluster Housing or Multi-Family = 1 per 3 units/ Group Living = 1 per 20 bedrooms/ Dormitory = 1 per 8 bedrooms

Findings: Long -term bicycle parking requirements apply only to new development of group living and residential uses with three or more units. The proposed Microtel is a commercial lodging use and does not qualify as a group living or residential use under this section.

Conclusion: This criterion does not apply. The proposed use is not a group living or residential development, and therefore, long-term bicycle parking requirements under FCC 10-3-10(C) are not applicable.

- D. Location and Design. Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space other than handicap parking, or fifty (50) feet, whichever is less and shall be easily accessible to bicyclists entering the property from the public street or multi-use path.

Findings: As shown on [Sheet LU-1](#), the proposal includes six bicycle parking spaces adjacent to the front building entrance, ensuring that short-term bicycle parking is conveniently located for visitors and employees. Additionally, the applicant has provided seven secure indoor bicycle parking spaces in a designated bicycle storage room, which is accessed from a rear entrance.

Conclusion: This criterion is satisfied. The applicant has provided short-term bicycle parking within 50 feet of the main entrance and indoor secure bicycle parking, ensuring compliance with FCC 10-3-10(D). The bicycle parking is easily accessible from the public street and meets location and design requirements.

- E. Visibility and Security. Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage;

Findings: As shown on [Sheet LU-1](#), the proposal includes six bicycle parking spaces located near the front building entrance, ensuring they are clearly visible from both the street and main entry points. Additionally, the applicant has provided seven secure indoor bicycle parking spaces in an access-controlled bicycle room, which enhances security for long-term storage. Signage will be provided to indicate the availability of indoor bicycle parking, making it easily identifiable to users.

Conclusion: This criterion is satisfied. The applicant has provided visible and secure bicycle parking in compliance with FCC 10-3-10(E), ensuring short-term bicycle parking is easily accessible from the street and building entrances, while long-term bicycle parking is secured in an access-controlled bicycle room with proper signage.

- F. Lighting. For security, bicycle parking shall be at least as well lit as vehicle parking. Refer to Section 10-37 of this Title for requirements.

Findings: As shown on [Sheets LU-1](#) and [EL01](#), the six outdoor bicycle parking spaces are immediately adjacent to the building entrance and are well-lit by exterior lighting fixtures. The seven indoor bicycle parking spaces are located in a dedicated bicycle room, which is fully illuminated by interior lighting. Additionally, bicycle parking lighting is subject to the standards outlined in FCC 10-37, which is addressed separately in the findings for that section.

Conclusion: This criterion is satisfied. The applicant has provided adequate lighting for both outdoor and indoor bicycle parking areas, ensuring compliance with FCC 10-3-10(F). The outdoor spaces are well-lit by exterior building lighting, and indoor spaces are illuminated within the bicycle storage room.

- G. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

Findings: As shown on [Sheet LU-1](#), the proposed bicycle parking areas are well-defined with designated bicycle racks. The six outdoor spaces near the front entrance are clearly separated from vehicle and pedestrian pathways, ensuring they are reserved for bicycle parking only. The seven indoor bicycle parking spaces are located within a dedicated bicycle storage room, further ensuring that they cannot be used for any other purpose.

Conclusion: This criterion is satisfied. The applicant has provided clearly marked and designated bicycle parking areas, both outdoor and indoor, ensuring compliance with FCC 10-3-10(G). The bicycle parking spaces are well-defined, separate from vehicle and pedestrian areas, and reserved exclusively for bicycle use.

- H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards. If bicycle parking cannot be provided safely, the Planning Commission or Community Development Director may waive or modify the bicycle parking requirements.

Findings: As shown on [Sheet LU-1](#), the proposed front bicycle parking area meets all dimensional requirements while ensuring pedestrian circulation is not obstructed. The six outdoor bicycle spaces are positioned adjacent to pedestrian routes but do not encroach upon or impede movement. The seven indoor bicycle parking spaces are located within a secure bicycle storage room, which does not interfere with pedestrian pathways. Additionally, the proposed bicycle parking locations are positioned well outside any vision clearance areas, ensuring compliance with FCC 10-3-10(H).

Conclusion: This criterion is satisfied. The applicant has strategically placed bicycle parking areas to avoid pedestrian hazards and conflicts with vision clearance standards, ensuring compliance with FCC 10-3-10(H). The outdoor bicycle parking is properly dimensioned and does not obstruct pedestrian circulation, while the indoor bicycle storage room provides secure parking without affecting pedestrian routes.

10-3-11: LOADING AREAS:

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- A. Purpose. The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure

adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.

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- B. Applicability. This section applies to residential projects with fifty (50) or more dwelling units, and non-residential and mixed-use buildings with 20,000 square feet or more total floor area.
- C. Location.

2. All necessary loading spaces for commercial and industrial buildings and uses shall be off the street and shall be provided in addition to the required parking spaces.

3. Vehicles in the berth shall not protrude into a public right of way or sidewalk. When possible, loading berths shall be located so that vehicles are not required to back or maneuver in a public street.

Findings: As shown on the Architectural Cover Sheet, the proposed hotel contains 37,256 square feet of floor area, making this section applicable to the development. Per FCC 10-3-11(C)(2), all necessary loading spaces for commercial buildings must be provided off the street and in addition to required parking spaces. As shown on [Sheet LU-1](#), the applicant has provided a dedicated off-street loading area within the proposed parking lot, ensuring compliance with this requirement. The proposed loading area is located on the east side of the building, positioned away from public rights-of-way or sidewalks, ensuring that loading activities will not obstruct pedestrian or vehicle circulation.

Conclusion: This criterion is satisfied. The applicant has provided a dedicated off-street loading space in compliance with FCC 10-3-11(B) and (C). The loading space is separate from required parking spaces, does not protrude into a public right-of-way or sidewalk, and is positioned to minimize maneuvering conflicts with public streets.

- D. Number of Loading Spaces.

6. Non-residential and mixed-use buildings. Buildings where any floor area is in nonresidential uses shall meet the following standards:

a. Less than 20,000 square feet total floor area: No loading spaces required.

b. 20,000 to 50,000 square feet of total floor area: One (1) loading space.

- E. Size of Spaces. Required loading spaces shall be at least thirty-five (35) feet long and ten (10) feet wide, and shall have a height clearance of at least thirteen (13) feet.

Findings: The proposed 37,256-square-foot hotel meets this threshold, requiring one

loading space. As shown on [Sheet LU-1](#), the applicant has provided one designated loading space, ensuring compliance with this requirement.

As shown on [Sheet LU-1](#), the provided loading space exceeds these minimum dimensions, measuring 40 feet long and 12 feet wide.

Additionally, adjacent lighting fixtures are 16 feet in height, allowing adequate clearance for large vehicles while maintaining pedestrian-scale lighting, in accordance with FCC 10-37-4(C).

Conclusion: These criterion are satisfied. The applicant has provided one off-street loading space, as required for a 37,256-square-foot non-residential building, in compliance with FCC 10-3-11(D)(6). The loading space meets or exceeds minimum size requirements, and adjacent lighting is appropriately scaled to accommodate loading activities while maintaining pedestrian safety, ensuring compliance with FCC 10-3-11(E).

- F. Placement, setbacks, and landscaping. Loading areas shall conform to the setback and perimeter landscaping standards of FCC 10-34 Landscaping. Where parking areas are prohibited between a building and the street, loading areas are also prohibited. The decision body may approve a loading area adjacent to or within the street right-of-way through Site Design Review or Conditional Use Permit review, as applicable, where it finds that loading and unloading operations are short in duration (i.e., less than one hour), not obstruct traffic during peak traffic hours, or interfere with emergency response services.

Findings: As shown on Sheets [L0.0 through L1.2](#), the applicant has provided landscaping around the perimeter of the parking and loading areas, meeting FCC 10-34 landscaping requirements. The proposed loading area is centrally located in the rear parking lot, ensuring it does not encroach upon required setbacks, public rights-of-way, or street-adjacent areas. The location and design prevent conflicts with vehicle circulation and pedestrian access, ensuring efficient loading operations without impacting traffic flow or emergency response services.

Conclusion: This criterion is satisfied. The applicant has provided adequate landscaping around the loading area in compliance with FCC 10-34, and the loading area is centrally located in the rear parking lot, ensuring it does not encroach upon required setbacks or interfere with public rights-of-way.

TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-2: DESIGN REVIEW BOARD: The Planning Commission shall act as the Design Review Board. Planning Commission and Design Review action may take place simultaneously.

10-6-3: GENERAL APPLICABILITY:

A. The Planning Commission/ shall:

1. Unless otherwise directed by the underlying zoning district, or subsection (B) below, review the following through a Type III

process consistent with FCC 10-1-1-6-3 prior to issuance of a building permit:

a. New construction,

2. Determine whether the proposed development is appropriate to the character of the neighborhood, according to the general criteria listed in Sections 10-6-5-1 and, when applicable, 10-6-6 or 10-6-7;

3. Have authority to require changes in the planned appearances of proposed buildings, structures, and alterations in accordance with Section 10-6-1; [...]

Findings: Per FCC 10-6-2, the Planning Commission serves as the Design Review Board and is responsible for reviewing applications requiring design review approval. This application is being duly reviewed by the Planning Commission through a Type III quasi-judicial process, ensuring compliance with this requirement.

Per FCC 10-6-3(A)(1)(a), new construction projects must undergo Type III Design Review, unless otherwise exempted by the underlying zoning district. The applicant has submitted a new construction proposal, and the Planning Commission is conducting its review in accordance with FCC 10-1-1-6-3.

Per FCC 10-6-3(A)(2), the Planning Commission must determine whether the proposed development is appropriate to the character of the neighborhood, based on the general design criteria outlined in FCC 10-6-5-1 and, if applicable, FCC 10-6-6 or 10-6-7. This project is being reviewed under the applicable zoning and design criteria, ensuring alignment with the surrounding built environment.

Per FCC 10-6-3(A)(3), the Planning Commission has the authority to require changes in the planned appearance of proposed buildings, structures, and alterations in accordance with FCC 10-6-1. This authority ensures that modifications may be imposed if necessary to achieve compliance with city design standards.

Conclusion: This criterion is satisfied. The Planning Commission is acting as the Design Review Board, conducting its review through a Type III quasi-judicial process, as required by FCC 10-6-2 and 10-6-3(A)(1). The proposal is being evaluated for compatibility with the neighborhood character, and the Planning Commission retains the authority to require modifications as needed to meet design standards under FCC 10-6-3(A)(2) and (3).

10-6-4: DRAWINGS TO BE APPROVED: No permit for a new use, structure or exterior alteration or enlargement of an existing use or structure that is subject to design review, as prescribed in this Title, shall be issued until the drawings required by this Chapter have been approved by the Planning Commission, Planning Director, or their designee.

Findings: Per FCC 10-6-4, no permit for a new use, structure, exterior alteration, or enlargement of an existing use or structure subject to design review shall be issued until

the required drawings have been approved by the Planning Commission, Planning Director, or their designee.

This application is being processed as a Type III Design Review by the Planning Commission in accordance with FCC 10-6-3 and FCC 10-6-4. The applicant has submitted all required drawings, including site plans, architectural elevations, landscape plans, and lighting plans, which are under review for compliance with applicable standards.

Conclusion: This criterion is satisfied. The application is subject to Type III Design Review and is being reviewed by the Planning Commission in compliance with FCC 10-6-4. No permit will be issued until the required drawings have been approved as required by this section.

10-6-5: GENERAL APPROVAL CRITERIA:

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10-6-5-1: GENERAL CRITERIA FOR NONRESIDENTIAL DEVELOPMENT:
Nonresidential projects shall meet the following criteria. The Planning Commission or Planning Commission or their designee may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter. The Commission or their designee shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following:

- A. Setbacks, yards, height, density and similar design features according to the underlying zoning district.
- B. Lot area, dimensions and percentage of coverage according to the underlying zoning district.
- C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.
- D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.
- E. Noise, vibration, smoke, dust, odor, light intensity and electric interferences.

Findings: The subject property is located in the Old Town District, Zone C, and as demonstrated in the findings for FCC 10-17C, the proposal meets all applicable dimensional standards for setbacks, yards, height, density, lot area, dimensions, and lot coverage, ensuring compliance with FCC 10-6-5-1(A) and (B). Landscaping, screening, and buffering have been incorporated into the design, and as detailed in the FCC 10-34 findings, the proposal meets all applicable landscaping requirements, fulfilling FCC 10-6-5-1(C). Access

and circulation have been designed in compliance with FCC 10-35, ensuring proper vehicle and pedestrian access to and from the site, meeting FCC 10-6-5-1(D).

The project has also been evaluated for potential impacts related to noise, vibration, smoke, dust, odor, light intensity, and electrical interferences under FCC 10-6-5-1(E). The proposed hotel use is consistent with other permitted uses in the zone, including the Florence Events Center, multi-family residential developments, and commercial buildings. Noise levels are anticipated to be typical for hotel operations, primarily consisting of pedestrian movement and vehicle parking, and will not exceed levels appropriate for the area. All vehicle areas are paved, preventing dust concerns, and the proposed hotel does not generate vibration or smoke impacts. Lighting for the parking area and hotel signage has been designed to meet industry standards, as shown on Sheet EL01 and Appendix C, with all fixtures shielded and directed on-site to prevent glare or off-site impacts. No high-intensity lighting is proposed. Utility infrastructure will be installed in accordance with Sheet C3 (Utility Plan), and the project does not include high-voltage power lines or energy facilities that could cause electrical interference.

Conclusion: This criterion is satisfied. The proposal meets all required dimensional, landscaping, access, and circulation standards, ensuring compliance with FCC 10-6-5-1(A)-(D). The project's anticipated noise, lighting, and electrical impacts are consistent with permitted uses in the Old Town District and will not create vibration, smoke, or dust concerns, fulfilling FCC 10-6-5-1(E).

- F. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3-Parking and Loading.
- G. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.
- H. Color, building materials and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan and in applicable zoning districts.
- I. Exterior lighting and security.
- J. Public health, safety and general welfare.
- K. Provision of public facilities and infrastructure according to standards set forth in FC 10-36Public Facilities.
- L. Requiring a time period within which the proposed use or portions thereof shall be developed.
- M. Requiring bonds to ensure performance of special conditions (Ord, 625, 6-30-80)

- N. Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan Ord. 680, 1-11-83)

Findings: Per FCC 10-6-5-1(F), parking areas, outside display areas, dimensions, surfacing, and on-site traffic circulation must comply with the standards set forth in FCC 10-3 (Parking and Loading). As demonstrated in the FCC 10-3 findings, the proposal includes an appropriately designed parking lot with proper dimensions, surfacing, circulation, and loading spaces, ensuring compliance with City standards.

Per FCC 10-6-5-1(G), non-residential development must exhibit architectural quality and aesthetic compatibility with adjacent buildings. The applicant has provided detailed elevations and renderings on [Sheets LU-5 through LU-9](#), demonstrating a design that reflects the local architectural character while incorporating landscaping elements, as shown on [Sheets L0.0 through L1.2](#). The proposal is compatible with the adjacent Florence Events Center and is expected to positively contribute to the area by attracting visitors to nearby businesses.

Per FCC 10-6-5-1(H), color, building materials, and exterior appearance must align with City policies established in the Downtown Implementation Plan and applicable zoning district standards. The building design incorporates local and regional historic architectural influences while maintaining modern brand elements. The proposed color palette, materials, and exterior features, as detailed in [Sheets LU-5 through LU-9](#), utilize vertical breaks, parapets, and textured material changes to enhance architectural articulation and create the impression of multiple adjacent buildings, similar to those in the Bay Street area. A traditional blue storefront treatment at the ground level enhances pedestrian engagement and connectivity with the surrounding commercial district.

Per FCC 10-6-5-1(I), exterior lighting must ensure security and safety. As shown on [Sheet ELO1](#), all parking areas, walkways, and hotel entrances are adequately illuminated to enhance safety and visibility. Additionally, [Sheet LU-2](#) (First Floor Plan) confirms that all building access points are secure and controlled, further ensuring guest and visitor safety.

Per FCC 10-6-5-1(J), development must support public health, safety, and general welfare. The project team has worked closely with City planning and engineering staff to design a project that meets public requirements while supporting the City's economic and community development goals.

Per FCC 10-6-5-1(K), public facilities and infrastructure must meet the standards outlined in FCC 10-36 (Public Facilities). The project's utility and infrastructure improvements were designed by CivilWest in close coordination with City staff. The Stormwater Plan, provided as Appendix B, and infrastructure plans detailed in [Sheets C1-C19](#), demonstrate compliance with public facility requirements.

Per FCC 10-6-5-1(L), (M), and (N), the Planning Commission may establish a timeframe for project completion, require bonds to ensure performance of special conditions, or impose other conditions necessary to implement Florence Comprehensive Plan policies. The project team anticipates standard conditions of approval to ensure regulatory compliance and acknowledges that conditions may be imposed to align the development with City policies.

Conclusion: This criterion is satisfied. The proposed development meets the required standards for parking, architectural quality, exterior appearance, lighting, safety, public facilities, and infrastructure as outlined in FCC 10-6-5-1(F)-(K). The project team has coordinated with City staff to ensure compliance with public health and safety requirements, and the Planning Commission may impose additional conditions, timeframes, or bonding requirements as necessary in accordance with FCC 10-6-5-1(L)-(N).

10-6-6: DOWNTOWN ARCHITECTURAL DESIGN: The Architectural Design criteria are designed to address and implement the Florence Downtown Architectural Guidelines. Where applicable, the following criteria consider the historic character of Florence through proper building massing, siting, and materials in this code may apply may differ by district. The following requirements are intended to create and maintain a building environment that is conducive to walking; reduces dependency on the automobile for short trips; provides natural surveillance of public spaces; creates a human-scale design, e.g., with building placed close to streets or other public ways and large building walls divided into smaller planes with detailing; and maintains the historic integrity of the community.

Development in the Old Town and Mainstreet districts shall comply with the standards in this section.

The City Planning Official, the City Planning Official's designee, or the Planning Commission may require any of the following conditions in order to establish a minimum level of design quality and compatibility between buildings. The Planning Commission may approve adjustments or variances to the standards as part of a site Design Review approval, pursuant with FCC 10-5 and 10-6, respectively.

Findings: Per FCC 10-6-6, the Downtown Architectural Design standards are intended to reflect the historical character of Florence while allowing for architectural innovation and modern functionality. The standards ensure that development promotes pedestrian activity, reduces automobile dependency, enhances public safety through natural surveillance, and maintains human-scale design by requiring buildings to be placed close to the street and dividing large building walls into smaller planes with detailed articulation.

The proposed hotel design incorporates multiple historical design elements while adapting a modern hotel concept to align with Florence's Downtown Architectural Guidelines. The project meets all dimensional standards but includes several design modifications requiring Planning Commission review and approval through the design review process. These modifications address roof elevation breaks, façade signage, fencing materials, exterior finishes, window styles, parking placement, bicycle parking requirements, pedestrian crossings, and lighting levels.

The proposed deviations include adjustments to parapet breaks, branding elements in signage, material selections for fencing and storefront areas, window design, parking configuration, and bicycle parking placement. Additionally, pedestrian walkways crossing vehicle areas are proposed to be striped rather than surfaced with a contrasting paving material, and parking lot lighting is proposed to have an average illumination of 3.6 foot-

candles, with some areas slightly below 2 foot-candles but still above the minimum requirement of 1.7 foot-candles.

These design decisions balance historical design influences with modern commercial needs and provide a visually engaging, pedestrian-friendly streetscape that enhances the character of the Old Town District. The Planning Commission has the authority to review and approve these design modifications in accordance with FCC 10-5 and 10-6 to ensure a minimum level of design quality and compatibility with surrounding buildings.

Conclusion: This criterion is satisfied with reasonable conditions. The proposal meets the intent of the Downtown Architectural Design standards by incorporating historical design elements while adapting to modern hotel needs. Several design modifications require Planning Commission review and approval through the Type III Design Review process. The Planning Commission may impose conditions of approval to ensure architectural quality, compatibility with surrounding buildings, and alignment with the Florence Downtown Architectural Guidelines.

10-6-6-1: BUILDING TYPE: These types of building currently exist within the applicable zoning districts and are compatible with each other, despite being different in their massing and form. The following building types are permitted in future development and infill. Other building types not listed which are compatible with the surrounding area buildings and are compatible with the historic nature of the zoning district are also permitted. Not all types may be permitted or regulated in all zoning districts.

- A. Residential Type, single-family, duplex (attached & detached), or multi-family
- B. Commercial Storefront Type
- C. Mixed-Use House Type
- D. Community Building Type

Findings: Per FCC 10-6-6-1, permitted building types within the Old Town District include Residential, Commercial Storefront, Mixed-Use House, and Community Building types. The proposed hotel use does not fit directly into any of these listed categories but is designed to be compatible with the surrounding area and historic nature of the zoning district, in accordance with the allowance for other building types under FCC 10-6-6-1.

The hotel's architectural design most closely resembles a multi-storied commercial storefront building, incorporating elements that reflect historical design features of the Old Town District. The proposal includes vertical breaks, parapets, varied materiality, and storefront treatments, ensuring that the building integrates with the surrounding built environment. Additionally, the Florence Realization 2020 Comprehensive Plan and the Florence Downtown Plan (June 1999) both identify a motel near the Florence Events Center as a beneficial use, supporting the intended function of the district and aligning with FCC Title 10, Chapter 17C (Old Town District Area C).

The proposed hotel is compatible with the architectural character of the area, supports economic activity in the district, and contributes to the vibrancy of the Florence Events Center and nearby commercial establishments. The Planning Commission has the authority

to review and approve the building type under FCC 10-6-6-1, considering its context-sensitive design and policy support within adopted City plans.

Conclusion: This criterion is satisfied. The proposed hotel, while not explicitly listed under FCC 10-6-6-1, is compatible with the surrounding area and historic nature of the Old Town District, aligning with the intent of the code. The building's design, massing, and function closely resemble a commercial storefront type, and its use is supported by the Florence Realization 2020 Comprehensive Plan, the Florence Downtown Plan (1999), and FCC 10-17C (Old Town District Area C). The Planning Commission may approve the building type based on its compatibility with the district's architectural and economic objectives.

10-6-6-2: BUILDING STYLE:

- A. Context: Each building or addition shall be designed within the context of its larger surroundings and environment in terms of overall street massing, scale and configuration.

Findings: Per FCC 10-6-6-2(A), buildings must be designed within the context of their larger surroundings, considering street massing, scale, and configuration. The proposed four-story, 86-unit hotel has been designed to complement the adjacent Florence Events Center, which is located directly across Quince Street to the west. The project site has no immediate neighboring buildings to the north, south, or east, allowing for a context-sensitive approach to massing and design.

The building scale has been visually broken down using strategic color placement, varied materials, and architectural detailing, creating the appearance of multiple adjoining buildings similar to those along Bay Street. The hotel's massing, height, and street presence are compatible with nearby structures, including the Florence Events Center, an apartment complex to the northwest, and the Dunes Village shopping center. These buildings share similar ground floor elevations and contribute to the City's eastern gateway character.

To further soften height transitions and enhance visual integration with surrounding development, the applicant has proposed retaining existing native vegetation and installing fast-growing landscaping. These elements will visually moderate any stark height differences between the proposed structure and surrounding buildings, ensuring architectural harmony within the district. Additional details regarding scale mitigation and landscaping enhancements are provided in subsequent findings.

Conclusion: This criterion is satisfied. The proposed hotel has been designed to fit within the surrounding context, with building massing, scale, and configuration that complement the Florence Events Center and other nearby structures. The use of varied materials, façade articulation, and landscaping ensures that the building integrates well with the existing architectural character of the area.

- B. Historic Style Compatibility: New and existing building design shall be consistent with the regional and local historical traditions. Where historic ornament and detail is not feasible, historic compatibility shall be achieved through the relation of vertical proportions of historic façades, windows and doors, and the simple vertical massing of historical buildings. Some

examples of architectural styles currently or historically present in the Florence area are: Queen Anne, Shingle Style, Second Empire, Victorian, Italianate, Tudor Style, Craftsman Bungalow, American Foursquare, and Vernacular.

[...]

2. New Buildings: Design shall be compatible with adjacent historic buildings.

Findings: Per FCC 10-6-6-2(B), new and existing buildings must be consistent with regional and local historical traditions, incorporating historic ornamentation, vertical proportions, and massing reflective of Florence’s architectural heritage. Examples of historical styles found in Florence include Queen Anne, Shingle Style, Second Empire, Victorian, Italianate, Tudor, Craftsman Bungalow, American Foursquare, and Vernacular.

The subject site does not have any adjacent historic buildings; therefore, there are no direct historic structures requiring compatibility considerations. However, as demonstrated throughout these findings, the proposed hotel has been carefully designed to incorporate elements of regional and local architectural traditions while integrating modern functionality appropriate for its use as a lodging facility.

The proposed exterior colors, building materials, and architectural design, as shown on [Sheets LU-5 through LU-9](#), take inspiration from Florence’s historical character. Notably, the Art Deco styling of the building’s parapet and flat roof references the architectural details of local bridges, while other elements such as horizontal lap siding and façade articulation align with structures found in Old Town Florence. The building’s parapet design is similar to Lovejoy’s Restaurant (195 Nopal St.) and Stitch & Sole (1377 Bay St.), while horizontal lap siding reflects elements present on the Marketplace building on 1st Street.

Despite the absence of historic buildings on or adjacent to the project site, the proposed design incorporates historically compatible elements in accordance with FCC 10-6-6-2(B). The combination of façade detailing, traditional materials, and massing strategies ensures that the hotel aligns with the established architectural identity of Old Town Florence.

Conclusion: This criterion is satisfied. The proposed hotel incorporates historic design elements drawn from regional and local traditions, ensuring compatibility with Florence’s architectural heritage. While no historic buildings are present within or adjacent to the site, the project references key design elements from nearby historic structures, integrating historically inspired materials, parapet detailing, and façade articulation consistent with the Old Town District’s architectural character.

10-6-6-3: BUILDING FAÇADES:

- A. Horizontal Design Elements: Multi-story commercial storefront buildings shall have a distinctive horizontal base; second floor; and eave, cornice and/or parapet line; creating visual interest and relief. Horizontal articulations shall be made with features such as awnings, overhanging eaves, symmetrical gable roofs, material changes, or applied fascia detail. New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include but are not limited to: the base below a series of storefront windows; an existing

awning or canopy line, or belt course between building stories; and/or an existing cornice or parapet line. Where existing adjacent buildings do not meet the City's current building design standards, a new building may establish new horizontal lines.

Findings: Per FCC 10-6-6-3(A), multi-story commercial storefront buildings must incorporate distinctive horizontal design elements to create visual interest and relief. These elements may include a horizontal base, second floor articulation, eave or parapet lines, awnings, material changes, or applied fascia detailing. New buildings should align with existing horizontal lines on adjacent structures unless no such lines exist, in which case new horizontal elements should be established.

Although the proposed hotel is not a commercial storefront building, it incorporates commercial storefront design elements into its façade, ensuring consistency with Old Town design principles. Since no adjacent buildings exist to the north or south, the proposal establishes its own horizontal articulation, in accordance with the flexibility allowed under FCC 10-6-6-3(A).

As shown on [Sheet LU-5](#), the façade incorporates multiple horizontal elements to create a visually engaging and well-articulated design. Distinct horizontal breaks are introduced between the first and second floors, the second and third floors, and above the fourth floor. These design features help to break down the massing of the structure, providing human-scale proportions and integrating the building into its surrounding context.

Conclusion: This criterion is satisfied. Although the project is not a traditional commercial storefront building, it incorporates horizontal design elements that create visual interest and establish a defined architectural rhythm. Since no adjacent buildings exist to match horizontal lines, the project appropriately introduces new horizontal articulations between floors and along the parapet, ensuring compliance with FCC 10-6-6-3(A).

- B. Vertical Design Elements: Commercial storefront building faces shall have distinctive vertical lines of emphasis spaced at relatively even intervals. Vertical articulations may be made by material changes, variations in roof heights, applied fascia, columns, bay windows, etc. The maximum spacing of vertical articulations on long, uninterrupted building elevations shall be not less than one break for every 30 to 40 feet.

Findings: Per FCC 10-6-6-3(B), commercial storefront buildings must incorporate distinctive vertical design elements to create visual interest and articulation along the building façade. Vertical breaks should be spaced at relatively even intervals and may be established through material changes, roof height variations, applied fascia, columns, or bay windows. For long, uninterrupted building elevations, vertical articulations must occur at least every 30 to 40 feet. Although the proposed hotel is not a commercial storefront building, the design integrates multiple vertical design elements that are reminiscent of traditional commercial storefronts, ensuring consistency with the Old Town District's architectural character. As shown on [Sheet LU-5](#), the first and second floors incorporate distinct vertical elements that enhance the building's façade and create a pedestrian-friendly streetscape.

The building elevation is visually divided into three distinct masses, achieved through vertical recesses, textural material changes, parapets, and accentuated window trims. These strong vertical elements break up the façade at appropriate intervals, ensuring that no portion of the building remains an unarticulated plane. While the overall materiality and articulation remain consistent, each building section is differentiated through unique trim work, parapet details, and varied coloring inspired by local architectural traditions.

Conclusion: This criterion is satisfied. Although the project is not a traditional commercial storefront building, it incorporates well-defined vertical design elements, material variations, and façade breaks at appropriate intervals. The vertical articulation effectively divides the structure into distinct masses, ensuring compliance with FCC 10-6-6-3(B) while maintaining architectural compatibility with the Old Town District.

- C. Articulation and Detailing: All building elevations that orient to a street or civic space must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:
1. Plans shall incorporate design features such as varying rooflines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, or similar elements that break up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 30-40 feet. In addition, each floor shall contain at least two elements meeting the following criteria:
 - b. Extension (e.g., floor area, porch, entrance, balcony, overhang, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
 - c. Offsets or breaks in roof elevation of 2 feet or greater in height.
 - d. A “break,” for the purposes of this subsection, is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.

Findings: As shown on [Sheet LU-5](#), the proposed hotel design integrates multiple articulation elements that contribute to the historic design character of Old Town Florence. The primary street-facing elevation incorporates a canopy above the first-floor primary entrance along Quince Street, which projects six feet and spans a length of 22 feet, 6 inches, ensuring a pedestrian-oriented storefront appearance.

The design includes 2-foot parapet steps occurring at 60- to 80-foot intervals along the front façade. While this exceeds the standard 30- to 40-foot spacing requirement, the Planning Commission is requested to review this design decision, as the parapet variation, combined with additional articulation features, successfully breaks up the continuous visual massing of the building. This modification enhances the transitional historic design and reinforces the gateway presence into the Old Town District.

The previous Planning Commission approved similar articulation features as sufficient to meet this standard, and the resubmitted design has not materially changed. The façade incorporates multiple

elements contributing to visual interest and pedestrian scale, including:

- A prominent cornice at the second story storefront façade, with additional horizontal banding at the third and fourth stories to create a layered appearance.
- Two recesses on the front façade, adding depth and architectural variation.
- Material and color changes that create the illusion of multiple adjacent buildings, reinforcing the Old Town aesthetic.
- Parapet roofing, enhancing the historical character and breaking up the roofline.
- Protruding lighted signage, serving as an additional articulation element.
- Window reveals, adding shadowing and further emphasizing the vertical design elements.

While some articulation features are less than 24 inches in depth, the Planning Commission has previously determined that these elements sufficiently contribute to the historic character of the design and align with the intent of FCC 10-6-6-3(C).

Conclusion: This criterion is satisfied with reasonable conditions. (COA#5) The proposed building incorporates multiple articulation elements, including canopies, parapet steps, recesses, and material changes, ensuring compliance with FCC 10-6-6-3(C). A design decision is requested to approve parapet steps at 60- to 80-foot intervals instead of the 30- to 40-foot requirement, as the overall articulation strategy successfully achieves the intent of breaking up the building mass and reinforcing the historical character of the Old Town District. The Planning Commission previously found the articulation features sufficient, and the resubmitted design maintains these elements.

2. The Planning Commission, through Design Review, may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historically-contributing buildings existing in the vicinity.

Findings: As outlined in previous findings, the proposed building incorporates multiple articulation elements, including cornices, window reveals, parapet variations, and recesses, that create a visually engaging façade consistent with the Old Town District's architectural character. While some detailing features are less than 24 inches in depth, the Planning Commission previously approved these design elements through Design Review as meeting the intent of this standard.

This resubmitted proposal maintains the same articulation features as the previously approved design, ensuring continuity with the prior Planning Commission decision. The architectural detailing remains consistent with historic influences found in the Old Town area, particularly through the layered use of cornices, material differentiation, and vertical breaks that reflect historical commercial storefront massing strategies.

Conclusion: This criterion is satisfied. The Planning Commission previously determined that the proposed articulation and detailing met the intent of this standard, and the resubmitted proposal maintains these same architectural elements. With continued Design Review approval, the proposed design remains consistent with historically significant and contributing buildings in the vicinity, ensuring compliance with FCC 10-6-6-3(C)(2).

3. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
4. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plan standard, but should complement the overall building

design.

Findings: Per FCC 10-6-6-3(C)(3), non-permanent features such as paint color changes, display cabinets, window boxes, retractable awnings, or other similar elements do not satisfy the 24-inch break-in-wall-plane requirement. The proposed building does not rely on any non-permanent features to meet this requirement, ensuring compliance with this standard.

Per FCC 10-6-6-3(C)(4), building elevations that do not face a street or civic space are not required to meet the 24-inch break-in-wall-plane standard, but they must complement the overall building design. As shown on [Sheets LU-5 through LU-9](#), the proposed hotel design maintains architectural consistency across all elevations, incorporating cohesive materials, articulation, and detailing to ensure a unified architectural composition. The rear and side elevations, while not required to meet the 24-inch break standard, are designed in harmony with the primary façades, avoiding blank walls or visually unarticulated surfaces.

Conclusion: This criterion is satisfied. The proposal does not rely on non-permanent features to meet the break-in-wall-plane standard, ensuring compliance with FCC 10-6-6-3(C)(3). Additionally, all building elevations are designed as a cohesive architectural composition, complementing the overall building design as required by FCC 10-6-6-3(C)(4).

10-6-6-4: PERMITTED VISIBLE BUILDING MATERIALS: Building materials which have the same or better performance may be substituted for the materials below provided that they have the same appearance as the listed materials.

A. Exterior Building Walls:

1. Lap siding, board and batten siding, shingles and shakes. Metal siding and vinyl siding shall not be permitted.

[...]

4. Secondary materials: Any of the materials listed above as permitted may also be used as secondary materials or accents. In addition, the materials listed above are allowed as secondary materials, trims, or accents (e.g., flashing, wainscoting, awnings, canopies, ornamentation) when non-reflective and compatible with the overall building design, subject to approval. Secondary materials may be used on up to 30% of the façade.

Findings: Per FCC 10-6-6-4(A), permitted visible exterior building materials include lap siding, board and batten siding, shingles, shakes, brick or stone masonry (with a minimum 2 ½" deep solid veneer), and cement-based stucco. Metal and vinyl siding are not permitted. Secondary materials may be used for trims, accents, or ornamentation, provided they are non-reflective and do not exceed 30% of the façade, subject to approval. As shown on [Sheet LU-5](#), the proposed hotel exterior incorporates wood-look composite horizontal lap siding and shakes, which are consistent with the permitted materials listed

in FCC 10-6-6-4(A)(1). No metal or vinyl siding is included in the design, ensuring compliance with material restrictions.

Conclusion: This criterion is satisfied. The proposed building materials meet the requirements of FCC 10-6-6-4(A) by incorporating permitted siding and secondary materials while avoiding prohibited metal or vinyl siding.

B. Roofs, Awnings, Gutters, and Visible Roofing Components:

1. Composition shingles, concrete, slate or cedar shingles, or concrete or clay tiles. Red composition shingle similar to the Kyle Building are encouraged.
2. Standing seam roofing: copper, terne metal or coated metal.
3. Gutters and downspouts: copper, terne metal, or coated metal.
4. Single or multi-ply roofing, where visibly concealed.
5. Glass, steel, wood or canvas fabric awnings.
6. Skylights: metal and wood framed glass and translucent polymer.

Findings: Per FCC 10-6-6-4(B), permitted materials for roofs, awnings, gutters, and visible roofing components include composition shingles, concrete or clay tiles, standing seam metal roofing, concealed single or multi-ply roofing, copper or coated metal gutters, and steel, wood, or canvas awnings. Skylights must be metal or wood-framed glass or translucent polymer.

As shown on [Sheet LU-5](#), the proposed hotel features a flat roof, which is not visible to pedestrians from Quince Street and is further screened by a parapet, ensuring compliance with the intent of the visible roofing standards. No gutters are proposed. Downspouts and leaders will be aluminum-colored to complement the façade, ensuring they blend with the building design. Additionally, a steel canopy is proposed along a portion of the front façade, consistent with the permitted materials listed in FCC 10-6-6-4(B)(5).

Conclusion: This criterion is satisfied. The flat roof is screened from public view by a parapet, and the proposed downspouts and steel canopy comply with the permitted materials listed in FCC 10-6-6-4(B). The design ensures that visible roofing components integrate seamlessly with the building façade, maintaining architectural consistency within the Old Town District.

D. Windows, Entrances, and Accessories:

1. Wood, vinyl or pre-finished metal frames and sashes.
2. Glazed and unglazed entry doors shall be wood, pre-finished or coated metal or fiberglass.
3. Solid wood or fiberglass shutters.
4. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

Findings: As shown on [Sheet LU-5](#), the window and door trim is proposed to be wood-look composite, consistent with the horizontal siding, ensuring architectural cohesion. Where the building incorporates a storefront-style appearance, windows and doors are trimmed with aluminum, aligning with traditional commercial storefront designs. Additionally, ornamentation is incorporated underneath and, in some

instances, above the windows, reinforcing historic detailing and architectural interest.

Conclusion: This criterion is satisfied. The proposed window and door materials comply with FCC 10-6-6-4(D) by incorporating permitted materials and ornamental detailing consistent with the Old Town District's architectural character. The storefront-style treatment of windows and doors further aligns with historic commercial façade design, ensuring compatibility with Florence's design objectives.

E. Trellises, Decks, Stairs, Stoops, Porches, and Balconies

1. Architectural concrete, brick and stone masonry, solid wood or fiberglass columns, posts, piers and arches.
2. Wood, brick, concrete and stone masonry decks, stoops, stairs, porches, and balconies.
3. Solid wood, painted welded steel or iron trellises.
4. Railings, balustrades, and related components shall be solid wood, painted welded steel or iron.

Findings: The proposal does not include trellises, decks, stairs, stoops, porches, or balconies. However, a welded steel canopy is proposed above the primary entrance, which aligns with the permitted materials outlined in FCC 10-6-6-4(E) for trellises and structural elements.

Conclusion: This criterion is satisfied. No trellises, decks, stairs, stoops, porches, or balconies are proposed, and the welded steel canopy over the primary entrance complies with the permitted materials listed in FCC 10-6-6-4(E).

F. Landscape/Retaining Walls and Fences: Shall be subject to the FCC 10-34 and the following requirements:

1. Brick and stone masonry or precast concrete.
2. Architecturally finished exposed concrete.
3. Cement-based stucco over masonry or concrete substrate.
4. Solid wood pickets, lattice and boards.
5. Painted welded metal or iron.

Findings: As detailed in the landscaping findings under FCC 10-34, the proposal does not include retaining walls but incorporates several fencing elements throughout the site. A welded-metal safety fence is proposed around the stormwater facilities, an aluminum slat fence will enclose the condensing units, white glass panel fencing is proposed around the outdoor patio, and a masonry wall will surround the trash enclosure. The welded-metal safety fence and aluminum slat fencing will be painted to complement the building's color palette, ensuring aesthetic cohesion with the overall design.

The white glass panel fencing around the outdoor patio is intended to retain views while acting as a windbreak, balancing functionality and aesthetics. Since glass fencing is not explicitly listed as a permitted material, a design decision is requested for its approval.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#6) The proposed welded-metal safety fence, aluminum slat fence, and masonry trash enclosure comply with FCC 10-6-6-4(F). A design decision is required for the proposed white glass panel fencing, and with Planning Commission approval, the standard will be fully met.

G. Building and Site Material Colors: Color finishes on all building exteriors shall be approved by the City and be of a muted coastal Pacific Northwest palette. Reflective, luminescent, sparkling, primary, and “day-glow” colors and finishes are prohibited. The Planning Commission/Planning Commission or their designee may approve adjustments to the standards as part of a site Design Review approval.

Findings: As shown on [Sheets LU-5 through LU-9](#), the proposed building façade colors include muted greys, blue, and brown, aligning with the coastal Pacific Northwest palette. Accents and sign lettering are proposed in ivory to ensure visibility while maintaining a subdued aesthetic.

Two brand signs are proposed on the west (front) and north elevations. These signs contain a yellow diamond branding element, which is a required brand component and not subject to modification by the applicant. The building design has already incorporated a range of historical elements that deviate from standard brand aesthetics, and the yellow diamond remains one of the few brand-specific features present in the proposal. As this color element does not strictly conform to the muted palette required by FCC 10-6-6-4(G), a Planning Commission design determination is requested for approval of the branding element.

Conclusion: This criterion is satisfied with reasonable conditions. (COA #7) The building façade colors meet the muted Pacific Northwest palette requirement, and all proposed materials comply with FCC 10-6-6-4(G). A Planning Commission design determination is required to approve the yellow diamond brand element on the signage, as it represents a necessary brand component that deviates slightly from the muted palette standard.

10-6-6-5: MATERIAL APPLICATIONS AND CONFIGURATIONS:

A. Building Walls:

1. For each building, there shall be one single, clearly dominant exterior wall material and finish.
2. Brick and stone front façades shall return at least 18” around side walls.
3. Building walls of more than one materials shall change along horizontal lines only, with a maximum of three materials permitted per façade.

Findings: Per FCC 10-6-6-5(A)(1), each building must have one clearly dominant exterior wall material and finish. As shown on [Sheet LU-5](#), the proposed hotel predominantly features wood-look composite lap siding, ensuring compliance with this requirement. However, the building is visually divided into three distinct façade elements to incorporate

historical features and reduce the perceived scale of the structure, enhancing compatibility with the Old Town District's architectural character. A design determination is requested from the Planning Commission to allow the proposed distinct finishes, as they support the project's overall historical design strategy.

Per FCC 10-6-6-5(A)(2), brick and stone front façades must return at least 18 inches around side walls. The proposal does not include brick or stone on front façades, ensuring compliance with this standard.

Per FCC 10-6-6-5(A)(3), buildings with more than one exterior wall material must change materials along horizontal lines only, with a maximum of three materials permitted per façade. As shown on [Sheet LU-5](#), the building predominantly features wood-look composite lap siding, and no façade includes more than two wall materials, meeting this requirement. The proposal also includes an aluminum "storefront" segment designed to reflect a historical commercial façade style. However, this segment is vertically distinguished from the adjacent building masses due to the intentional articulation of the façade into three distinct design elements. A design determination is requested from the Planning Commission to approve the proposed design, as the vertical material distinction aligns with the project's overall architectural intent.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#8) The dominant exterior wall material is wood-look composite lap siding, ensuring compliance with FCC 10-6-6-5(A)(1). The project does not include brick or stone on front façades, meeting FCC 10-6-6-5(A)(2). The building adheres to the requirement that materials change along horizontal lines and remain within the three-material limit, fulfilling FCC 10-6-6-5(A)(3). A design determination is requested from the Planning Commission to approve the proposed distinct façade finishes and the vertically distinguished aluminum "storefront" segment, as they enhance the proposal's historical character and overall architectural integrity.

4. Heavier materials, such as stone, shall only be used below lighter materials, such as siding.
5. Siding and shingles shall have a maximum 6" to the weather.
6. 4" minimum width corner, skirt, rake and eave trim shall run the full height of each façade, flush, or protrude beyond the surrounding wall surface.
7. Board and batten siding: battens shall be spaced a maximum of 8" on center.

Findings: Per FCC 10-6-6-5(A)(4), heavier materials such as stone must only be used below lighter materials like siding. As shown on [Sheet LU-5](#), the proposed design does not include heavier materials above lighter materials. The aluminum storefront design is placed at the ground level, maintaining an architecturally appropriate material hierarchy and ensuring compliance with this standard.

Per FCC 10-6-6-5(A)(5), siding and shingles must have a maximum exposure of 6 inches to the weather. The proposed horizontal lap siding features exposures of 4 inches and 6 inches, as shown on [Sheet LU-5](#), ensuring compliance with this requirement.

Per FCC 10-6-6-5(A)(6), corner, skirt, rake, and eave trim must be a minimum of 4 inches in width and extend the full height of each façade, either flush with or protruding beyond the surrounding wall

surface. As shown on [Sheet LU-5](#), the proposed trim is a minimum of 4 inches wide and runs the full height of each façade, meeting this standard.

Per FCC 10-6-6-5(A)(7), board and batten siding must have battens spaced a maximum of 8 inches on center. The proposal does not include board and batten siding, ensuring compliance with this standard.

Conclusion: This criterion is satisfied. The building maintains proper material hierarchy, ensuring that heavier materials are not placed above lighter materials in compliance with FCC 10-6-6-5(A)(4). The proposed siding meets the 6-inch maximum exposure requirement, and all required trim is at least 4 inches wide and extends the full height of each façade, fulfilling FCC 10-6-6-5(A)(5) and (A)(6). Since board and batten siding is not proposed, the project also complies with FCC 10-6-6-5(A)(7).

B. Roofs, Awnings, Gutters and Roofing Accessories:

[...]

4. Flat roofs shall be concealed by cornices or parapets.

5. Gutters shall be round or ogee profile. Leaders shall be round or square.

Findings: Per FCC 10-6-6-5(A)(4), flat roofs must be concealed by cornices or parapets to ensure architectural consistency with the Old Town District's traditional design character. As shown on [Sheet LU-5](#), the proposed flat roof is fully concealed by parapets, ensuring compliance with this requirement.

Per FCC 10-6-6-5(A)(5), gutters must be round or ogee profile, and leaders must be round or square. As shown on [Sheet LU-5](#), no gutters are proposed. However, square downspouts with rectangular leaders are included on the east elevation of the building. While the leaders are rectangular rather than strictly round or square, they are designed to blend with the façade and complement the overall architectural intent.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#9) The flat roof is fully concealed by parapets, ensuring compliance with FCC 10-6-6-5(A)(4). While no gutters are proposed, the rectangular leaders deviate slightly from the specified round or square requirement under FCC 10-6-6-5(A)(5). A design determination is requested from the Planning Commission to approve the rectangular leaders, as they align with the overall architectural design and do not detract from the building's compliance with Old Town design standards.

6. All roof-mounted components such as mechanical equipment shall not be visible from street-level public rights-of-way.

Findings: As shown on [Sheet LU-5](#), the building's parapet fully screens all roof-mounted mechanical equipment from public view along Quince Street, ensuring that no visible rooftop elements will disrupt the architectural design or streetscape character.

Conclusion: This criterion is satisfied. The parapet design effectively conceals all roof-mounted components from street-level public rights-of-way, ensuring compliance with FCC 10-6-6-5(A)(6).

[...]

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D. Visible Windows, Glazing, and Entrances:

1. Windows shall be square and/or vertical rectangular shape with straight, bow, or arch tops.
2. 10% of total windows maximum on the public façade may be circular, hexagonal, octagonal or other window configurations.

Findings: Per FCC 10-6-6-5(D)(1), visible windows, glazing, and entrances must feature square or vertical rectangular windows with straight, bow, or arched tops. As shown on [Sheet LU-5](#), the proposed windows are vertical rectangular with straight tops, ensuring compliance with this requirement.

Per FCC 10-6-6-5(D)(2), no more than 10% of total windows on the public façade may be circular, hexagonal, octagonal, or other non-rectangular configurations. As shown on [Sheet LU-5](#), all windows on the public façade are vertical rectangular in shape, ensuring full compliance with this standard.

Conclusion: This criterion is satisfied. The proposed windows meet the shape requirements outlined in FCC 10-6-6-5(D)(1), and no non-rectangular windows are included on the public façade, ensuring compliance with FCC 10-6-6-5(D)(2).

3. Bay windows shall have visible bracket support.
4. Overhead doors shall not face the building's primary street façade or a major public right-of-way.
5. Door and window shutters shall be sized to cover the entire window.
6. Exterior shutters shall be solid wood or fiberglass.

Findings: Per FCC 10-6-6-5(D)(3), bay windows must have visible bracket support. As shown on [Sheet LU-5](#), no bay windows are proposed, ensuring compliance with this standard.

Per FCC 10-6-6-5(D)(4), overhead doors must not face the building's primary street façade or a major public right-of-way. As shown on [Sheet LU-5](#), no overhead doors are proposed, ensuring compliance with this requirement.

Per FCC 10-6-6-5(D)(5) and (6), door and window shutters must be sized to cover the entire window and must be solid wood or fiberglass. As shown on [Sheet LU-5](#), no shutters are proposed, ensuring compliance with these standards.

Conclusion: This criterion is satisfied. The proposal does not include bay windows, overhead doors, or shutters, ensuring compliance with FCC 10-6-6-5(D)(3)-(6).

7. No single lite or glass panel visible from the street shall be greater than 24 square feet in area except in storefront glazing systems.
8. Multiple vertical windows may be grouped in the same horizontal opening provided they are separated by 4" minimum width vertical trim.

Findings: Per FCC 10-6-6-5(D)(7), no single lite or glass panel visible from the street shall exceed 24 square feet in area, except in storefront glazing systems. As shown on [Sheet LU-5](#), the largest single glass panels visible from the street are within the “storefront” segment and measure 21 square feet, ensuring compliance with this requirement.

Per FCC 10-6-6-5(D)(8), multiple vertical windows may be grouped within the same horizontal opening, provided a minimum 4-inch-wide vertical trim separates them. As shown on [Sheet LU-5](#), no vertical windows are grouped within the same opening with less than 4 inches of vertical trim. The storefront segment includes large windows with mullions, maintaining architectural continuity with historic commercial design.

Conclusion: This criterion is satisfied. The largest visible glass panels do not exceed 24 square feet outside of the storefront glazing system, ensuring compliance with FCC 10-6-6-5(D)(7). The proposal does not group multiple vertical windows within a single horizontal opening without the required 4-inch trim, fulfilling FCC 10-6-6-5(D)(8).

9. Windows and doors in exterior walls shall be surrounded with 2 ½” minimum width trim applied flush or projecting beyond the finished wall surface.
10. Profiles of window mullions shall extend out beyond the exterior glass surface. Windows shall have muntins which create True Divided Lights or a similar simulated appearance.

Findings: Per FCC 10-6-6-5(D)(9), windows and doors in exterior walls must be surrounded by trim that is at least 2.5 inches wide and applied flush or projecting beyond the finished wall surface. As shown on [Sheets LU-5 through LU-9](#), all exterior windows and doors include a minimum of 2.5-inch-wide trim, ensuring compliance with this requirement.

Per FCC 10-6-6-5(D)(10), window mullions must extend beyond the exterior glass surface, and muntins must create a True Divided Light or a similar simulated appearance. As shown on [Sheets LU-6 and LU-7](#), the storefront segment includes mullions that extend beyond the face of the glazing, providing depth and division in texture and appearance. However, individual hotel room windows do not feature divided lights. The previous Planning Commission approved this design approach in the prior application, finding it consistent with more recent developments in the area.

A design decision is requested from the Planning Commission to allow the proposed window design without divided lights, as it aligns with modern design practices while maintaining compatibility with the Old Town District’s architectural character.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#10) The window and door trim meets the required 2.5-inch minimum width standard, ensuring compliance with FCC 10-6-6-5(D)(9). The storefront segment’s mullions extend beyond the glazing surface, but individual hotel room windows do not feature divided lights, necessitating a design determination from the Planning Commission. If approved, the proposal will fully comply with FCC 10-6-6-5(D)(10).

- E. Visible Decks and Balconies: All balconies and decks attached to building faces, whether cantilevered or supported below or above, shall be visibly supported

by vertical and horizontal elements such as brackets, columns, or beams. Exterior posts and columns, solid or encased, shall be minimum 5 ½" in cross-section.

Findings and Conclusion: No decks or balconies are proposed as part of the proposal. Criterion is not applicable.

F. Visible Landscape/Retaining Walls and Fences:

1. Freestanding concrete and masonry walls shall be minimum 8" nominal thickness with a finished top course, cap, or other compatible termination. [...]
3. Metal and iron fencing shall be configured in predominately vertical elements

Findings: Per FCC 10-6-6-5(F)(1), freestanding concrete and masonry walls must be a minimum of 8 inches in nominal thickness and finished with a top course, cap, or other compatible termination. As shown on [Sheet LU-10](#), the proposed trash enclosure consists of masonry walls with a nominal thickness of 8 inches and a finished cap, ensuring compliance with this requirement.

Per FCC 10-6-6-5(F)(2), site walls should match or provide compatibility with the adjoining building materials. As shown on [Sheet LU-10](#), the trash enclosure is a freestanding masonry structure that will be painted to match the main building, ensuring visual consistency. No other site walls are proposed, ensuring compliance with this standard.

Per FCC 10-6-6-5(F)(3), metal and iron fencing must be configured in predominantly vertical elements. As shown on [Sheet LU-1](#), the proposed black aluminum safety fencing around the stormwater facility and the aluminum slat fencing around the condensing units are designed with vertical configurations.

Conclusion: This criterion is satisfied. The trash enclosure meets the required thickness and finishing standards, and site walls are designed to match the main building, ensuring compliance with FCC 10-6-6-5(F)(1) and (F)(2). The proposed fencing is predominantly vertical.

G. Mechanical Equipment:

1. Building walls. Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, are permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant with FCC 10-34. Standpipes, meters, vaults, and similar equipment need not be screened, but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.

Findings: As shown on [Sheet LU-5](#), no mechanical equipment is proposed along the front façade of the building, ensuring that all required equipment is placed in locations that minimize visual impact from public rights-of-way.

Conclusion: This criterion is satisfied. The proposal does not place mechanical equipment along the front façade, ensuring compliance with FCC 10-6-6-5(G)(1).

2. Rooftops. Except as provided below, rooftop mechanical units shall be setback and/or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the City decision body may approve painting of the mechanical units in lieu of screening; such painting shall meet the standards of FCC 10-66-4-G above and shall make the equipment visually subordinate to the building and adjacent buildings, if any. These regulations do not apply to solar photovoltaic and solar thermal energy systems as allowed by HB 3516 on properties not listed in the Comprehensive Plan's Historic Inventory.

Findings: Per FCC 10-6-6-5(G)(2), rooftop mechanical units must be set back and/or screened behind a parapet wall so they are not visible from any public right-of-way or civic space. If screening is not practical, the decision body may approve painting the mechanical units to make them visually subordinate to the building and adjacent structures. This requirement does not apply to solar photovoltaic or solar thermal energy systems on properties not listed in the Comprehensive Plan's Historic Inventory.

As shown on [Sheet LU-4](#) (roof plan) and [Sheets LU-5 through LU-9](#) (elevations and renderings), the proposed building includes a rooftop parapet wall that fully screens all mechanical equipment from public view. Additionally, any potential future solar installations will be centrally located on the roof and remain invisible from the street, ensuring compliance with this standard.

Conclusion: This criterion is satisfied. The rooftop mechanical equipment is centrally located and fully screened behind a parapet wall, ensuring it is not visible from any public right-of-way or civic space. The proposed design complies with FCC 10-6-6-5(G)(2) without requiring alternative screening measures.

3. Ground-Mounted. Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings per FCC 10-34-3-7. The City may require additional setbacks and/or noise attenuating equipment for compatibility with adjacent uses.

Findings: As shown on Sheets [LU-1](#) and [LU-5](#), no ground-mounted equipment is proposed in front of the building. All proposed ground-mounted transformers and condensing units are located at the rear of the building. The condensing units are screened by fencing, ensuring compliance with both placement and screening requirements.

Conclusion: This criterion is satisfied. The ground-mounted mechanical equipment is properly located at the rear of the building and is screened by fencing, ensuring compliance with FCC 10-6-6-5(G)(3) and FCC 10-34-3-7.

10-6-8: DRAWING SUBMITTAL: In addition to information required by FCC 10-1-1-4, the owner or authorized agent shall submit the following drawings to the City for review:

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- A. A site plan, drawn to scale, showing the proposed layout of structures and other improvements including, where appropriate, driveways, pedestrian walks, offstreet parking and off-street loading areas, landscaped areas, locations of entrances and exits, the direction of traffic flow into and out of off-street parking space and loading berth, and areas for turning and maneuvering vehicles. The site plan shall indicate how utility services and drainage are to be provided.
- B. A landscape plan, drawn to scale, in conformance with FCC 10-34-3-2.
- C. Architectural drawings or sketches, drawn to scale, including floor plans in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Additional information may be required by the City if necessary to determine whether the purposes of this Chapter are being carried out or may authorize omission of any or all the drawings required by this Chapter if they are not necessary. The City shall specify the number of copies of each drawing to be submitted.

Findings: Per FCC 10-6-8(A), a site plan must be submitted showing the layout of structures, driveways, pedestrian walks, off-street parking and loading areas, landscaped areas, entrances and exits, traffic flow, turning areas, and utility and drainage provisions. The applicant has provided an Architectural Plan set ([Sheets LU-1 to LU-10](#)) and a Civil Plan set ([Sheets C1 to C19](#)), which include detailed information on building layout, access, parking, traffic circulation, and utility services. A Stormwater Plan is included as Appendix B, ensuring compliance with this requirement.

Per FCC 10-6-8(B), a landscape plan must be submitted in accordance with FCC 10-34-3-2. The applicant has submitted a Landscape and Irrigation Plan ([Sheets L0.0 to IR1.0](#)), which meets this requirement.

Per FCC 10-6-8(C), architectural drawings or sketches must be provided, drawn to scale, including floor plans, elevations, exterior surfacing materials, and colors. The applicant has provided [Sheets LU-1 to LU-10](#), which contain scaled architectural drawings specifying materials and colors, ensuring compliance with this requirement.

Per FCC 10-6-8(D), the City may request additional information as needed. The applicant will need to update their TIA with the information detailed by Director Farley Campbell found in Exhibit P. A Transportation Impact Analysis (TIA) prepared by Kittelson & Associates is submitted, meeting the requirement for additional supporting documentation.

Conclusion: This criterion is satisfied with conditions. The applicant has provided all required drawings and supporting materials, including site plans, landscape plans, and architectural drawings, ensuring compliance with FCC 10-6-8(A)-(C). However, the applicant has not addressed everything needed for the TIA, and as such, a condition of approval will be applied. ([COA#16](#))

10-6-11: LAPSE OF DESIGN REVIEW APPROVAL: Authorization of a design review permit shall be void one (1) year after the date of approval of a either a Type II or III design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

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- A. The request for an extension is made in writing prior to expiration of the original approval.
- B. There are special or unusual circumstances that exist which warrant an extension.
- C. No material changes of surrounding land uses or zoning has occurred.

The Planning Commission may deny the request for an extension of a design review permit if new land use regulations have been adopted that affect the applicant's proposal. (Ord 26, 2008)

Findings: This Design Review approval will expire on March 4, 2026, unless the applicant obtains a building permit and completes substantial construction before this date.

Conclusion: This criterion is satisfied. The Design Review approval will remain valid until March 4, 2026, at which point the applicant must have obtained a building permit and completed substantial construction to maintain approval. If necessary, the applicant may request a one-time extension following FCC 10-6-11(A)-(C).

TITLE 10: CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS

10-7-1: PURPOSE: The purpose of this Chapter is to apply additional development standards to areas with wetlands or riparian areas and potential problem areas, such as natural hazards or soils which are particularly subject to erosion, landslide or seasonal surface water. Compliance with these standards is required in order to obtain a permit. The standards are intended to eliminate the danger to the health, safety or property of those who would live in potential problem areas and the general public and to protect areas of critical environmental concern; areas having scenic, scientific, cultural, or biological importance; and significant fish and wildlife habitat as identified through Goal 5: Open Spaces and Scenic, Historic, and Natural Resources, and Goal 17: Coastal Shorelands. (Amended Ord. No. 10, Series 2009)

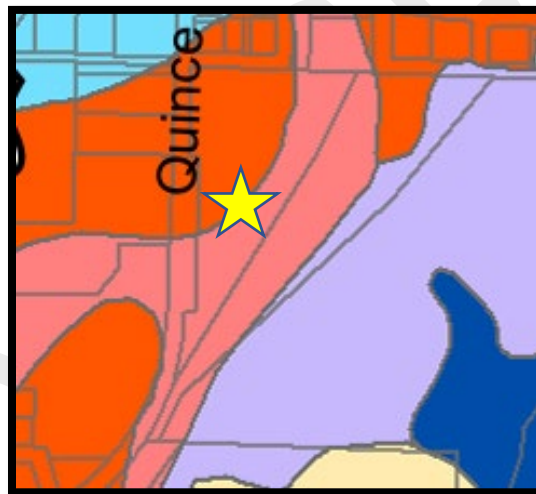
10-7-2: IDENTIFICATION OF WETLANDS AND RIPARIAN AREAS AND POTENTIAL PROBLEM AREAS: At minimum, the following maps shall be used to identify wetlands and riparian areas and potential problem areas:

- A. "Hazards Map", Florence Comprehensive Plan Appendix 7.
- B. "Soils Map", Florence Comprehensive Plan Appendix 7

Findings: As determined in the 2023 partition approval (Ref. AR 22 07 PT 01), none of the parcels within the proposed development site are identified as hazardous per the City of Florence Hazards Map.

However, per the Soils Map in Appendix 7 of the Florence Comprehensive Plan, the project site contains both Waldport-Urban land complex soils and Waldport Fine Sand. The Waldport Fine Sand has slopes between 12-30%, requiring at minimum a Phase 1 Site Investigation Report (SIR) to evaluate potential mitigation measures for soil stabilization and to ensure protection against negative development impacts. An SIR was approved as part of the original approval, and no significant changes have occurred on-site since then. The applicant will use the recommendations from that approval to ensure the project meets the intent of FCC 10-7-1 and FCC 10-7-2.

Conclusion: This criterion is satisfied. The proposed development site is not located within an identified hazard zone but does contain Waldport Fine Sand with 12-30% slopes, necessitating a Phase I Site Investigation Report (SIR) per FCC 10-7-2(B); The applicant has provided the necessary mapping analysis and is willing to comply with SIR requirements to ensure proper soil stabilization and environmental protection. Compliance with Phase I SIR findings and any required mitigation measures will ensure the project meets the intent of FCC 10-7-1 and FCC 10-7-2.



(X) - These soil types are unsuitable or conditionally suitable for development. A site investigation report is required before development is permitted.

- Orange box: Waldport-Urban land complex, 0 to 12 percent slopes
- Pink box: Waldport fine sand, 12 to 30 percent slopes (X)

10-7-3: DEVELOPMENT STANDARDS FOR POTENTIAL PROBLEM AREAS: The following standards shall be applied to development in potential problem areas unless an approved Phase I Site Investigation Report or an on-site examination shows that the condition which was identified in the Comprehensive Plan or Overlay Zoning Map does not in fact exist on the subject property. These standards shall be applied in addition to any standards required in the Zoning Districts, Comprehensive Plan, and to any requirements shown to be necessary as a result of site investigation. Where conflicts or inconsistencies exist between these

Development Standards, City Code, and the Comprehensive Plan, the strictest provisions shall apply unless stated otherwise.

A. Special Flood Hazard Area: All uses proposed in the flood area shall conform to the provisions of the National Flood Insurance Programs.

Findings: The lower elevations of the property are within the base flood zone (Zone AE), as indicated on the FEMA Flood Insurance Rate Map (FIRM), effective June 5, 2020. However, the proposed development site is located well outside the 100-year base flood elevation (BFE). The BFE for the flood zone is at 14 feet, while the proposed development site is at approximately 40 feet elevation, placing the project approximately 26 feet above the 100-year floodplain.

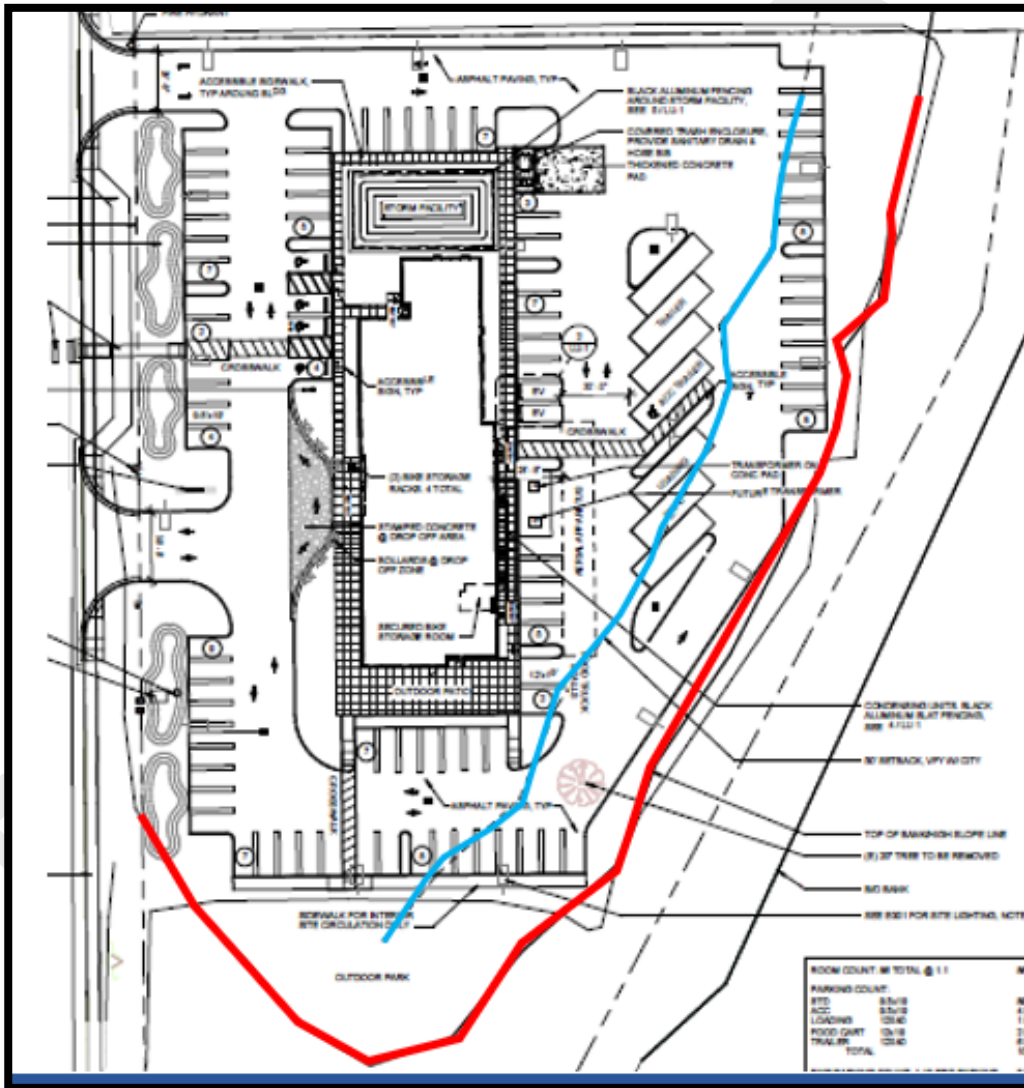
The Siuslaw River's depth naturally fluctuates due to tides and weather conditions. Memo by Civil West Engineering dated May 23, 2022, the mean (average) high tide line is measured at 6 feet, 11 inches above the BFE. Given that the lowest bank elevation on-site is approximately 40 feet, the development area is well above any potential flood risk zone and is not subject to floodplain development restrictions.



Conclusion: This criterion is satisfied. While the lower portion of the property falls within the Special Flood Hazard Area (Zone AE), the proposed development area is located approximately 40 feet above the base flood elevation, ensuring no direct impact from flood hazards. The proposal complies with FCC 10-7-3(A) and the National Flood Insurance Program (NFIP) requirements. No further flood-related mitigation is required.

B. River Cutbanks: No building shall be permitted within fifty feet (50') from the top of a river cutbank.

Findings: As shown in a modified excerpt of, [Sheet LU-1](#), a portion of the parking lot on the east side of the hotel is within 50 feet of the Siuslaw River cutbank. The river cutbank is indicated in red, while the 50-foot setback from the top of the bank is indicated in light blue. However, the hotel structure itself is located outside of the 50-foot river cutbank setback, ensuring compliance with this requirement.



Conclusion: This criterion is satisfied. While a portion of the parking lot encroaches into the 50-foot river cutbank setback, the hotel building remains outside of this restricted area, ensuring compliance with FCC 10-7-3(B).

[...]

E. Slopes Greater than Twelve Percent: For development on or adjacent to steep slopes, a foundation and grading design prepared by a registered engineer and approved by the City and addressing drainage and revegetation.

Findings: The subject property is located on Tax Lot 903 and contains slopes greater than 12% on its eastern and southern portions, with steep drop-offs towards the Siuslaw Estuary. The property is outside of the Special Flood Hazard Area (SFHA), and its lowest elevation is approximately 20 feet above the Base Flood Elevation (BFE) of 14 feet and approximately 13 feet above the mean high tide mark, as discussed in FCC 10-7-3(B).

The development is adjacent to these steep slopes, and the applicant has prepared site grading plans, designed by registered engineers at Civil West. These are provided in [Sheet C2](#), with drainage details included in [Sheets C5 to C12](#). A Stormwater Plan, also prepared by Civil West, is included as Appendix B, ensuring that proper drainage measures are implemented. Additionally, landscaping details prepared by a registered Landscape Architect are included in [Sheets L0.0 to L1.2](#), addressing revegetation and stabilization requirements for the site.

Since the proposed use is commercial, structural foundation and paving plans shall be prepared by a registered engineer per FCC 10-7-3(E). These plans must specifically analyze the relationship between the bank's stability and its ability to handle the proposed loads.

Conclusion: The applicant has provided a Stormwater Management Plan, prepared by a registered engineer, addressing drainage concerns, as well as grading and drainage plans ([Sheets C2, C5-C12](#)) and a revegetation plan ([Sheets L0.0-L1.2](#)) prepared by a registered Landscape Architect. Criterion Met.

10-7-6: SITE INVESTIGATION REPORTS (SIR):

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A. Areas identified in Section 2 and 3 above, are subject to the site investigation requirements as presented in "Beach and Dune Techniques: Site Investigation Reports by Wilbur Ternyik" from the Oregon Coastal Zone Management Association's Beaches and Dunes Handbook for the Oregon Coast (OCZMA Handbook), Appendix 18 of the Florence Comprehensive Plan as modified by the City of Florence. No development permit (such as building permit or land use permit) subject to the provisions of this Title may be issued except with affirmative findings that:

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1. Upon specific examination of the site utilizing a Phase I Site Investigation Report (the checklist from the OCZMA Handbook, as modified by the City of Florence), it is found that the condition identified on the "Hazards Map" or "Soils Map" or "Beaches and Dunes Overlay Zone" or other identified problem area does not exist on the subject property;...

-
Site investigation requirements may be waived where specific standards, adequate to eliminate the danger to health, safety and property, have been adopted by the City. This exception would apply to flood-prone areas, which are subject to

requirements of the National Flood Insurance Program and other problem areas which may be adequately protected through provisions of the Building Code.

Findings: Previous Planning Commission findings regarding FCC 10-7-6 determined that on-site conditions could be addressed through existing codes and regulations, eliminating the need for a Phase II SIR.

Conclusion: This criterion is satisfied. The applicant has submitted a Phase I Site Investigation Report (SIR) cover sheet (Appendix F), along with supporting geotechnical (Appendices D and E) and stormwater reports (Appendix B), as required by FCC 10-7-6(A). Additionally, previous Planning Commission findings concluded that existing codes adequately mitigate risks, and a Phase II SIR is not required.

10-7-7: REVIEW AND USE OF SITE INVESTIGATION REPORTS

A. The Phase I Site Investigation Report shall be reviewed administratively through a Type II Review. If it is found that the condition identified on the "Hazards Map" or "Soils Map" or "Beaches and Dunes Overlay Zone" or other identified problem area does not exist on the subject property; no Phase II report is required and the Site Investigation process is terminated. If hazards are found to exist, a Phase II report and a Conditional Use Permit shall be required. If a Phase II Site Investigation Report is required, the Phase II conclusions shall be submitted for Planning Commission review.

B. Required Certifications and Inspections:

For any Phase II SIR submitted, the registered professional of record shall be required to:

1. Review final plans for development and submit a signed and stamped certification report that all recommendations have been incorporated into development plans.
2. Review subgrade excavations and fills for structures and stormwater drainage and submit a signed and stamped certification report that construction is proceeding in accordance with approved plans.
3. Perform interim inspections as necessary and a final inspection of the site and submit a signed and stamped certification report that the project as constructed complies with approved plans.

Findings and conclusion: The applicant has not submitted application for a Phase 2 Site Investigation Report nor is required to.

- C. Conditions of approval may be imposed and/or a bond may be required to be posted prior to issuance of permit to ensure that harmful effects such as erosion, sand encroachment, destruction of desirable vegetation including inadvertent destruction by moisture loss or root damage, spread of noxious weeds, damage to archaeological resources, are mitigated or eliminated.

Findings: The Phase I Site Investigation Report indicates that no hazardous conditions have been identified on the subject property and that existing on-site vegetation provides adequate protection against soil erosion caused by wind and surface water runoff. Additionally, the report states that conditions in adjoining and nearby areas do not pose a threat to the proposed development site. Potential environmental risks associated with the development include storm runoff erosion, slide areas, and combustible vegetative cover. However, under Section 9.c. of the Phase I Site Investigation Report (Development Impacts), the report erroneously states that landform capability (density, slope failure, groundwater, vegetation, etc.) was not considered in preparing the development proposal. This is incorrect, as the applicant has submitted a Stormwater Plan that assesses the proposed development and provides slope protection recommendations.

A key component of slope protection is the retention of natural vegetation. To ensure continued slope stability, any future removal of critical vegetation will require a Type II Vegetation Clearing Permit to ensure that erosion control measures remain in place and the bank remains protected.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#11) The Phase I Site Investigation Report confirms that no hazardous conditions exist on-site and that natural vegetation provides sufficient erosion protection. Additionally, the Stormwater Plan assesses the proposed development's impact on slopes and provides mitigation recommendations. Any future removal of critical vegetation requires a Type II Vegetation Clearing Permit to ensure ongoing slope protection and compliance with FCC 10-7-6(C).

- D. Approval: The property owner shall record a Covenant of Release which outlines the hazard, restrictions and/or conditions that apply to the property and shall state, "The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date. This approval makes no judgment or guarantee as to the functional or structural adequacy, suitability for purpose, safety, maintainability, or useful service life of the project."

Findings: Per FCC 10-7-6(D), the property owner must record a Covenant of Release that outlines the hazards, restrictions, and/or conditions applicable to the property. The Covenant of Release must include the following statement:

"The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date.

This approval makes no judgment or guarantee as to the functional or structural adequacy, suitability for purpose, safety, maintainability, or useful service life of the project."

Per this requirement, the property owner shall record the Covenant of Release to ensure compliance with FCC 10-7-6(D).

Conclusion: This criterion is satisfied with reasonable conditions. (COA#12) The applicant shall record a Covenant of Release outlining applicable hazards, restrictions, and/or conditions for the property, as required by FCC 10-7-6(D).

E. Appeal: In the case of an appeal, the City shall hire a certified engineering geologist or other appropriate certified professional to review the Phase II Site Investigation Report. All costs incurred by the city to review the development shall be the responsibility of the applicant. (Ord. No. 10, Series 2009)

Findings: In this case, a Phase II Site Investigation Report has not been required because the Phase I Site Investigation Report, along with supporting Geotechnical Reports and the Stormwater Plan, adequately address the site conditions. Additionally, previous Planning Commission findings determined that existing codes and mitigation measures were sufficient to address potential site hazards, eliminating the need for a Phase II SIR.

Should an appeal necessitate further review of site conditions, the City will hire a certified engineering geologist or other appropriate professional to review the development proposal, and the applicant will bear all associated costs, as required by FCC 10-7-6(E).

Conclusion: This criterion is satisfied. A Phase II Site Investigation Report has not been required based on the adequacy of the Phase I SIR and supporting reports. However, should an appeal be filed that necessitates additional review, the City will engage a certified professional to review the site conditions, with all costs incurred being the responsibility of the applicant, as required by FCC 10-7-6(E).

TITLE 10: CHAPTER 17: OLD TOWN DISTRICT

OLD TOWN DISTRICT AREA C

10-17C-2 LAND USES FOR AREA C: The following establishes permitted, conditional, and Prohibited uses for the Old Town District Area C:

A. Permitted Uses: Uses which are administratively determined to have an impact similar to or less than Permitted uses listed below:

Accessory uses and structures, except activities that are permitted as a basic use and for required on-site parking

Basic utilities (water, sewage, electrical, and communication facilities - not staffed)

Lodging, motels and hotels

Findings: Per FCC 10-17C-2(A), lodging, including motels and hotels, is a permitted use in Old Town District Area C. Uses within this district must be administratively determined to have an impact similar to or less than other listed permitted uses.

The proposed hotel use aligns with the longstanding vision for this area and is consistent with the Florence Comprehensive Plan, Downtown Plan, and Zoning Regulations. The development supports the Florence Events Center, tourism, and local recreational activities, reinforcing the district's intended character and economic function.

Conclusion: This criterion is satisfied. The proposed hotel is a permitted use in Old Town District Area C, as outlined in FCC 10-17C-2(A). The proposal is consistent with the Florence Comprehensive Plan and Downtown Plan, further supporting economic activity and tourism in the district.

10-17C- 3: LOT AND YARD PROVISIONS FOR AREA C

- A. Lot Area: The lot area shall be a minimum of 2,500 square feet. Lot area for a duplex shall be at least 5,000 sq ft, and lot area for a multiple family structure shall be at least 2,500 sq ft for each ground floor unit.

Findings: The proposed development is a hotel, not a duplex or multiple-family structure; therefore, the minimum lot area requirement is 2,500 square feet. The subject property is 139,896 square feet in size, significantly exceeding the minimum lot area standard.

Conclusion: This criterion is satisfied. The subject property exceeds the 2,500-square-foot minimum lot area requirement outlined in FCC 10-17C-3(A).

- B. Lot Dimensions: The minimum lot width shall be twenty-five feet (25').

Findings: The subject property has a lot width exceeding 200 feet, which far surpasses the minimum requirement.

Conclusion: This criterion is satisfied. The lot width exceeds the 25-foot minimum requirement, ensuring compliance with FCC 10-17C-3(B).

- C. Lot Coverage: The Planning Commission or their designee may allow up to eighty percent (80%) lot coverage by buildings and other impervious surfaces.

Findings: As shown on [Sheet L1.1](#), the total site area is 139,896 square feet. Of this, 57,411 square feet (41%) remains as pervious ground. The proposed building and parking area impervious surfaces will cover a maximum of 82,485 square feet, resulting in a total lot coverage of 59%, which is well below the 80% maximum allowed.

Conclusion: This criterion is satisfied. The proposed development maintains a total lot coverage of 59%, which is within the 80% maximum lot coverage allowance outlined in FCC 10-17C-3(C).

D. Yard Regulations:

1. Garage and Carport Entries: Garage and carport entries shall have a minimum setback of twenty feet (20'), with all parking to have access from side or rear of property.

Findings and Conclusion: The proposal does not include garages or carport entries; therefore, this standard does not apply. Criterion is not applicable.

2. Front Yards: Front yard setback shall be a minimum of fifteen feet (15').

Findings: As shown on [Sheet LU-1](#), the proposed building is located over 60 feet from the front property line, exceeding the minimum setback requirement. A portion of the parking area is proposed within the front yard setback, which will be addressed separately in the findings. The building itself meets the front yard setback criterion.

Conclusion: This criterion is satisfied. The building is set back over 60 feet from the front property line, exceeding the required 15-foot setback under FCC 10-17C-3(D)(2).

3. Side Yard: No side yard shall be less than five feet (5') unless zero lot line spacing is approved.

4. Rear Yard or Alley: Rear yard or alley setback shall be a minimum of five feet (5').

Findings: Side Yard: As shown on [Sheet LU-1](#), the proposed building is located approximately 90 feet from the northern property line and 180 feet from the southern property line, well exceeding the 5-foot minimum setback requirement.

Rear Yard: As shown on [Sheet LU-1](#), the proposed building is set back more than 80 feet from the rear property line, far exceeding the 5-foot minimum requirement.

Conclusion: This criterion is satisfied. The proposed building exceeds the required minimum side yard setbacks (5 feet) and rear yard setback (5 feet), as outlined in FCC 10-17C-3(D)(3) and (4).

5. The Planning Commission may allow reduction of any Area C setbacks, if an easement is approved and dedicated that will preserve mature trees, sand banks, and/or bank vegetation.

Findings: The proposal meets all setback requirements, including front, side, and rear yard setbacks. No setback reduction is requested, and no easement dedication is proposed or required.

Conclusion: This criterion is satisfied. The proposal complies with all required setbacks, and no reduction or easement dedication is necessary under FCC 10-17C-3(D)(5).

10-17C-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA C

A. Building or Structural Height Limitations: The maximum height for buildings or other structures in the Old Town District Area C shall be four (4) stories above grade with a maximum height of fifty-five feet (55').

Findings: As shown on [Sheet LU-5](#), the proposed hotel is four stories above grade, with a maximum height of 46 feet to the parapet, which is within the allowed height limit.

Conclusion: This criterion is satisfied. The proposed hotel meets the height requirement of four stories and does not exceed the 55-foot maximum height limit, as outlined in FCC 10-17C-4(A).

For any building two (2) stories or more above grade, two (2) or more of the following design options shall be employed to reduce the perceived scale of the structure:

1. Pitched or gable roofs are encouraged, with offsets, valleys, or false dormers to break up the roof plane as viewed from any abutting street.
2. Building exterior shall be broken into shapes and planes of less than 750 square feet for any building plane. Such planes shall have a two foot (2') minimum relative off-set. Any third or fourth story shall be set back a minimum of 10 feet from the wall plane of the floor below if it faces a street.
3. Windows, balconies, entryways, and/or arcades shall be used to create visual interest and reduce the apparent bulk/mass of the building; and variation in materials, textures, colors, and shapes shall be used to break up wall planes.
4. A public plaza may be provided between the buildings and the street right-of-way. The plaza shall be a 1,000 square feet in size for seating, landscaping, and weather protection, such as awnings, canopies, overhangs, or similar features.

Findings: The proposed hotel is four stories above grade, requiring compliance with this standard. As shown on [Sheet LU-5](#), the proposal incorporates design elements consistent with options 3 and 4:

- Option 3 (Architectural Breaks & Variation in Design): The building facade is broken into multiple planes, incorporating horizontal accents, vertical plane breaks, parapet steps, and vertical window accents. The primary entrance and public lobby are emphasized through a detailed ground floor design featuring a "storefront" with arched heads, a recessed entrance, an exterior canopy, and traditional accent lighting. Additionally, varying colors and materials create the visual effect of multiple adjacent buildings, reducing the perception of bulk and mass.
- Option 4 (Public Plaza): A plaza is provided in front of the building, wrapping around to the south side. The plaza includes approximately 1,000 square feet between the building and the right-of-way, with an additional 1,200 square feet at the southern end of the building. This space features shade structures, landscaping, and design elements that enhance safety and privacy for occupants, meeting the public plaza requirement.

Conclusion: This criterion is satisfied. The proposed design incorporates at least two required design options (Options 3 and 4) to reduce the perceived scale of the structure, as outlined in FCC 10-17C-4(A).

B. Building Size Limitation: No structure designed solely for non-residential use shall have a building footprint that exceeds 15,000 square feet. Mixed use buildings may have greater building footprints, subject to Design Review for compatibility with surrounding structures and uses.

Findings: The proposed hotel is a non-residential use, and as shown on the Architectural Cover Sheet, the building footprint is approximately 9,300 square feet, which is well below the 15,000-square-foot maximum.

Conclusion: This criterion is satisfied. The proposed building footprint of 9,300 square feet does not exceed the 15,000-square-foot maximum allowed for non-residential structures, ensuring compliance with FCC 10-17C-4(B).

C. Access: Americans with Disabilities Act (ADA) approved access must be provided to all floors of buildings and structures as required by the building codes.

D. Sidewalks: Public sidewalks shall be a minimum of eight feet (8') wide along Quince Street/2nd Street.

Findings: Compliance with ADA standards will be reviewed and enforced as part of the building permit process. The hotel is designed to ADA standards.

Per FCC 10-17C-4(D), public sidewalks must be a minimum of eight (8) feet wide along Quince Street and 2nd Street. As shown on [Sheet LU-1](#), the proposed public sidewalk along Quince Street meets the 8-foot width requirement. The applicant continues to coordinate with City Public Works and is willing to modify the sidewalk design as needed to align with future Quince Street improvements.

Conclusion: This criterion is satisfied. ADA compliance will be ensured through the building permit process. The proposed public sidewalk along Quince Street meets the 8-foot width requirement, with ongoing coordination with City Public Works for future improvements, ensuring compliance with FCC 10-17C-4(C) and (D).

E. Parking and Loading Spaces: Off-street parking shall not be located between the building and the street, unless mitigation measures are approved by the Planning Commission that include each of the following: pedestrian pathways from the street to the building, landscaped berms and professionally designed landscaping. All required parking shall be on site unless otherwise provided in Chapter 3.

Findings: The majority of the site's parking is located behind the proposed hotel; however, some parking is proposed in front of the building. Allowing parking within the front yard

setback is a decision point for the Planning Commission, as such parking is typically not permitted unless the required mitigation measures are implemented.

As shown on [Sheet L1.1](#), the site design incorporates pedestrian pathways, landscaped berms, and professionally designed landscaping using native trees and shrubs, consistent with the mitigation requirements of FCC 10-17C-4(E). Additional landscaping details are addressed under FCC 10-34 findings. Parking and loading space compliance has been previously addressed under FCC 10-3 findings.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#13) The Planning Commission must determine whether the proposed mitigation measures—pedestrian pathways, landscaped berms, and professionally designed landscaping—adequately justify parking in front of the building. The majority of parking is located behind the building, and all required parking is on-site, ensuring compliance with FCC 10-17C-4(E).

Every building of three (3) stories or more above grade and every multi family housing structure building that incorporates indoor parking shall have an approved fire sprinkler system installed, unless it is granted an exception provided by the state building code.

Findings: The proposed hotel is a four-story building, and the applicant has proposed installing a fire sprinkler system. In accordance with FCC 10-17C-4(E) and state building and fire code regulations, the fire sprinkler system will be reviewed and approved through the building permitting and inspection process by the Fire Marshal and City’s Building Official of record.

Conclusion: This criterion is satisfied. The applicant has proposed installing a fire sprinkler system, which will be reviewed and approved as part of the building permit process to ensure compliance with FCC 10-17C-4(E) and state building and fire code requirements.

Bike racks shall be located either in the interior parking lot or by an entrance. Bike racks may not be located in the required pedestrian walkway.

Findings: As shown on [Sheet LU-1](#), bike racks are provided adjacent to the front entrance, ensuring accessibility for guests and visitors. Additionally, a secure first-floor bicycle room with interior bike parking is proposed, accessed through a rear entrance. The placement of bicycle parking ensures compliance with this standard while maintaining clear pedestrian walkways. Additional bicycle parking requirements are addressed in findings under FCC 10-3-10.

Conclusion: This criterion is satisfied. Bike racks are provided both adjacent to the front entrance and within an interior secure bicycle room, and no bike racks are located in required pedestrian walkways, ensuring compliance with FCC 10-17C-4(E).

F. Vision Clearance: Refer to Sections 10-2-13 and 10-35-2-14 of this Title for definition and requirements.

G. Signs: Signs shall be in accordance with Title 4 Chapter 7 of this Code. (Ord. 4, 2011)

Findings: The site has been designed to maintain adequate vision clearance, and additional findings addressing this requirement are provided under FCC 10-35-2-14. As shown on [Sheet LU-5](#), general sign locations and sizes have been provided. Sign details are included, and the final signage design will be reviewed under a separate permit process for compliance with FCC 4-7. A condition of approval will ensure all signage is installed in accordance with City Code.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#14) Signage details will be reviewed separately for compliance with FCC 4-7, and a condition of approval will ensure adherence to City sign regulations.

H. Fences, Hedges, Walls and Landscaping: Landscaping shall be in accordance with FCC 10-34, except as modified by the following specific standards:

1. Landscaping: A minimum of fifteen percent (15%) landscaping is required unless a preservation credit is achieved in accordance with 10-34-2-4. The calculation of the required minimum may include street trees installed and maintained by an applicant, planters and window boxes which are the property of the applicant/owner, as well as plantings within courtyard areas. All required landscaping must be installed and maintained by the applicant or his/her successors.
2. Walls, Fences and Hedges: Interior parking lots may be separated from rear courtyards by walls, fences and/or hedges four feet (4') in height or less. Eating establishments may separate outdoor eating areas from parking areas and adjacent buildings or structures by a fence, wall or hedge not to exceed six feet (6') in height. Pedestrian walkways may be separated from abutting uses by plantings or fences which allow visual surveillance of the walkway and surrounding areas. Chain link fences are prohibited in Area C.

Findings: As shown on [Sheet L1.1](#), landscaping covers over 40% of the site, exceeding the 15% minimum requirement. As shown on [Sheet L1.1](#), walkway plantings allow for visibility and landscaping is proposed around the parking areas and within parking lot islands, meeting the intent of the code. No interior walls, fences, or hedges are proposed to separate rear courtyards, eating areas, or pedestrian walkways from parking areas. A 6-foot white glass panel fence is proposed around the side outdoor patio area to serve as a wind break. A design determination is requested for the glass fencing to be considered an appropriate material for this use. No chain link fencing nor eating establishments are proposed. Fencing for the mechanical equipment, stormwater facility, and trash enclosure has been reviewed elsewhere in this report.

Conclusion: This criterion is satisfied with reasonable conditions. (COA#15) The landscaping plan exceeds the 15% minimum requirement, and all plantings allow for adequate visibility. A design determination is requested for the proposed 6-foot glass panel fence surrounding the outdoor patio to ensure compliance with FCC 10-17C-4(H)(2). No chain link fencing or eating establishments are proposed, and fencing for mechanical equipment, stormwater facilities, and the trash enclosure has been reviewed elsewhere in these findings.

I. Lighting: Street lighting, building lighting, and lighting of parking lots and walkways shall conform to the following lighting standards:

1. The light fixtures within the public right of way shall use the Central Lincoln Public Utility District's Ornamental streetlights. (See Figure 17.2)
2. Light fixtures shall conform to the lighting styles in the Downtown Architectural Guidelines.
3. Lighting shall be pedestrian scaled.
4. Refer to Section 10-37 of this Title for additional requirements.
5. Wiring for historic light fixtures shall be placed underground.
6. Other overhead wiring shall be placed underground, where possible.

Findings: The proposed lighting plan complies with FCC 10-17C-4(I), which requires that street, building, parking lot, and walkway lighting conform to specific standards. Light fixtures within the public right-of-way are proposed to be Central Lincoln Public Utility District's Ornamental streetlights, consistent with the requirements of Figure 17.2. Light fixture details are provided in Appendix C, demonstrating conformance with the Downtown Architectural Guidelines. The site lighting is designed to be pedestrian-scaled, with fixtures ranging from 16 feet tall in parking areas to 3 feet 5.5 inches for pedestrian pathways, as shown on [Sheets EL-3 and EL01](#). The previous Planning Commission determined that pedestrian-scaled lighting in parking areas could be up to 16 feet tall, and this proposal maintains that standard. The 16-foot lighting height is necessary to accommodate emergency vehicles and RVs, while still providing adequate site illumination in compliance with FCC 10-37-4. Additional lighting requirements from FCC 10-37 are addressed in the respective section of this narrative. No historic light fixtures currently exist on-site, and all proposed light fixtures will have underground wiring.

Conclusion: This criterion is satisfied. The proposed lighting design meets all applicable safety, visibility, and architectural compatibility standards.

J. Trash Enclosures: At least one trash receptacle shall be provided on site. Dumpsters or similar utilitarian trash receptacles shall be screened with a solid fence or wall not less than five feet (5') in height. Trash receptacles for

pedestrians shall have a consistent design in order to provide consistency in street furniture.

Findings: As shown on [Sheets LU-1 and LU-10](#), a trash enclosure is located on the east (rear) side of the building. The enclosure is fully screened with a masonry wall that extends to a height of seven feet (7'), exceeding the minimum screening requirement. The enclosure is covered, further ensuring that the receptacle remains visually unobtrusive and does not create nuisances. The masonry walls will be painted to match the main building, maintaining design consistency with the overall architectural style of the development.

Conclusion: This criterion is satisfied. The proposed trash enclosure meets all applicable requirements for screening, height, and consistency with the site's architectural design.

K. Design Review: All uses in the Old Town District Area C whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against criteria contained within FCC 10-6-6: Architectural Design to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB3516 on properties not listed in the Comprehensive Plan's Historic Inventory.

Findings: The application under review is a Design Review, requiring the applicant to demonstrate that the architectural design is consistent with the intent of Old Town Area C. The applicant has provided detailed architectural plans, elevations, and material specifications, as shown in [Sheets LU-1 through LU-10](#), which incorporate historic design elements, varied building planes, and a pedestrian-oriented façade to ensure compatibility with the surrounding district.

Conclusion: This criterion is satisfied. The design review process confirms that the proposed development integrates well with the architectural character and revitalization goals of Old Town Area C.

L. Additional Requirements:

- a. Survey: All new development and redevelopments and/or additions must also submit a recent survey map with their Design Review Application. The survey must show:
 - i. Property lines
 - ii. Easements
 - iii. 2' Contours
 - iv. Existing structures (including height of sea-wall, if appropriate)
 - v. Floodplain
 - vi. Highest observed tide

Findings: An ALTA survey of the site is provided on Sheet 1, ensuring compliance with the property boundary and easement requirements. Additionally, mean high tide, highest observed tide, and base flood elevation are documented on [Sheets C1 through C3](#), fulfilling the requirement for floodplain and elevation data.

Conclusion: This criterion is satisfied. The applicant has provided all necessary survey documentation, ensuring that site conditions are clearly defined and accounted for in the design review process.

b. New Construction or Story Addition: As an element of the Design Review process, the applicant is required to provide and/or install visual aids to assist the Planning Commission and the public to visualize the size/configuration of the proposed structure with its relation to the surroundings. The required visualization aids consist of three types: Type I Story Poles, Type II Virtual Images, and Type III Color Architectural Renderings, as defined in FCC 10-17-2 Definitions of Visual Aid.

Visual aids are required unless waived by the Community Development Director. In the course of the public hearing, the Commission may overrule such determination and require additional visual aid(s). Visual aid type I, II or III is required for all buildings or story additions equal to or greater than two (2) stories in Area C.

L. Development Prohibition: Any property identified as Site 7 on Map 5H-1 in the Comprehensive Plan shall remain undeveloped.

Findings: The application includes architectural renderings on [Sheets LU-6 through LU-9](#), meeting the requirement for Type III Color Architectural Renderings.

Additionally, FCC 10-17C-4(L) prohibits development on Site 7 of Map 5H-1 in the Comprehensive Plan. The proposed site is not located on Site 7, and therefore, this prohibition does not apply to the project.

Conclusion: This criterion is satisfied. The applicant has provided the necessary visual aids to assist in the review process, ensuring compliance with the design visualization requirements. The prohibition on Site 7 is not applicable to this development.

TITLE 10: CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES

10-19-5: COASTAL SHORELANDS OVERLAY DISTRICT ADMINISTRATION

A. Coastal Shorelands Overlay Districts are applied to Coastal Shorelands within city limits as classified on the City of Florence Coastal Overlay Zoning Map.

B. As lands are annexed over time, Coastal Shorelands shall include all lands contiguous with the ocean, the Siuslaw Estuary, and four lake areas: Munsel Lake, Heceta Junction Lake, South Heceta Junction Seasonal Lakes, and North Jetty Lake. Upon annexation, Coastal Shorelands Overlay Zoning Districts are applied to the properties depicted on the Map 17-1 Estuary and Coastal Shoreland Management Units in the Florence UGB in the Comprehensive Plan. In addition, the Comprehensive Plan designates two sites in the UGB “Water Dependent,” which are zoned Marine (Code Chapter 18) and Waterfront Marine (Code Chapter 24).

Findings: According to Florence Realization 2020 Comprehensive Plan Map 17-1, and verified through Lane County Zone & Plan Maps online GIS (Figure 5), the eastern edge of the subject property is located within Shoreland Management Unit 5 (SMU 5), which is classified as a Natural Resource Conservation (NRC) area. The applicant has accounted for this designation in the site planning and design, ensuring that all development activities remain outside of regulated conservation areas.

Conclusion: This criterion is satisfied. The applicant has appropriately identified the Shoreland Management Unit classification affecting the site and has ensured compliance with applicable overlay zoning and conservation requirements.

C. These overlay districts implement policies in the Florence Comprehensive Plan and corresponding “management units.” In addition to findings of consistency with this Code, findings are required for consistency with the Florence Comprehensive Plan Chapter 17, Coastal Shorelands: Ocean, Estuary, and Lake Shorelands. Where there are conflicts between the two, the stricter requirements shall apply.

The requirements of the adjacent Estuary District shall supersede the requirements for Coastal Shorelands; and the provisions of the adjacent Estuary District shall be reviewed for any additional uses or requirements that may apply to the respective Coastal Shoreland District. Shoreland uses and buffer zones shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.

Findings: The Natural Resource Conservation (NRC) area affecting the eastern edge of the site is addressed in FCC 10-19-10, which provides specific standards for development within designated conservation areas. Upon review of the Florence Comprehensive Plan, no stricter requirements have been identified beyond those outlined in FCC 10-19, as the Plan defers to this chapter of the Florence City Code for regulatory guidance.

Conclusion: This criterion is satisfied. The proposed development is consistent with the Florence Comprehensive Plan and Coastal Shorelands Overlay District regulations. Additional findings related to Natural Resource Conservation areas are provided under FCC 10-19-10.

D. Consultant's Reports: Should it be determined by the Planning Director that additional information is required on any of the criteria specified herein, the applicant may be required to submit a supplementary report

containing findings prepared by an engineer, hydrologist, environmental scientist, geologist, biologist, or other qualified consultant.

E. Uses Subject to State and Federal Permits

1. When State or Federal permits, leases, easements or similar types of authorization are also required for use, information required as part of the State or Federal permit process may be required to be made available to the City for the determination that applicable criteria are satisfied.
2. Applicants shall provide proof of application for all requisite State and/or Federal permits, leases, or similar type of authorization as part of any application for to the city in order to avoid unnecessary delays caused by the unavailability of State or Federal processing information which may be deemed necessary .
3. Any use authorized by the provisions of this District shall also require the securing of any necessary State or Federal permit, lease, easement or similar type of authorization.
4. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the State Parks and Recreation Department.

Findings: If any State or Federal agencies determine that additional permits, leases, or approvals are required, the applicant is responsible for securing those authorizations prior to site development.

Conclusion: This criterion is satisfied. If it is determined by State or Federal authorities that additional permits or approvals are necessary, the applicant shall obtain and provide proof of securing such approvals before any site development activities commence.

- F. The requirements imposed by the overlay districts shall be in addition to those imposed by the base zoning district, or, if the overlay district conflicts with the requirements of the base zoning district, the more restrictive requirements apply.

Findings: As discussed in findings for FCC 10-19-10, the proposed development has been designed to comply with the Natural Resource Conservation (NRC) overlay district standards, including maintaining setbacks from sensitive shoreland areas and ensuring that stormwater management and site grading plans minimize environmental impacts. Additionally, the proposal has been reviewed against all applicable Old Town District Area C standards to ensure compatibility with the historic and commercial character of the area.

Conclusion: This criterion is satisfied. The project has been designed in compliance with both the base zoning district requirements and the overlay district standards, and where applicable, the more restrictive provisions have been followed to ensure environmental protection and consistency with the Florence City Code.

10-19-10: Natural Resource Conservation Overlay District (/NRC)

A. Purpose: The Natural Resource Conservation Overlay District (/NRC) is applied to those coastal shorelands identified in inventory information and designated generally in the Lane County Coastal Resources Management Plan as possessing a combination of unique physical social or biological characteristics requiring protection from intensive human disturbance. Those areas serve multiple purposes, among which are education, preservation of habitat diversity, water quality maintenance and provision of intangible aesthetic benefits. The /NRC District is applied to prominent aesthetic features such as coastal headlands and open sand expanses in proximity to coastal waters, sensitive municipal watersheds and significant freshwater marsh areas. If the shorelands are adjacent to the estuary, refer to the adjacent Estuary District for additional allowed uses and criteria. The requirements of any adjacent Estuary District shall supersede the requirements of this Section of the Code. Shoreland uses and buffer zones shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.

Intent. The requirements imposed by the /NRC District shall be in addition to those imposed by the base zoning district. Where the requirements of the /NRC District conflict with the requirements of the base zoning district the more restrictive requirements shall apply. The requirements of the adjacent Estuary District shall supersede the requirements of this Section of the Code.

Findings: The subject site's eastern edge is within the NRC overlay district, but the proposed development footprint is located outside of the protected conservation area, with a setback from the sensitive shorelands. The applicant has incorporated stormwater management strategies, grading controls, and native landscaping features to ensure compliance with NRC standards and mitigate any potential impacts on the conservation area.

Conclusion: This criterion is satisfied. The proposal complies with FCC 10-19-10, as the development avoids disturbance of the NRC overlay area, and appropriate mitigation measures have been included in the site design to protect adjacent natural resources.

B. Permitted Uses: In addition to the uses specifically allowed in the adjacent Estuary District, the following structures and uses and no others are permitted outright as specifically provided for by this section subject to the general provisions and exceptions set forth in this section. The maintenance of riparian vegetation shall be enforced to provide shading and filtration and protect wildlife habitat at those sites indicated in the Lane County Coastal Resources Inventory as "riparian vegetation" or "significant wildlife habitat." These areas will be specially evaluated prior to approval of plans to ensure the habitat has been adequately considered. The

following uses are allowed if consistent with the applicable requirements of the adjacent Estuary District.

1. Harvesting of wild crops.
2. Low intensity recreation.
3. In or adjacent to lakes: maintenance and repair of existing, functional public and private docks and piers, provided that the activity minimizes adverse impacts on lake resources and does not alter the size, shape, or design of the existing structure. This use as it pertains to the estuary is regulated by the applicable Estuary District.
4. In or adjacent to lakes: maintenance of riprap or other erosion control structures installed in or adjacent to lakes to protect existing uses and uses allowed by the Florence City Code, unique natural resources, historical and archaeological values, and public facilities, provided the activity does not increase the size, shape or scope of the structure or otherwise affect the natural resources, as provided in the Conditional Use requirements in section D. Otherwise, a Conditional Use Permit is required. For these uses in or adjacent to the estuary, refer to the applicable Estuary District requirements.
5. In or adjacent to lakes: mooring buoys and other moorage facilities not permanently anchored to the lake floor. For these uses in or adjacent to the estuary, the applicable Estuary District requirements shall apply.

Findings: The proposed development does not involve any of the permitted uses within the NRC overlay area. No new development, construction, or vegetation removal is planned within the eastern portion of the site that falls within the /NRC overlay, ensuring the preservation of riparian vegetation and wildlife habitat. The stormwater management plan and landscaping plan incorporate mitigation measures to protect adjacent shorelands and ensure water quality is maintained.

Conclusion: This criterion is satisfied. No development is proposed within the /NRC overlay area, and the project does not interfere with any permitted or conditional uses outlined in FCC 10-19-10.

- C. Special Uses Approved by Type II Review: In addition to the Special Uses specifically allowed in the adjacent Estuary District, the following specified uses and no others are permitted only with a Special Use Permit. A Special Use Permit may be approved according to the procedures set forth in Chapter 1 of this Title upon satisfaction of the applicable criteria set forth

in 10-19-10 F, G, & H, except as expressly exempted below and except as expressly prohibited by 10-19-10-E, and provided they are consistent with the requirements of the adjacent Estuary District.

[...]

3. All buildings and uses allowed as permitted uses in the base zoning district, except as expressly prohibited by 10-19-10-E, and subject to the following additional criteria:

a. The use will not adversely affect the aesthetic and biological characteristics of the site, as identified in the Comprehensive Plan.

b. Surface, subsurface and aquifer waters are protected from pollution and sedimentation.

Findings: The Natural Estuary Resources Shoreland Management Unit, as outlined in Chapter 17 of the Florence Comprehensive Plan, includes Policy 14e, which requires a 50-foot horizontal buffer from the estuary. This is distinct from other buffer requirements under FCC 10-19-10-G. The proposed development does not involve the removal of native vegetation within either buffer zone, preserving the biological function of the tidelands below.

Additionally, the stormwater management plan includes infiltration methods after biological treatment through a rain garden and oil-silt separators within catch basins, effectively preventing sedimentation and pollution of water sources.

Conclusion: This criterion is satisfied. The project does not remove native vegetation, complies with estuary buffer requirements, and incorporates stormwater management practices that protect water quality and biological integrity as required under FCC 10-19-10-C and the Florence Comprehensive Plan.

E. Prohibited Uses: The following uses are specifically prohibited:

1. Fill in freshwater marsh areas.

F. Site and Development Requirements. The following specified development requirements shall be in addition to those provided by the base zoning district. See also Chapter 7 for additional requirements that may apply.

[...]

2. No more of a parcel's existing vegetation shall be cleared than is necessary for the permitted use, accessory buildings, necessary access, and fire safety requirements.

3. To the maximum degree possible, building sites shall be located on portions of the site which exhibit the least vegetative cover.

4. Construction activities occur in such a manner so as to avoid unnecessary excavation and/or removal of existing vegetation beyond that area required for the facilities indicated in 10-19-10-F, where vegetation removal beyond that allowed above cannot be avoided, the site shall be replanted during the next replanting season to avoid sedimentation of coastal waters. The vegetation shall be of native species in order to maintain the natural character of the area.

5. The requirements for parking and vision clearance shall be as provided by the respective base zoning district.

6. No topographic modification is permitted within the 50 foot buffer zone specified by 10-1910-G.

7. The area within the 50' buffer zone shall be left in existing native vegetation. Non-native plants may be removed if re-vegetated with native plants. Within the 50' of native vegetation, the following kinds of modifications are allowable:

a) Foot paths

b) Removal of hazardous vegetation, such as unstable stream bank trees or trees otherwise vulnerable to blow-down, may be allowed in unusual circumstances following review by the City and the Oregon Department of Fish and Wildlife. Stream bank trees, snags, and shorefront brush are necessary for wildlife habitat.

c) Replanting of the area or other areas which have been previously cleared.

8. All mature trees must be retained within the setback area specified by 10-19-G, except where removal is subject to requirements of the Oregon Forest Practices Act.

9. Structures shall be sited and/or screened with native vegetation so as not to impair the aesthetic quality of the site.

Findings: The prohibited uses outlined in FCC 10-19-10-E explicitly prohibit fill in freshwater marsh areas, and the proposed development does not include any filling of freshwater marshes, ensuring compliance with this requirement.

Under FCC 10-19-10-F, site and development requirements ensure minimal environmental impact. The proposal limits vegetation removal to only what is necessary for permitted uses, accessory buildings, access, and fire safety requirements. The site is located on the southern portion of a former middle school property, an area with limited existing vegetation. Other than one tree at the southeast corner, no native vegetation is proposed to be removed. The applicant is willing to accept a condition of approval to minimize vegetation clearance, consistent with the previous approval requiring a Type II Vegetation Clearing Permit. (COA#11)

To the maximum degree possible, the building site has been placed on portions of the property that exhibit the least vegetative cover, as the hotel, parking lot, and common area are located on the already vacant and cleared portion of the site. Construction activities will be confined to these areas, thereby avoiding unnecessary excavation and vegetation removal. Where minor vegetation removal may be necessary, the site will be replanted during the next replanting season with native species to avoid sedimentation of coastal waters and maintain the natural character of the area.

The proposal meets parking and vision clearance requirements as outlined in FCC 10-3 and FCC 10-34. Additionally, no grading, excavation, or topographic modifications are proposed within the 50-foot buffer zone, as shown on [Sheets C1 through C3](#). The existing native vegetation within this buffer zone will remain intact, with only non-native plants removed and replaced with native species. As outlined in FCC 10-19-10-F.7, minor modifications within this buffer, such as footpaths, removal of hazardous vegetation (with City and ODFW review), and replanting of previously cleared areas, are allowed.

The proposal retains all mature trees within the setback area, as required by FCC 10-19-10-F.8, with no tree removal proposed within the setback area. Additionally, the site has been designed to integrate with the natural environment, as outlined in FCC 10-19-10-F.9. The landscaping plan, provided on [Sheets L0.0 through L1.2](#), includes an abundance of native vegetation that enhances the site's overall aesthetic quality. The tree line along the eastern and southern portions of the site will be preserved, serving as a natural screen between the development and the estuary while also maintaining a visual continuity between the site and surrounding properties. The architectural drawings on [Sheets LU-6 to LU-9](#) further illustrate the proposed hotel in relation to the estuary viewshed.

Conclusion: This criterion is met. Given the site's proposed retention of native vegetation, limited clearing, and compliance with buffer zone protections, the proposal meets the criteria outlined in FCC 10-19-10-F.

10. The exterior building materials shall blend in color, hue and texture to the maximum amount feasible with the surrounding vegetation and landscape.

Findings: The proposed hotel incorporates exterior building materials that align with the muted coastal Pacific Northwest palette, including muted greys, blues, and browns. These colors were selected to blend with the natural surroundings, including vegetation and the estuary viewshed. The architectural design ensures compatibility with the landscape by incorporating materials and textures that reflect the regional environment and historical styles found within Florence.

Conclusion: The criterion is satisfied, as the exterior materials, colors, and textures are designed to blend harmoniously with the surrounding vegetation and natural landscape to the maximum extent feasible.

G. Additional Setback Requirements: Setbacks shall be as required in the base zoning district plus the additional below specified setback requirements.

1. In addition to the yard setbacks required in the base zoning district, a 50 foot buffer zone shall be required. The buffer zone is measured from the mean high tide for the ocean and estuary and from the average high water for coastal lakes. Use of this 50 foot buffer zone shall be as specified in 10-19-10-F.

Findings: The nearest portion of the parking lot is located over 250 feet from the mean high tide elevation, and the hotel itself is set back over 400 feet from the mean high tide elevation, ensuring compliance with the required 50-foot buffer zone. As shown on [Sheets C1 through C3](#), no development is proposed within the buffer zone. Additionally, no structures are proposed on oceanfront parcels, making the requirement for setbacks based on erosion rates inapplicable.

Conclusion: The criterion is satisfied, as the proposed development maintains all required setbacks, including the additional 50-foot buffer zone from the mean high tide, and does not involve oceanfront parcels where erosion-based setbacks would apply.

TITLE 10: CHAPTER 34: LANDSCAPING

10-34-3-1: Applicability. Except for single-family and duplex dwelling uses, this Section shall apply to all new development as well as changes of use and expansions as described below, and shall apply in all districts except where superseded by specific zoning district requirements. These provisions shall be in addition to the provisions of FCC Title 9 Chapter 5 and where there are conflicts, the provisions of Title 9 Chapter 5 shall prevail.

-
A. For new developments, all landscaping shall meet current code requirements. (Ord. 4, 2011)

[...]

Findings: The proposed hotel development falls under the applicability of FCC 10-34-3-1, as it is a new development and not a single-family or duplex dwelling use. As required, all proposed landscaping adheres to current code standards. Landscaping plans, as detailed in [Sheets L0.0 through L1.2](#), have been prepared to meet the requirements of FCC 10-34 and incorporate native vegetation, buffering, and screening as necessary. Additionally, where any conflicts exist between Title 9 Chapter 5 and this section, the provisions of Title 9 Chapter 5 will prevail.

Conclusion: The criterion is satisfied, as the proposed development includes a comprehensive landscaping plan that aligns with current code requirements under FCC 10-34, and no conflicts with Title 9 Chapter 5 have been identified.

10-34-3-2: Landscaping Plan Required. A landscape plan is required. All landscape plans shall include the following information:

- A. The location and height of existing and proposed fences and walls, buffering or screening materials.
- B. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas.
- C. The location, size, and species of the new proposed plant materials (at time of planting)
- D. The location(s) of areas where existing vegetation will be cleared and the location(s) of areas where existing vegetation will be preserved, delineated on a recent aerial photo or site plan drawn to scale.
- E. Existing and proposed building and pavement outlines.
- F. Specifications for soil at time of planting, irrigation and anticipated planting schedule.
- G. Other information as deemed appropriate by the City Planning Official.

Findings: The applicant has provided a comprehensive Landscaping and Irrigation Plan, detailed in [Sheets L0.1 through IR1.0](#), which includes the required elements outlined in FCC 10-34-3-2. The plan identifies the location and height of proposed fences, walls, and screening materials, as well as terraces, patios, and other hardscape elements. It specifies the location, size, and species of proposed plant materials at the time of planting, delineates areas of vegetation preservation and removal, and includes building and pavement outlines. Additionally, soil specifications, irrigation details, and an anticipated planting schedule are included.

Conclusion: The criterion is satisfied, as the submitted Landscaping and Irrigation Plan contains all the required elements necessary to meet FCC 10-34-3-2.

10-34-3-3: Landscape Area and Planting Standards. The minimum landscaping area is 15% of the lot area, unless specified otherwise in the applicable zoning district for the proposed use. This required minimum landscaping area may be reduced if preservation credits are earned as specified in Section 10-34-2-4.

A. Landscaping shall include planting and maintenance of the following:

- - 1. One tree per 30 lineal feet as measured along all lot lines that are adjacent to a street.
 - 2. Six shrubs per 30 lineal feet as measured along all lot lines that are adjacent to a street.
 - 3. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting.
-

4. Except for preservation of existing significant vegetation, the required plant materials on-site shall be located in areas within the first 20 feet of any lot line that abuts a street. Exceptions may be granted where impracticable to meet this requirement or the intent is better served. Required trees may be located within the right-of-way and must comply with Section 10-34-4. Plant materials may be installed in any arrangement and do not need to be equally spaced nor linear in design. Plantings and maintenance shall comply with the vision clearance standards of FCC 10-35-2-13.

5. Pocket-planting³ with a soil-compost blend around plants and trees shall be used to ensure healthy growth.

Findings: The proposed landscaping meets and exceeds the minimum requirement of 15% of the lot area, with approximately 41% of the site dedicated to landscaping, as shown on [Sheet L1.1](#). Along the western lot line adjacent to the street, landscaped berms are designed with a mix of low-growing evergreen shrubs, large deciduous shrubs, coastal grasses, and maple trees to maintain visibility while satisfying the planting standards. The proposal includes the required one tree per 30 linear feet and six shrubs per 30 linear feet along the street frontage. Additionally, the landscape plan ensures that at least 70% of the required landscape area will be covered with living plant material within five years of planting. Plant materials are located within the first 20 feet of the lot line abutting the street, and the proposed design maintains compliance with vision clearance standards as required by FCC 10-35-2-13. Pocket-planting with a soil-compost blend is proposed to promote healthy plant growth. Furthermore, per [Sheet L0.0](#), all proposed plantings will comply with FCC 10-34-3-3, and no invasive or noxious weeds will be introduced to the site.

Conclusion: The criterion is satisfied, as the proposed landscaping meets or exceeds all requirements of FCC 10-34-3-3, including minimum landscaping area, tree and shrub planting, living plant coverage, placement of plant materials, and maintenance practices.

10-34-3-4: Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.

A. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used, consistent with the purpose of this Chapter. A suggested *Tree and Plant List for the City of Florence* and the *Sunset Western Garden Book* are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.

1. Ground Cover. Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the

following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a maximum of 3 feet measured on center.

2. Shrubs. Shrub plant species shall be planted from 3 gallon containers unless otherwise specified in the *Tree and Plant List for the City of Florence*.

3. Trees. Evergreen and deciduous tree species shall meet the following minimum standards: deciduous trees shall be a minimum of 1 ¾ inch caliper (diameter) measured 6 inches above grade, and evergreen trees shall be a minimum of 5 feet tall (Nursery Grade 5/6).

4. Non-plant Ground Covers. Bark dust, chips, aggregate, or other non-plant ground covers may be used. Non-plant ground cover located adjacent to pedestrian ways shall be confined to the material within the planting bed to avoid safety hazards by edging 4 inches above-grade or recessing from grade. Non-plant ground covers cannot be a substitute for ground cover plants.

Findings: The proposed landscaping plan complies with FCC 10-34-3-4 by incorporating a combination of deciduous and evergreen trees, shrubs, and ground cover, as shown on [Sheet L0.1](#). The plant selection follows the guidelines provided in the Tree and Plant List for the City of Florence and considers site-specific conditions such as wind, sun exposure, water availability, and drainage. Ground cover consists of separate plants spaced according to code requirements, with 4-inch potted plants spaced no more than 18 inches on center and 1–2-gallon size plants spaced a maximum of 3 feet on center. Shrubs are planted from 3-gallon containers, and deciduous trees meet the 1 ¾-inch caliper standard measured 6 inches above grade. Evergreen trees are at least 5 feet tall at planting. Additionally, non-plant ground covers, including bark dust and aggregate, are incorporated as accents but do not substitute for required living plant materials. The non-plant ground cover is properly edged or recessed to prevent pedestrian hazards.

Conclusion: The criterion is satisfied, as the proposed landscape materials meet the requirements of FCC 10-34-3-4, ensuring an appropriate mix of vegetation and ground cover that enhances the site's aesthetics while maintaining safety and ecological benefits.

C. Hardscape features, such as plazas, pathways, patios and other pedestrian amenities may count toward ten (10) percent of the required landscape area, except in the Old Town and Main Street districts where hardscape features may count toward 50 percent of the landscape area, provided that such features conform to the standards of those districts. Swimming pools, sports courts, decks and similar facilities may not be counted toward fulfilling the landscape requirement in any zone.

Findings: The applicant is not requesting a reduction in the required landscape area through the inclusion of hardscape features. While plazas, pathways, and other pedestrian amenities may count toward up to 50% of the landscape requirement in the Old Town District, the submitted landscaping plan ([Sheets L0.1 through L1.1](#)) demonstrates compliance with the minimum landscape area requirement without relying on hardscape reductions. No swimming pools, sports courts, decks, or similar facilities are proposed to fulfill landscape requirements.

Conclusion: The criterion is satisfied, as the proposal meets the required landscaping area without the need for hardscape credits or reductions, ensuring compliance with FCC 10-34-3-4(C).

D. Storm Water Facilities. Storm water facilities, such as detention/retention ponds and swales shall be landscaped. Landscaped bio-swales are encouraged and shall count toward meeting the landscaping requirement of this section if they are designed and constructed in accordance with the standards specified in Title 9 Chapter 5, and approved by the Public Works Department. Storm water facilities shall be landscaped with water-tolerant, native plants.

Findings: The proposed stormwater facilities, including detention and retention areas, are designed to be landscaped with water-tolerant, native plants as required. As shown on [Sheets L0.1 and L1.1](#), the stormwater treatment areas incorporate bio-swales and other vegetative features, aligning with the intent of FCC 10-34-3-4(D). Additionally, these facilities will contribute to the overall landscaping requirements, provided they are designed and constructed in accordance with Title 9, Chapter 5, and approved by the Public Works Department.

Conclusion: The criterion is satisfied, as the proposed stormwater facilities incorporate appropriate landscaping with water-tolerant, native vegetation, ensuring compliance with FCC 10-34-3-4(D).

10-34-3-5: Irrigation. Permanent, underground irrigation is required for all landscaping, except existing native vegetation that is preserved in accordance with the specifications of Section 10-34-2-2 and new drought tolerant plants which must have temporary irrigation for plant establishment. All irrigation systems require an irrigation permit and shall be installed with a backflow prevention device per FCC 9-23-5.

Findings: The proposed landscaping plan includes a permanent, underground irrigation system as required by FCC 10-34-3-5. As shown on [Sheet IR1.0](#), the irrigation system will provide water to all required landscaping areas, ensuring the establishment and maintenance of plantings. The system will be installed with a backflow prevention device per FCC 9-2-3-5. Additionally, any new drought-tolerant plants will receive temporary irrigation to ensure successful establishment.

Conclusion: The criterion is satisfied, as the proposed irrigation system is designed to meet the requirements for permanent underground irrigation, with appropriate provisions for temporary irrigation where applicable.

10-34-3-6: Parking Lot Landscape Standards. All parking lots shall meet Parking Area Improvement Standards set forth in FCC 10-3-8. Parking areas with more than twenty (20) spaces shall include interior landscaped "islands" to break up the

parking area. Interior parking lot landscaping shall count toward the minimum landscaping requirement of Section 10-34-3-3. The following standards apply:

A. For every parking space, 10 square feet of interior parking lot landscaping shall be provided;

Findings: The proposed parking lot landscaping plan complies with FCC 10-34-3-6 by providing sufficient interior landscaped islands to break up the parking area. As required, a minimum of 10 square feet of interior landscaping is needed per parking space. With 100 parking spaces proposed, the total required interior landscaping amounts to 1,000 square feet. The proposed plan exceeds this requirement by incorporating 4,425 square feet of interior landscaping, as shown on [Sheet LU-1](#).

Conclusion: The criterion is satisfied, as the proposed parking lot landscaping exceeds the minimum required interior landscaping area, ensuring compliance with FCC 10-34-3-6.

B. Parking islands shall be evenly distributed to the extent practicable with a minimum of one tree selected from the *Tree and Plant List for the City of Florence* installed per island;

C. Parking island areas shall provide a minimum of 30 square feet of planting area and any planting area dimension shall be a minimum of 5 feet on any side (excluding curb dimensions), unless reduced by the Planning Commission where a lesser distance will provide adequate space for healthy plant growth;

Findings: The proposed parking lot landscaping meets the requirements outlined in FCC 10-34-3-6(B) and (C). Parking islands are evenly distributed throughout the lot, as shown on [Sheets L0.1 and L1.0](#). Each island includes at least one tree selected from the Tree and Plant List for the City of Florence, primarily consisting of maples and dogwoods. Additionally, as depicted on [Sheet L1.1](#), all planting islands meet the minimum required dimensions, with each planting area being at least 30 square feet in size and having a minimum width of 5 feet in all directions, excluding curbs.

Conclusion: The criterion is satisfied, as the proposed parking islands are evenly distributed, include appropriate tree species, and meet or exceed the required minimum planting area dimensions.

D. Irrigation is required for interior parking lot landscaping to ensure plant survival

Findings: The proposed interior parking lot landscaping will be irrigated to ensure plant survival, as required by FCC 10-34-3-6(D). [Sheet IR-1](#) confirms that an irrigation system will be installed to provide water to all interior parking lot landscaping areas.

Conclusion: The criterion is satisfied, as the applicant has demonstrated that irrigation will be provided for all interior parking lot landscaping, ensuring compliance with City standards.

E. Living plant material shall cover a minimum of 70% of the required interior parking lot landscaping within 5 years of planting; and

F. Species selection for trees and shrubs shall consider vision clearance safety requirements and trees shall have a high graft (lowest limb a minimum of 5 feet high from the ground) to ensure pedestrian access.

Findings: The proposed interior parking lot landscaping is designed to ensure that living plant material covers at least 70% of the required area within five years, as indicated on [Sheet L1.1](#) and specified on [Sheet L0.0](#). Additionally, species selection for trees and shrubs considers vision clearance safety requirements, and trees are planned with a high graft to maintain pedestrian access, as shown on [Sheets L0.1 and L1.1](#).

Conclusion: The criteria are satisfied, as the applicant has demonstrated compliance with the minimum plant coverage requirement and has selected appropriate tree and shrub species to maintain vision clearance and pedestrian access.

10-34-3-7: Buffering and Screening. Buffering and screening are required under the conditions listed below. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with FCC 10-35-2-13. (See Section 10-34-5 for standards specific to fences and walls.)

A. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a berm; an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade; trellis; or similar partially opaque structure 3-4 feet in height shall be established between street and driveway or parking area. See also FCC 10-3-7-D for standards specific to parking lots adjacent to the street. The required screening shall have breaks or portals to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide year-round screening within five (5) years after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.

Findings: The proposed development includes a vegetated berm with pedestrian access between Quince Street and the parking area, as shown on [Sheet L1.1](#). The berm is designed with a mix of low-growing evergreen shrubs, large deciduous shrubs, and grasses of varying heights, ensuring compliance with the buffering and screening requirements. Breaks are incorporated into the design to allow for visibility and pedestrian access, aligning with the natural surveillance principles outlined in FCC 10-34-3-7.

Conclusion: The criterion is satisfied, as the applicant has provided a compliant screening solution that incorporates appropriate vegetation, maintains visibility for safety, and allows pedestrian access where needed.

B. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area or driveway is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five (5) feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles.

Findings: The proposed development ensures that all parking areas adjacent to the building are separated by a curb, raised walkway, or landscaped buffer of at least five feet in width, as shown on [Sheets L1.1 and L1.2](#). Additionally, protective measures such as raised curbs and walkways are incorporated to safeguard pedestrians, landscaping, and the building structure from potential vehicle impacts.

Conclusion: The criterion is satisfied, as the proposed design includes an appropriate separation between parking/maneuvering areas and the building, meeting the required width and protective measures to enhance pedestrian safety and site functionality.

C. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas shall be screened from view from all public streets and adjacent Residential districts. When these or other areas are required to be screened, such screening shall be provided by:

1. a decorative wall (i.e., masonry or similar quality material),
2. evergreen hedge,
3. opaque or sight-obscuring fence complying with Section 10-34-5, or
4. a similar feature providing an adequate screen.

Findings: The proposed development ensures that all mechanical equipment, outdoor storage, service, and delivery areas are screened from view from public streets and adjacent residential districts. As shown on Sheets [LU-1](#) and [LU-5](#), mechanical equipment is located behind the proposed building, with condensing units enclosed behind aluminum slat fencing. Additionally, as demonstrated on [Sheets L1.1 and L1.2](#), the site includes extensive landscaping and retained native vegetation, further contributing to visual screening and maintaining the aesthetic quality of the development.

Conclusion: The criterion is satisfied, as the project provides appropriate screening for mechanical equipment and service areas through a combination of fencing, landscaping, and site placement, ensuring compliance with visual screening requirements.

10-34-3-8: Maintenance. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., native Rhododendron replaces native Rhododendron, evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.) within six (6) months of their dying or removal, whichever comes first. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner within six (6) months of any such feature being removed or irreversibly damaged (whichever comes first).

Findings: The proposed landscaping plan includes a variety of plant species and site features designed for long-term sustainability. As required, all plantings and man-made features will be maintained in good condition. If any plantings fail to survive, the property owner will replace them with an equivalent specimen within six months of their removal or death. Similarly, any man-made features required by this Code will be repaired or replaced within six months if removed or irreversibly damaged. This commitment to ongoing maintenance ensures the continued aesthetic and functional integrity of the development.

Conclusion: The criterion is satisfied, as the applicant agrees to maintain all plantings and man-made features per the requirements of FCC 10-34-3-8, ensuring compliance with long-term landscape maintenance standards.

10-34-4: STREET TREES: Street trees are trees located within the right-of-way.

Findings: The applicant has selected street trees from the City of Florence Tree and Plant List, ensuring they are appropriate for the local climate, growth characteristics, and site conditions. The proposed street trees are shown on [Sheet L1.1](#) and comply with the requirements for placement within the right-of-way.

Conclusion: The criterion is satisfied, as the proposed street trees align with the approved species list and meet all applicable standards for climate suitability, spacing, and aesthetic considerations.

10-34-5: FENCES AND WALLS: Construction of fences and walls shall conform to all of the following requirements:

- - A. General Requirements. All fences and walls shall comply with the height limitations of the respective zoning district and the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval, approval of a conditional use permit, or design review approval. When required through one of these types of approvals, no further land use review is required. (See also, Section 10-34-3-6 for landscape buffering and screening requirements.)

No screening is shown to exceed the minimum height requirements.

- - B. Dimensions.

- - 2. Commercial and Industrial Zones: Except as provided below, the height of fences and walls in any required front yard shall not exceed four (4) feet as measured from the grade and no greater than eight (8) feet elsewhere on site.

Findings: The proposed development includes various fences and walls, all of which comply with the required height limitations for commercial zones. No fences or walls are proposed in the front yard area. As shown on [Sheets LU-1 and LU-10](#), the proposed fences and walls include: a 4-foot-6-inch safety fence around the stormwater facilities, a 7-foot aluminum slat fence around the condensing units, a 6-foot white glass panel fence around the outdoor patio, and a 7-foot masonry wall enclosing the trash area. These features meet the applicable height requirements set forth in FCC 10-34-5.

Conclusion: The criterion is satisfied, as all proposed fences and walls conform to the height and placement standards for commercial zones, ensuring compliance with the applicable provisions of FCC 10-34-5.

D. Specific Requirements

1. Walls and fences to be built for required buffers shall comply with Section 10-34-3-

7.

2. Fences and walls shall comply with the vision clearance standards of FCC 10-35-2-

14.

3. Retaining walls exceeding four (4) feet in height and freestanding walls or fences greater than seven (7) feet in height require a building permit

Findings: The proposal complies with the requirements for walls and fences as specified in FCC 10-34-5-D. No fences or walls are proposed for required buffering, ensuring compliance with Section 10-34-3-7. Additionally, no fences or walls are located within clear vision areas, adhering to FCC 10-35-2-14. Furthermore, no retaining walls exceeding four feet in height or freestanding walls or fences greater than seven feet in height are proposed, eliminating the need for a building permit under this section.

Conclusion: The proposal satisfies the requirements of FCC 10-34-5-D. No fences or walls are included that necessitate additional compliance measures, and all applicable standards have been met. Criterion Satisfied.

F. Materials.

1. Permitted materials: wood; chain-link steel, iron, bricks, stone; stucco, or similar masonry, and non-prohibited evergreen plants.

-
2. [...]

-
3. Prohibited materials: unfinished concrete blocks; straw bales; electric or razor wire; scrap lumber or other scrap materials; sheet metal; and hedges taller than eight (8) feet. Sheet metal is prohibited within all districts except the Limited Industrial District.

-
4. Barbed wire fencing may be permitted only within commercial and industrial zones or on public property subject to the criteria in FCC 6-1-7-14.

Findings: The proposed fencing materials comply with FCC 10-34-5-F. The safety fencing will be composed of welded aluminum, and the condensing unit enclosure fencing will consist of aluminum slats, both of which are durable materials that complement the main building. The trash enclosure fencing will be made of masonry walls, which align with permitted materials under this section. Additionally, the proposed white glass fencing around the outdoor patio is a design feature that requires a design review decision. No prohibited materials such as unfinished concrete blocks, razor wire, or sheet metal (outside of the Limited Industrial District) are proposed.

Conclusion: The proposal meets the material requirements for fencing under FCC 10-34-5-F. A design determination is requested for the use of white glass panel fencing around the outdoor patio. [Criterion Satisfied with Design Review Approval.](#)

10-35-2: VEHICULAR ACCESS AND CIRCULATION

10-35-2-2: Applicability: Section 10-35-2 applies to vehicle access and on-site circulation facilities in the City of Florence. This Section applies to any type of land use or development permit. Access to a designated state or county highway is subject to the provisions of this Section in addition to the requirements of the applicable roadway authority. Where regulations of the City conflict with those of the roadway authority the more restrictive requirements apply.

Findings: The proposed development includes vehicle access and on-site circulation within the City of Florence and will take access from Quince Street, which connects to US Highway 126, a state-owned right-of-way facility.

Conclusion: The proposal complies with the applicability standards of FCC 10-35-2-2, as it involves vehicle access and circulation in Florence and includes access from a street connected to a state highway. Criterion Satisfied.

10-35-2-3: Access Approval Required: Access will generally be reviewed in conjunction with a land division or building permit. If a property owner wishes to access a public street (e.g., a new curb cut or driveway approach), or make improvements within the public right-of-way (e.g., install or replace sidewalk), the property owner must obtain a "Construction Permit in Right-of-Way". In either case, approval of an access shall follow the procedures and requirements of the applicable road authority.

Findings: Access to the subject property will be from Quince Street, which connects to US Highway 126, a state-owned facility. As required by FCC 10-35-2-3, access approval is subject to review as part of this design review application. The proposal includes improvements that will impact Quince Street, necessitating coordination with the City of Florence Public Works Department and the Oregon Department of Transportation (ODOT) for any necessary right-of-way work. Any new curb cuts, driveway approaches, or other modifications within the public right-of-way will require a "Construction Permit in Right-of-Way" before work can commence.

Conclusion: The proposal complies with FCC 10-35-2-3, as access will be reviewed through the design review process, and necessary approvals from the City and ODOT will be obtained prior to any right-of-way improvements. Criterion Satisfied.

10-35-2-4: State and County Access Permits: ODOT has responsibility and authority in managing access to State Highways and Lane County has responsibility and authority in managing access to County roads within the City. Projects with direct access onto a State Highway or County Road shall be required to obtain a State or County access permit. A State or County complete access permit application must be submitted as part of all land use permits. Conditions placed by the State or County upon these access permits shall be considered conditions of approval for all applicable land use and development approvals. When a transportation improvement is proposed along Highway 101 between the Siuslaw River Bridge and Highway 126, improvements shall be constructed in accordance with the standards

specified in the “Highway 101 Access Management Plan.” County roads are governed by the Lane County Transportation System Plan and Lane Code Chapter 15.

Findings: The subject property does not take direct access onto a state or county right-of-way, as access is provided via Quince Street, a local road. Furthermore, the proposal does not involve improvements along Highway 101 between the Siuslaw River Bridge and Highway 126.

Conclusion: As the project does not directly access a state or county right-of-way and does not involve improvements along Highway 101, this criterion is not applicable.

10-35-2-5: Traffic Study Requirements: The City may require a traffic study prepared by an Oregon registered professional engineer with transportation expertise to determine access, circulation, and other transportation requirements in conformance with FCC 10-1-1-4-E, Traffic Impact Studies.

A. The Traffic Impact Study shall:

1. Evaluate all streets where direct access is proposed, including proposed access points, nearby intersections, and impacted intersections with the state highway system.

2. Utilize the analysis procedures of the Highway Capacity Manual, latest edition.

3. Document compliance with Florence City Code, the goals and policies of the Transportation System Plan, and any other applicable standards.

4. Be coordinated with other affected jurisdictions and agencies such as Lane County, the Port of Siuslaw, and the Oregon Department of Transportation.

5. Identify mitigation measures that resolve the identified traffic safety problems, address the anticipated impacts from the proposed land use, and meet the city’s adopted Level-of-Service standards. The study shall also propose funding for the proposed mitigation measures.

B. The applicant shall consult with City staff to determine the content and level of analysis that must be included in the TIS. A pre-application conference is encouraged.

C. Conditions of Approval: The City may deny, approve, or approve a development proposal with appropriate conditions needed to meet operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Conditions of approval should be evaluated as part of the land division and site development reviews, and may include but are not limited to:

1. Crossover or reciprocal easement agreements for all adjoining parcels to facilitate future access between parcels.

2. Access adjustments, where proposed access points do not meet the designated access spacing standards and/or have the ability to align with opposing access driveways.

3. Right-of-way dedications for future improvements.

4. Street improvements.

5. Turn restrictions such as “right in right out”

Findings: The City of Florence requires a Traffic Impact Study (TIS) for certain developments to assess access, circulation, and transportation impacts per FCC 10-35-2-5. The applicant submitted a memorandum dated October 16, 2024, as an update to a previous Traffic Impact Analysis (TIA) from January 24, 2023. However, Southern Oregon Transportation Engineering reviewed the memorandum and determined that it is not sufficient as a standalone analysis to meet the City’s transportation criteria. Consequently, an updated TIA is required for the application.

Conclusion: The submitted traffic memorandum does not fully satisfy the City’s criteria under FCC 10-35-2-5. As a condition of approval (COA#16), the applicant shall submit a revised Traffic Impact Analysis (TIA) addressing the deficiencies identified in Exhibit P.

10-35-2-6: Conditions of Approval: The roadway authority may require the following as a condition of granting a land use or development approval or access permit to ensure the safe and efficient operation of the street and highway system.

1. The closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation.

2. Mitigation measures for impacts to the transportation system as documented in a Traffic Impact Study. These measures may be off-site and may include multi-modal transportation improvements which would help protect the function and operation of the planned transportation system, provided that the measures are proportionate to the impact of the proposed development.

10-35-2-7: Intersection Separation; Backing onto Public Streets: New and modified accesses shall conform to the following standards:

A. Except as provided under subsection B, below, the distance from a street intersection to a driveway

and from a driveway to a driveway shall meet the following minimum spacing requirements for the

street's classification, as measured from side of driveway to street or alley pavement (see Figure 10-35(1)). A greater separation may be required for accesses onto an arterial or collector for

compliance with ODOT or County requirements.
Separation Distance from Driveway to Pavement Street:
Alley 15 feet
Local Street 25 feet
Collector Street 30 feet
Arterial Street 50 feet
Separation Distance from Driveway to Driveway:
Alley N/A
Local Street 25 feet
Collector Street 125 feet
Arterial Street 125 feet

Findings: FCC 10-35-2-6 and 10-35-2-7 establish requirements for access modifications, including intersection separation, driveway spacing, and mitigation measures to ensure the safe and efficient operation of the transportation system. The proposed development includes a north driveway that does not currently align with the Florence Events Center (FEC) driveway, which creates a potential conflict with traffic flow and does not meet the minimum driveway spacing requirement of 125 feet for collector streets.

To meet this standard, the north driveway must be relocated to align with the existing FEC driveway. Additionally, because this modification will require partial shared access with the property to the north (Tax Lot 902), a reciprocal access easement must be recorded to ensure compliance with the spacing requirement and formalize shared use of the driveway.

Conclusion: The proposed north driveway does not currently meet access spacing requirements per FCC 10-35-2-6 and 10-35-2-7. As a condition of approval (COA#17), the applicant shall relocate the north driveway to align with the Florence Events Center (FEC) driveway and shall obtain and record a reciprocal access easement with the property to the north (Tax Lot 902) prior to final site development approval. All modifications shall be reviewed and approved by the City prior to permit issuance.

- B. Where the City finds that reducing the separation distance is warranted, such as:
- a. no other alternatives exist (e.g., alley or shared access is not feasible, building lot is too narrow, existing building prohibits access at correct distance, etc.), or
 - b. planned improvements or traffic circulation patterns show a different location to be efficient and safe, the City may allow construction of an access connection at a point less than the dimensions listed above. In such case, the access should be as far away from the intersection as possible, and the total number of access points to the site shall be limited to the minimum necessary to provide reasonable access. The City may also require shared/joint access and/or impose turning restrictions (i.e., right in/out, right in only, or right out only).
- C. Access to and from off-street parking areas shall be designed to prevent backing onto a public street, except that single-family and duplex dwellings are exempt.

Findings: FCC 10-35-2-7(B) allows for reduced driveway separation distances when no other alternatives exist, or when planned improvements demonstrate a different location to be safe and efficient.

However, in this case, reducing the separation distance is not warranted, as both Tax Lot 902 and 903 are under common ownership, making shared access a feasible solution. Aligning the north driveway with the Florence Events Center (FEC) driveway will ensure compliance with the required 125-foot driveway spacing standard for collector streets and improve traffic circulation.

Additionally, per FCC 10-35-2-7(C), access to and from off-street parking areas must be designed to prevent backing onto a public street, a standard that applies to this development. The proposed site layout accommodates internal circulation without requiring vehicles to back onto Quince Street.

Conclusion: A reduction in driveway separation distance is not warranted, as shared access between Tax Lot 902 and 903 is feasible due to common ownership. As a condition of approval (COA#17), the applicant shall relocate the north driveway to align with the Florence Events Center (FEC) driveway and shall obtain and record a reciprocal access easement with Tax Lot 902 prior to final site development approval. All modifications shall be reviewed and approved by the City prior to permit issuance. The proposed site design prevents backing onto a public street, meeting FCC 10-35-2-7(C).

10-35-2-8: Access Standards: New development shall gain access primarily from local streets. Access onto arterials and collectors shall be evaluated based on access options, street classifications and the effects of new access on the function, operation and safety of surrounding streets and intersections and possible lower level street alternatives. Where such access to higher level street classification is necessary, shared driveways may be required in conformance with FCC 10-35. If vehicle access off a lower-level street is possible, then the City may prohibit access to the higher-level street.

Findings: The proposed development takes access from Quince Street, which is a collector street, and there are no feasible lower-level street alternatives for site access. Given this, further evaluation under this criterion is not necessary.

Conclusion: The criterion is met. The proposed access from Quince Street, a collector, is appropriate and does not warrant further evaluation under FCC 10-35-2-8.

10-35-2-9: Site Circulation: New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian and bicycle connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, trails or paths, must conform to the provisions in Section 10-35-3.

Findings: The proposed development includes two 30-foot-wide driveways off Quince Street, providing access to a 100-space parking lot, including spaces for large trucks, trailers, and recreational vehicles. Internal vehicular circulation is facilitated by access aisles that meet the minimum dimensional standards established in FCC 10-3. Pedestrian circulation is accommodated by walkways connecting the front entrance, southern and eastern portions of the parking lot, and extending from Quince Street to the main entrance.

Conclusion: The proposed circulation system meets the requirements of FCC 10-35-2-9 by providing adequate vehicular and pedestrian connectivity. Criterion met.

10-35-2-12: Driveway Design: All openings onto a public right-of-way and driveways shall conform to the following:

A. Driveway Approaches. Driveway approaches, including private alleys, shall be approved by the Public Work Director and designed and located with preference given to the lowest functional classification street. Consideration shall also be given to the characteristics of the property, including location, size and orientation of structures on site, number of driveways needed to accommodate anticipated traffic, location and spacing of adjacent or opposite driveways.

Findings: FCC 10-35-2-12 requires that driveway approaches be approved by the Public Works Director and be designed with preference given to the lowest functional classification street. The proposed development includes two driveway access points from Quince Street, a collector street, which were designed in coordination with City staff to ensure compliance with access and circulation requirements. Driveway design details are provided on [Sheet LU-1](#) and [Sheets C1-C15](#).

Conclusion: The proposed driveway approaches conform to FCC 10-35-2-12. As a condition of approval ([COA#18](#)), the applicant shall submit final driveway approach designs for review and approval by the Public Works Director prior to the issuance of site development permits.

B. Driveways. Driveways shall meet the following standards, subject to review and approval by the Public Works Director:

[...]

2. Driveways shall have a minimum width of ten (10) feet, except where a driveway serves as a fire apparatus lane, in which case city-approved driveway surface of 12 feet minimum width shall be provided within an unrestricted, twenty (20) foot aisle, or as approved by the Fire Code Official.

3. Where a driveway is to provide two-way traffic, the minimum width shall be 18 feet.

4. One-way driveways shall have appropriate signage designating the driveway as a one-way connection. Fire apparatus lanes shall be so marked (parking prohibited).

5. The maximum allowable driveway grade is fifteen (15) percent, except that driveway grades exceeding fifteen (15) percent may be allowed, subject to review and approval by the Public Works Director and Fire Code Official, provided that the applicant has provided an engineered plan for the driveway. The plan shall be stamped by a registered geotechnical engineer or civil engineer, and approved by the Public Works Director.

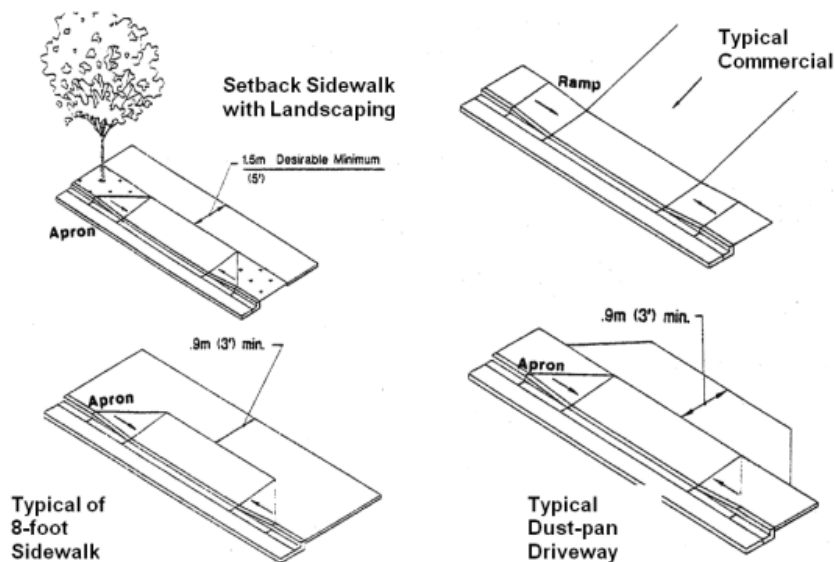
Findings: The proposed development includes two driveways off Quince Street, both exceeding the 18-foot minimum width for two-way traffic. Specifically, the north driveway is 24 feet wide, and the south driveway is 30 feet wide, exceeding the required width by six and twelve feet, respectively. No one-way driveways are proposed. Siuslaw Fire and Rescue requires designated fire lanes, the applicant shall provide a plan indicating fire lane locations, signage, and markings. Driveway grades are 2.3% and 4%, well below the 15% maximum. These details are provided on [Sheet LU-1](#) and [Sheet C2](#).

Conclusion: The proposed driveways conform to FCC 10-35-2-12(B). As a condition of approval ([COA#19](#)), Siuslaw Fire and Rescue requires designated fire lanes, the applicant shall submit a plan for review and approval, showing fire lane locations, signage, and markings.

C. Driveway Apron Construction. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown in Figure 10-35(2). Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than three (3) feet in width, with a cross slope not exceeding two (2) percent, and providing for landing areas and ramps at intersections. Driveways are subject to review by the Public Works Director.

Figure 10-35(2): Examples of Driveway Next to Sidewalks/Walkways

Figure 10-35(2): Examples of Driveway Next to Sidewalks/Walkways



Findings: The proposed development includes driveway aprons designed per these standards, as shown on [Sheets C1-C4](#).

Conclusion: The proposed driveway aprons appear to conform to FCC 10-35-2-12(C). As a condition of approval ([COA#18](#)), the applicant shall obtain final review and approval of driveway apron design from the Public Works Director, who may require modifications to ensure compliance with applicable standards.

D. Fire access lanes with turnarounds shall be provided in conformance with the Fire code. Except as waived in writing by the Fire Code Official, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed aisle width of 20 feet and turn-around area for emergency vehicles. The fire lanes shall be marked as "No Stopping/No Parking." See figure 10-35(3) for examples of fire lane turn-rounds. For requirements related to cul-de-sacs or dead-end streets, refer to FCC 10-36.

Findings: FCC 10-35-2-12(D) requires fire access lanes with turnarounds to be provided in conformance with the Oregon Fire Code (OFC). Any portion of an exterior wall of the first story that is more than 150 feet from an existing public street or approved fire access drive must have an unobstructed 20-foot-wide fire lane with a turnaround area. Fire lanes must be marked as "No Stopping/No Parking."

The applicant has provided fire access design details on [Sheets C1 through C4](#), demonstrating a 30-foot aisle width and a turnaround opportunity in the northeast corner of the parking lot for fire equipment. [Sheet C19](#) includes a turning exhibit for an E-One HP95 Mid Mount Fire Truck, confirming that full site circulation for emergency vehicles is provided. Fire lanes have also been marked with "No Stopping/No Parking."

The Fire Chief provided additional comments regarding fire safety compliance:

1. A fire hydrant is shown at the rear of the building within the parking island (D3 on the Architectural Site Plan), and this location has been confirmed as appropriate.
2. The Fire Department Connection (FDC) remains on the opposite side from the entrance hydrant, creating a potential obstruction during fire suppression operations. The Fire Chief requests relocation of the FDC to the same side as the entrance hydrant for improved access.
3. Details of the standpipe system must be provided.
4. A code summary must be submitted verifying the inclusion of fire alarm and sprinkler systems per Oregon Fire Code.

OFC Section 912.2 specifies that fire department connections must be located to prevent hose connections from obstructing building access and must be approved by the Fire Code Official.

Conclusion: The proposed development includes a fire access lane, turnaround, and hydrant placement that meet FCC 10-35-2-12(D) and Oregon Fire Code standards. However, the following conditions of approval ([COA#19](#)) shall be required:

1. The Fire Department Connection (FDC) shall be relocated to the same side as the entrance hydrant to ensure safe and efficient fire suppression operations.
2. The standpipe system details shall be provided for review and approval by the Fire Code Official.
3. A code summary shall be submitted verifying the inclusion of fire alarm and sprinkler systems per Oregon Fire Code.

4. Fire access lanes shall be marked as "No Stopping/No Parking" as shown on Sheet [C1 through C4](#).
5. The fire access design, including turning radius clearance for emergency vehicles, shall be subject to Fire Code Official review and approval prior to permit issuance.

Final fire access approval shall be subject to Fire Code Official review and approval prior to building permit issuance.

10-35-2-13: Vertical Clearances: Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.

Findings: The applicant has provided documentation on [Sheet LU-1](#), confirming that no vertical impediments exist below the required 13 feet 6 inches clearance along driveways or aisles on the site. Additionally, overhead lighting is designed to be a minimum of 16 feet in height as shown on [Sheet EL-3](#), ensuring compliance with clearance requirements for emergency vehicle access.

Conclusion: The proposed development meets the vertical clearance requirements of FCC 10-35-2-13. Criterion met.

10-35-2-14: Vision Clearance: No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) shall block the area between two and one-half feet (2 ½') and eight (8) feet in height in "vision clearance areas" on streets, driveways, alleys, mid-block lanes, or multi-use paths where no traffic control stop sign or signal is provided, as shown in Figure 10-35(4). The following requirements shall apply in all zoning districts:

- A. At the intersection of two (2) streets, minimum vision clearance shall be twenty feet (20').
- B. At the intersection of an alley or driveway and a street, the minimum vision clearance shall be ten feet (10').
- C. At the intersection of internal driveways, the minimum vision clearance shall be ten feet (10').

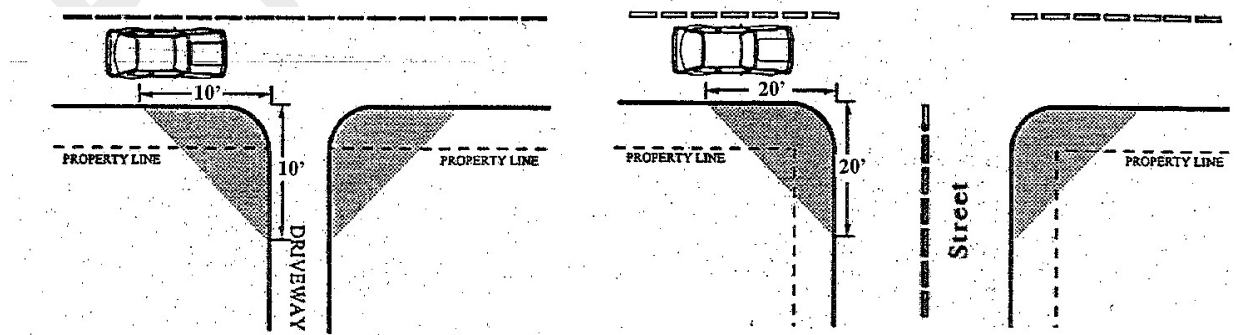


Figure 10-35(4): Vision Clearance Areas
(solid lines indicate curbs or edge of pavement)

Findings: The proposed development does not interact with the intersection of two streets, but it does involve driveways and internal intersections that require adherence to vision clearance standards per FCC 10-35-2-14. Vision clearance triangles of 10 feet will be maintained at all driveway and internal intersections to ensure safe sightlines for vehicles and pedestrians. No structures, signs, or vegetation that would obstruct visibility between 2.5 feet and 8 feet in height are proposed within these areas.

Conclusion: The proposed site plan meets the vision clearance standards of FCC 10-35-2-14. As a condition of approval (COA#20), the applicant shall perpetually maintain landscaping so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets.

10-35-3: PEDESTRIAN ACCESS AND CIRCULATION: All new development shall be required to install sidewalks along the street frontage, unless the City has a planned street improvement, which would require a non-remonstrance agreement.

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10-35-3-1: Sidewalk Requirements:

-
A. Requirements: Sidewalks shall be newly constructed or brought up to current standards concurrently with development under any of the following conditions:

- 1. Upon any new development of property.
- 2. Upon any redevelopment of property that expands the building square footage by 25% or more.
- 3. Upon any change of use that requires more than five additional parking spaces.

Findings: Sidewalks are required to be installed along the street frontage as part of the proposed development per FCC 10-35-3-1. The proposed development constitutes new construction, triggering the requirement for sidewalks. As shown on [Sheet LU-1](#), sidewalks are provided along Quince Street in accordance with City standards. The applicant has designed the sidewalk to be 8 feet wide to meet the requirements of FCC 10-17C-4-D.

Conclusion: The proposed development meets the pedestrian access and circulation standards of FCC 10-35-3-1. The required sidewalks along Quince Street are included in the site design, ensuring compliance with the applicable standards. Criterion met.

10-35-3-2: Site Layout and Design: To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections A - C, below:

- A. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public

parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of Section 10-35-2, Vehicular Access and Circulation, and Section 10-36-2 Street Standards.

Findings: The proposed site layout includes a continuous walkway system, as shown on [Sheet LU-1](#), ensuring pedestrian access throughout the development. The system connects key areas within the site, including the parking lot, entrances, and public sidewalks. Additionally, pedestrian access is proposed to connect the site to the in-development Siuslaw Estuary Trail from both the north and south sides of the hotel.

Conclusion: The proposed pedestrian walkway system meets the requirements of FCC 10-35-3-2 by providing a continuous and connected pedestrian network throughout the development. The inclusion of connections to the Siuslaw Estuary Trail further enhances accessibility and compliance with this criterion. Criterion met.

B. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:

1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of outof-direction travel for likely users.
2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
3. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

Findings: The proposed pedestrian system meets the requirements of FCC 10-35-3-2(B) by ensuring safe, direct, and convenient connections between the primary building entrance and adjacent streets. As shown on [Sheet LU-1](#), the walkways provide a reasonably direct route between the hotel and Quince Street without unnecessary deviations. The design includes clearly defined pedestrian paths that minimize crossings of drive aisles, ensuring a safe and efficient travel route. Additionally, the primary entrance to the hotel is directly connected to Quince Street via a well-planned walkway, fulfilling the requirement for commercial buildings.

Conclusion: The proposed pedestrian network is designed in accordance with FCC 10-35-3-2(B), providing a safe, direct, and convenient connection between the hotel entrance and Quince Street. Criterion met.

C. Connections Within Development. Connections within developments shall be provided as required in subsections 1 - 3, below:

1. Walkways shall be unobstructed and connect all building entrances to one another to the extent practicable, as generally shown in Figure 1035(5);

Findings: The proposed development provides internal pedestrian connections that comply with FCC 10-35-3-2(C). As shown on [Sheet LU-1](#), unobstructed walkways connect all building entrances, ensuring accessibility and ease of movement for pedestrians. The pathways extend around the building, linking entrances and key areas within the site in a manner consistent with the intent of Figure 10-35(5).

Conclusion: The proposed pedestrian connections within the development meet the requirements of FCC 10-35-3-2(C). Criterion met.

2. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and

Findings: The proposed development includes pedestrian pathways that connect all on-site parking areas, common areas, and adjacent off-site recreational facilities, as shown on [Sheet LU-1](#). These pathways ensure safe and convenient movement throughout the site and provide connectivity to nearby amenities. No significant topographic or existing development constraints prevent walkway connections.

Conclusion: The proposed walkways meet the requirements of FCC 10-35-3-2(C)(2). Criterion met.

10-35-3-3: Walkway and Multi-Use Path Design and Construction: Walkways and multiuse paths shall conform to all applicable standards in subsections A - D, as generally illustrated in Figure 10-35(6):

A. Vehicle/Walkway Separation. Except for pedestrian crossings (subsection B), where a walkway abuts a driveway or street it shall be raised six (6) inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

Findings: The proposed development includes walkways that are raised six (6) inches and curbed along the edges of parking areas, ensuring pedestrian safety and vehicle separation. As shown on [Sheets C1 through C6](#), these walkways comply with the required standards by maintaining a clear distinction between pedestrian and vehicular areas.

Conclusion: The proposed walkway design meets the requirements of FCC 10-35-3-3(A). Criterion met.

B. Pedestrian Crossing. Where a walkway crosses a parking area, or driveway, it shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crossings of not more than twenty-four (24) feet in length.

Findings: The proposed development includes three pedestrian crossings within the parking lot, as shown on [Sheet LU-1](#). All three pedestrian crossings exceed 24 feet in length. Per FCC 10-35-3-3(B), where a walkway crosses a parking area or driveway, it must be clearly marked with contrasting paving materials (e.g., light-colored concrete inlay between asphalt) or incorporated into a raised/hump crossing area. In design discussions with the City, aisle widths were increased to 26 feet. The applicant requests a design decision from the Planning Commission to allow striped pedestrian crossings instead of contrasting paving materials, consistent with a previous approval.

Conclusion: The applicant seeks Planning Commission approval for the use of striped pedestrian crossings in lieu of contrasting paving materials, as permitted under FCC 10-35-3-3(B). Unless the Planning Commission determines that the applicant has provided sufficient justification for this deviation, the crosswalks shall be clearly marked with contrasting paving materials or incorporated into a raised/hump crossing area to meet the standard. Condition of approval ([COA#21](#)).

C. Width and Surface. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least five (5) feet wide, without curb. Figure 10-35(6): Multi-use paths (i.e., for bicycles and Pedestrian Walkway Detail (Typical) pedestrians) shall be concrete or asphalt, at least ten (10) feet wide. (See also, Section 10-36-2)

Findings: The proposed walkways throughout the site are designed with a durable concrete surface and meet the minimum required width of five (5) feet, as illustrated on [Sheet C6](#). Additional details regarding walkway design and layout are provided on [Sheets C1 through C6](#). No multi-use paths are proposed as part of this development.

Conclusion: The proposed pedestrian walkways comply with FCC 10-35-3-3(C) by providing a concrete surface with a minimum width of five (5) feet. Since no multi-use paths are

included in the proposal, the requirement for a ten (10) foot width does not apply. This standard is met.

D. Accessible routes. Walkways and multi-use paths shall conform to applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

Findings: The proposed walkways and pedestrian routes conform to Americans with Disabilities Act (ADA) requirements as required by FCC 10-35-3-3(D). [Sheets C13 through C15](#) provide details demonstrating compliance, including ADA-accessible ramps where walkways intersect driveways or streets. Additionally, walkways are designed to provide direct routes to primary building entrances, ensuring accessibility for all users.

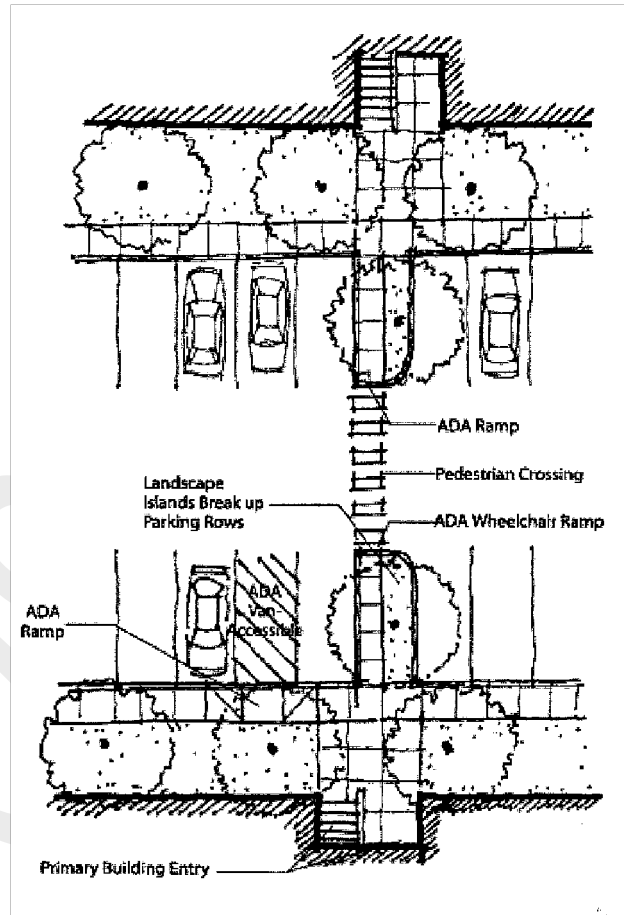
Conclusion: The proposed walkways meet the ADA accessibility requirements outlined in FCC 10-35-3-3(D) by providing ADA-compliant ramps and direct pedestrian access to primary building entrances. This standard is met.

10-35-3-4: Conditions of Approval: The roadway authority may require pedestrian or bicycle improvements as a condition of granting land use or development approval to ensure the improvement properly connects to the City's planned bicycle and pedestrian network.

Findings: The proposed development includes pedestrian connections to Quince Street and internal walkways linking parking areas, building entrances, and adjacent recreational facilities. As shown on [Sheet LU-1](#), these pathways provide safe and direct pedestrian circulation throughout the site. Additionally, the Siuslaw Estuary Trail is a planned pedestrian and bicycle facility that runs adjacent to the site. The applicant has included connections from the hotel site to the Estuary Trail to support multimodal access.

Conclusion: The proposal meets the pedestrian and bicycle connectivity requirements as it provides internal site circulation and connects to the planned Siuslaw Estuary Trail in accordance with FCC 10-35-3-4. Criterion Met.

10-35-4: Transit Facilities: Proposed uses other than single-family residences and duplexes must provide for transit riders by providing developmental improvements to accommodate current or planned transit stops pursuant to the following:



A. If the proposed uses are located on a site within ¼ mile of an existing or planned transit stop, the proposed pedestrian circulation system must demonstrate a safe and direct pedestrian route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop.

Findings: The proposed development is located within ¼ mile of two existing Rhody Express transit stops on 8th Street—Stop #2 near Dollar Tree/Kozy Kitchen and Stop #6 northwest of Safeway. In accordance with FCC 10-35-4(A), the applicant must demonstrate a safe and direct pedestrian route from the building entrance to a transit stop or to a public right-of-way that provides access to the stop.

As shown on [Sheet LU-1](#), the proposed development includes a pedestrian connection to Quince Street, which leads to the Florence Events Center. From this location, continuous raised sidewalks provide access along Quince Street to 8th Street, where pedestrian facilities are available on the north side of the road. This configuration ensures a reasonably safe and direct pedestrian route from the development site to Stop #2 near Dollar Tree, thereby meeting the transit access standard.

Conclusion: The proposed pedestrian circulation system provides a safe and direct route to an existing public right-of-way that connects to a Rhody Express transit stop, meeting the requirements of FCC 10-35-4(A).

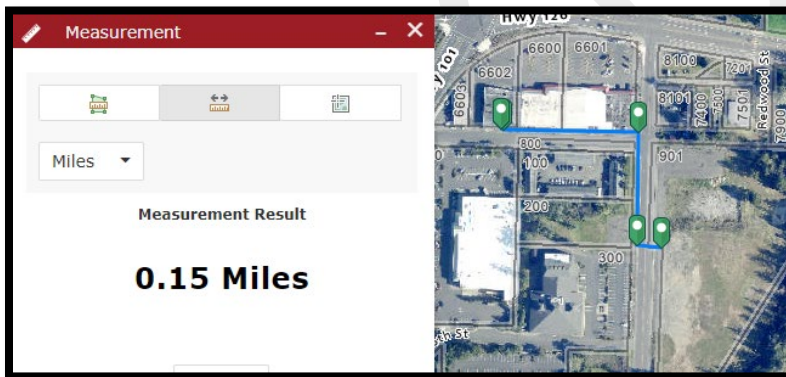


Image 1. Stop #6 on the Rhody Express near Safeway

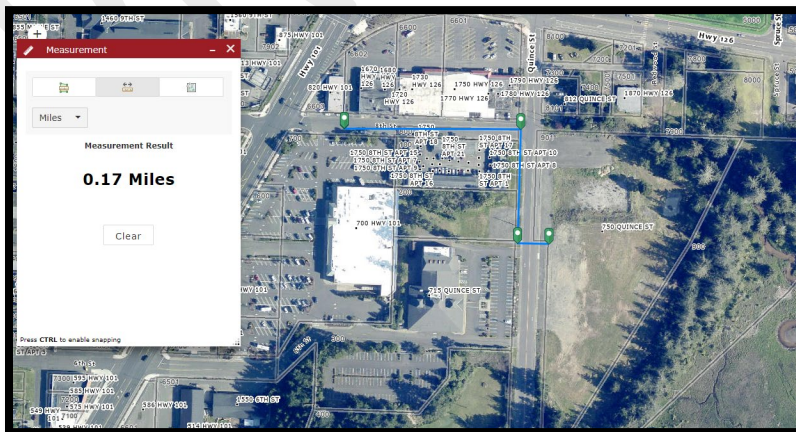


Image 2. Stop 2 on the Rhody Express behind Dollar Tree on 8th St.

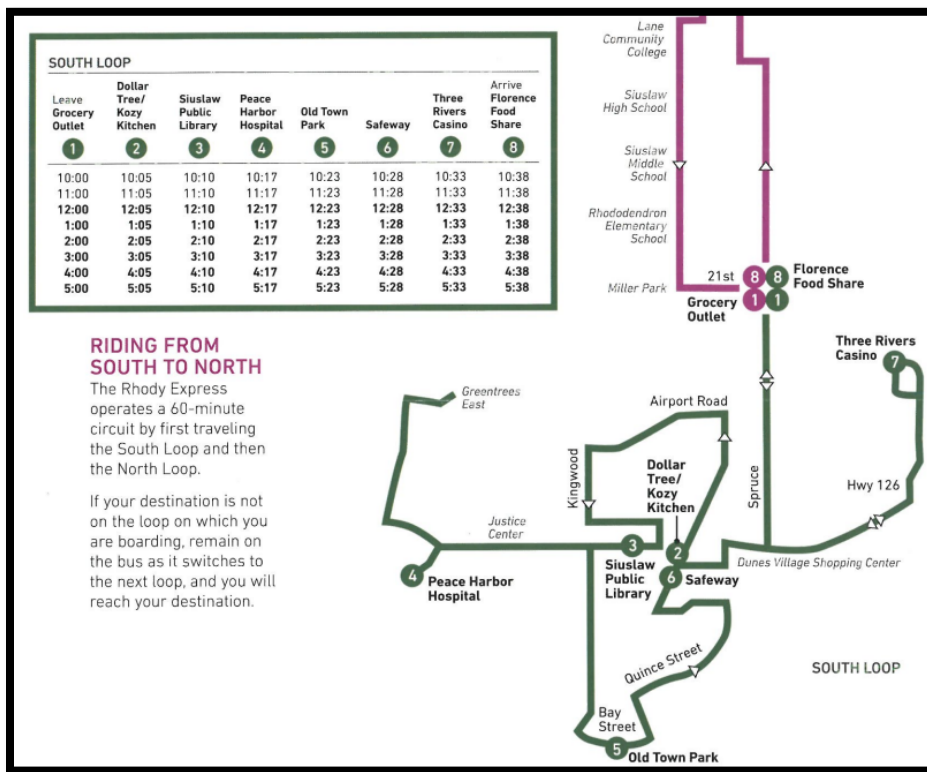


Image 2. South loop of the Rhody Express providing public transportation to residents of Florence.

Note that Stops #2 and #6 are within a ¼ mile of the proposed site.

Conclusion: The proposed pedestrian circulation system provides a safe and direct route to an existing public right-of-way that connects to a Rhody Express transit stop, meeting the requirements of FCC 10-35-4(A).

B. Proposed development must accommodate on site any existing or planned transit facility, if identified in the Community Transit Plan, through one or more of the following:

1. Provide a transit passenger landing pad accessible to disabled persons.
2. Provide an easement or dedication of land to accommodate passenger seating or shelter if requested by the transit provider.
3. Provide lighting at the transit facility meeting the requirements of Title 10-37.

Findings: The Community Transit Plan does not identify any existing or planned transit facility on the subject site. The nearest existing facility is located near Safeway and is addressed in FCC 10-35-4(A). Because the plan does not require an on-site transit facility, the criteria outlined in FCC 10-35-4(B)—including provisions for a passenger landing pad, easement for seating/shelter, or transit facility lighting—do not apply to this development.

Conclusion: As the Community Transit Plan does not designate a transit facility on-site, the requirements of FCC 10-35-4(B) are not applicable to this proposal.

TITLE 10: CHAPTER 36: PUBLIC FACILITIES

10-36-2: STREET STANDARDS:

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10-36-2-1: Development Standards: The following standards shall be met for all new uses and developments:

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B. Streets within or abutting a development shall be improved in accordance with the Transportation System Plan (TSP), provisions of this Chapter and other applicable sections of this Code.

10-36-2-4: Creation of Access Easements: The City may approve or require an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 35, Access and Circulation. Access easements shall be created and maintained in accordance with the Oregon Fire Code and the City of Florence Standards and Specifications.

Findings: The proposed development includes driveways that do not meet the required separation distance, as previously addressed under FCC 10-35-2-6 and 10-35-2-7. To comply with access and circulation standards, an access easement is required to facilitate shared access between Tax Lot 902 and Tax Lot 903. This easement will ensure compliance with Chapter 35, Access and Circulation, and must be created and maintained in accordance with the Oregon Fire Code and the City of Florence Standards and Specifications.

Conclusion: To meet the requirements of FCC 10-36-2-4, an access easement shall be recorded between Tax Lot 902 and Tax Lot 903 to ensure compliance with driveway separation standards and proper access circulation. The condition of approval was applied ([COA#17](#)).

10-36-2-5: Rights-of-Way and Street Sections: Street rights-of-way and improvements shall be consistent with the Transportation System Plan and standards specified in Title 8 Chapter 2.

Findings: The applicant will be participating in the planned Quince Street road improvements. The proposed financial contributions include 8-foot-wide sidewalks, a 7-foot on-street parking lane, a 2-foot buffer, a 6-foot bike lane, and an 11-foot travel lane. The City and the applicant have determined the proportional cost share for these improvements. The Public Works Director has confirmed that an agreement has been signed and executed between the City, the applicant/developer, and the Florence Urban Renewal Agency (FURA).

Conclusion: The applicant's participation in the planned Quince Street road improvements is consistent with City requirements and has been formally agreed upon by all relevant parties.

10-36-2-16: Sidewalks, Planter Strips, Bicycle Lanes: Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with applicable provisions of the Florence Transportation System Plan, Comprehensive Plan, adopted street plans, City of Florence Standards and Specifications and the following standards:

A. Sidewalks may be placed adjacent to the street or at the property line with planter strips where practicable, or as otherwise directed by the Public Works Director.

B. In areas with high pedestrian volumes, the City may approve a minimum 12-foot wide sidewalk area, curb tight, with street trees in tree wells and / or landscape planters.

C. Bicycle lanes shall be constructed on all newly constructed arterial and collector streets as well as all arterial and collector streets that are widened to provide additional vehicular capacity, as indicated in the TSP, unless otherwise designated.

D. Sidewalks shall be provided on both sides of the street for all arterial and collector streets. Sidewalks shall be provided on at least one side of the street for local streets. Exceptions may be granted if the City determines that hillsides, drainage facilities, ditches, waters of the state, or natural landscapes are to be preserved, then sidewalks on one side or a multi-use path may be approved. Sidewalks are not required on T-courts (hammer-head).

E. Where practical, sidewalks shall be allowed to meander around existing trees if in conformance with the requirements of the Americans with Disabilities Act.

F. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

Findings: The applicant proposes 8-foot-wide sidewalks along the frontage of Quince Street, as shown on [Sheet LU-1](#). Additionally, 6-foot bike lanes will be constructed as part of the public improvements that the applicant will participate in for Quince Street. These improvements are in accordance with the Florence Transportation System Plan, Comprehensive Plan, and City Standards.

Conclusion: The proposed sidewalk and bicycle lane improvements comply with FCC 10-36-2-16. As a condition of approval ([COA#22](#)), the applicant shall ensure continued maintenance of the sidewalks and planter strips in the right-of-way, in accordance with FCC 10-36-2-16(F).

10-36-2-17: Existing Rights-of-Way: Whenever existing rights-of-way adjacent to or within a proposed development are developed less than standard width, additional rights-of-way shall be provided at the time of subdivision or site development, in conformance with FCC 10-36-2-5.

Findings: No new streets are proposed as part of this design review request. However, a 30-foot strip on the east side of Quince Street, which was formerly dedicated by the City to the Siuslaw School District, along with a 15-foot strip, is being re-dedicated to the Quince Street public right-of-way. These right-of-way dedications were addressed during the tentative partition plat approval process that preceded this design review request.

Conclusion: The proposed development does not require the dedication of additional right-of-way beyond what was previously addressed through the approved partition process. The re-dedication of the right-of-way ensures that Quince Street meets applicable standards and accommodates necessary improvements. Criterion met.

10-36-2-18: Curbs, Curb Cuts, Ramps, and Driveway Approaches: Concrete curbs, curb cuts, curb ramps, bicycle ramps and driveway approaches shall be constructed in accordance with Chapter 35, Access and Circulation, City of Florence Standards and Specifications and the following standards:

- A. Curb exposure shall be per City Standards and Specifications.
- B. There shall be no curbs on alleys unless otherwise approved by the Public Works Director.
- C. Curb extensions (bulb-outs) at local residential street intersections are optional. If provided, the minimum width between the curb extensions shall be 24-feet, unless otherwise approved by the Public Works Director. Curb extensions shall not be used on streets with bike lanes.

Findings: The proposed development includes curbs and curb cuts designed in accordance with FCC 10-36-2-18 and the City of Florence Standards and Specifications. As shown on [Sheets C2 and C5](#), the proposed curbs meet the required curb exposure standards and align with the necessary driveway approach specifications. No alleys are present within the development, and no curb extensions (bulb-outs) are proposed.

Conclusion: The proposed curbs, curb cuts, and driveway approaches conform to the applicable requirements of FCC 10-36-2-18. The design ensures proper vehicular and pedestrian circulation while maintaining compliance with City standards. Criterion met.

10-36-2-21: Street Signs: The cost of signs required for new development, including stop signs and any other roadway signs, shall be the responsibility of the developer and shall be installed as part of the street system developed and approved through the land use process. Signs shall be installed by developers per City of Florence Standards and Specifications.

Findings: The proposed development includes street signage in accordance with FCC 10-36-2-21. As shown on [Sheets C14-18](#), the applicant has provided preliminary street signage details applicable to the development. The applicant/developer shall be responsible for the cost and installation of all required stop signs and roadway signage as part of the approved street system. All signage will be installed in accordance with the City of Florence Standards and Specifications.

Conclusion: As a condition of approval (COA#23), the applicant/developer shall be responsible for the cost and installation of all required stop signs and roadway signage as part of the approved street system. All signage shall be installed in accordance with the City of Florence Standards and Specifications prior to the issuance of a certificate of occupancy.

10-36-2-22: Mail Boxes: Plans for mail boxes shall be approved by the United States Postal Service.

Findings: The proposed development must comply with FCC 10-36-2-22, which requires that plans for mailboxes be approved by the United States Postal Service (USPS). Prior to the issuance of certificates of occupancy, the applicant must provide evidence of USPS approval for the proposed mailbox location and design.

Conclusion: As a condition of approval (COA#24), the applicant shall submit evidence to the Florence Planning Director demonstrating that the United States Postal Service has reviewed and approved the plan for a mailbox to serve the hotel. This evidence shall be provided prior to the issuance of a certificate of occupancy.

10-36-2-23: Street Light Standards: Street lights shall be provided in all developments within the City and shall be provided in accordance with Resolution 16, Series 1999. The Planning Commission during site design review may add street lights at other locations and authorize specific exceptions to the above priorities when necessary in order to enhance the public safety and welfare; actual locations may be varied slightly depending on placement of Central Lincoln PUD poles. Streetlights shall be installed in accordance with City of Florence Standards and Specifications. Where a private street intersects a public street, a street light shall be installed.

Findings: The proposed development must comply with FCC 10-36-2-23, which requires street lighting to be installed in all developments within the City in accordance with Resolution 16, Series 1999 and the City of Florence Standards and Specifications. The Planning Commission may require additional street lights if necessary to enhance public safety and welfare. As shown on [Sheet EL01](#) Photometric Plan, the applicant is proposing light fixtures throughout the site, including at the intersection of the private driveway and the public right-of-way. Additionally, light fixtures within the public right-of-way are proposed to be Central Lincoln Public Utility District's ornamental streetlights.

Conclusion: As a condition of approval (COA#25), the applicant shall install street lighting in accordance with Resolution 16, Series 1999 and the City of Florence Standards and Specifications. All proposed lighting within the public right-of-way shall be Central Lincoln Public Utility District's ornamental streetlights. The applicant shall submit an application for public infrastructure improvement plans for Quince Street to ensure compliance with these standards.

10-36-3: SANITARY SEWERS, WATER, STORMWATER, AND FIRE PROTECTION:

- A. Sewers, Water, and Stormwater Mains Required: Sanitary sewers, water mains, and stormwater drainage shall be installed to serve each new development and to connect developments to existing mains in accordance

with the City's Wastewater Master Plan, Water System Master Plan, and Stormwater Master Plan, Florence Code Title 9 Chapters 2, 3 and 5, and the applicable construction specifications. When streets are required to be stubbed to the edge of the subdivision; stormwater, sewer and water system improvements shall also be stubbed to the edge of the subdivision for future development.

Findings: The proposed development must comply with FCC 10-36-3, which requires the installation of sanitary sewers, water mains, and stormwater drainage to serve new developments and connect them to existing mains. The proposal will utilize existing water and sanitary sewer lines within the Quince Street right-of-way, extending two new water lines to the south end of the proposed hotel and extending the sanitary sewer line parallel to the front main entrance. Storm drain lines with catch basins will be constructed on-site, primarily beneath the proposed parking areas, and a stormwater drainage facility will be located at the northern end of the hotel. The stormwater facility will be integrated into the surrounding landscaped features as shown in [Sheet L1.0](#), and [Sheet C-3](#) (Utility Plan).

Conclusion: As a condition of approval ([COA#26](#)), all construction plans related to sewer, water, and stormwater shall be reviewed and approved by the Public Works Director or their designee prior to permit issuance.

B. Sewer, Water, and Stormwater Plan Approval: Development permits for stormwater drainage, sewer and water improvements shall not be issued until the Public Works Director or their designee has approved all stormwater, sanitary sewer and water plans in conformance with City standards, and Florence Code Title 9 Chapters 2, 3 and 5.

Findings: The proposed development must comply with FCC 10-36-3(B), which requires sewer, water, and stormwater plan approval by the Public Works Director or their designee before development permits are issued. The Public Works Director has reviewed the proposal and provided the following comments:

- Water: The development will add one additional fire hydrant along Quince Street and install a fire sprinkler system. The Public Works Director confirmed that the existing water system has sufficient capacity to meet the needs of the proposal.
- Wastewater: The development will connect to the existing 8-inch wastewater main within Quince Street, which has been deemed adequate to serve the project.
- Stormwater: The Public Works Department has reviewed the Civil West stormwater management plan (June 2022) and Geotechnical report (February 1, 2022). The stormwater design relies entirely on infiltration on-site, as supported by the geotechnical analysis and site investigation reports. While no emergency overflow connection to Quince Street is proposed, the soils and infiltration rates are sufficient to support infiltration, and the parking lot design provides adequate surcharge overflow capacity if necessary.

Conclusion: As a condition of approval ([COA#26](#)), the applicant must obtain final approval from the Public Works Department for sewer, water, and stormwater development plans prior to the issuance of any development permits.

C. Existing Watercourse: Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety and consistency with the Stormwater Manual.

Findings: FCC 10-36-3(C) requires that when a proposed development is traversed by a watercourse, drainage way, channel, or stream, a stormwater easement or drainage right-of-way must be provided to ensure adequate conveyance and maintenance in accordance with the Stormwater Manual.

Conclusion: The subject property is not traversed by a watercourse, drainage way, channel, or stream; therefore, this criterion does not apply.

D. Over-Sizing: The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, and Florence Code Title 9 Chapter 1. The developer may be entitled to credit or reimbursement for over-sizing City master planned improvements.

Findings: FCC 10-36-3(D) allows the City to require that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development in accordance with the Water, Sewer, and Storm Drainage Master Plans and Florence Code Title 9, Chapter 1. Developers may be entitled to credit or reimbursement for over-sizing City master-planned improvements.

Conclusion: As conditioned above, the applicant must secure final approval from the Public Works Department for all sewer, water, and stormwater development plans, including any required over-sizing of infrastructure to accommodate future development. (COA#26)

E. Fire Protection: All new development shall conform to the applicable provisions of the Oregon Fire Code. Developers shall provide verification of existing and proposed water service mains and hydrant flow supporting the development site. Fire flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the Building Official or Fire Marshal.

Findings: FCC 10-36-3(E) requires that all new development conform to the Oregon Fire Code and that developers provide verification of existing and proposed water service mains and hydrant flow supporting the development site. Fire flow analyses and plans for hydrants and water service mains must be reviewed and approved by the Building Official or Fire Marshal.

The applicant is proposing a fully sprinkled building with a combined fire service vault and domestic double check device located just south of the southerly entrance into the site. Fire hydrants are planned near both entrances from Quince Street, and a remote FDC connection will be located near the domestic double check device, as demonstrated in [Sheet LU-1](#) and [Sheets C10 and C12](#). The criterion is addressed.

However, the Siuslaw Valley Fire and Rescue (SVFR) Fire Chief has issued comments identifying outstanding fire and life safety issues, including:

1. The FDC location is poorly accessible, requiring advancing hoses over landscaping or through parked vehicles. The placement may also obstruct the entrance.
2. Details of the standpipe system are requested for review by SVFR.
3. Turn radius distances have not been confirmed to ensure safe fire apparatus access.

Conclusion: Prior to the issuance of building permits, the applicant shall address the comments from the Siuslaw Valley Fire and Rescue (SVFR) Fire Chief, including relocating the FDC for better accessibility, providing standpipe system details, and ensuring that turn radius distances meet fire apparatus access requirements.

F. Inadequate Facilities: Development permits may be restricted by the City where a deficiency exists in the existing water, sewer or stormwater system that cannot be rectified by the development and that if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

Findings: The applicant's proposal includes water, wastewater, and stormwater systems that conform to the City's Wastewater Master Plan, Water System Master Plan, and Stormwater Master Plan. The water and sewer capacity in the project area is sufficient for the proposed use. The civil engineering drawings demonstrate that the project can feasibly meet water, sewer, and stormwater requirements.

Conclusion: The proposed development does not create an infrastructure deficiency that would threaten public health, safety, or compliance with state or federal standards. Criterion met.

10-36-4: EROSION CONTROL: In addition to standard City requirements for stormwater, erosion control and sand management, projects that disturb one (1) or more acres of land over a period of time, a National Pollution Discharge Elimination System (NPDES) Permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit based on appropriate criteria.

Findings: The subject property is 3.21 acres in size. Nearly the entire site will be disturbed as part of the proposed development. Per FCC 10-36-4, developments that disturb one acre or more are required to obtain a National Pollution Discharge Elimination System (NPDES) Permit from the Oregon Department of Environmental Quality (DEQ). Given the size of the site and the scope of development, an NPDES permit is required.

Conclusion: As a condition of approval (COA#27), the applicant shall submit evidence of an approved NPDES permit to the City of Florence Building Department prior to any development occurring on the subject property.

10-36-5: UTILITIES:

A. Underground Utilities:

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1. Generally. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.

Findings: Per FCC 10-36-5-A.1, all new utility lines, including but not limited to electric, communication, lighting, and cable television services, shall be placed underground, except for temporary utility service facilities during construction and high-capacity electric lines operating at 50,000 volts or above. The applicant has confirmed that all new utility lines will be located underground in compliance with this standard.

Conclusion: Criterion met. All new utility lines will be placed underground as required by FCC 10-36-5-A.1.

10-36-7: CONSTRUCTION PLAN APPROVAL AND ASSURANCES:

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- A. Plan Approval and Permit: No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City Public Works Director, permit fee paid, and permit issued.
 - B. Performance Guarantee: The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.

Findings: The applicant has been conditioned earlier to obtain approval from Public Works regarding installing public improvements.

Conclusion: As a condition of approval, the applicant shall obtain final approval from the City Public Works Director for all public improvement installations prior to construction. If required, the applicant shall provide a performance guarantee to ensure the completion of required public improvements.

10-36-8: INSTALLATION:

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- A. Conformance Required: Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
 - B. Adopted Installation Standards: The Standard Specifications for Public Works Construction, Oregon Chapter APWA, are hereby incorporated by reference; other standards may also be required upon recommendation of the Public Works Director.
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C. Commencement: Work shall not begin until the City has been notified in advance in writing.

D. Resumption: If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.

E. City Inspection: Improvements shall be constructed under the inspection and to the satisfaction of the City Public Works Department. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to City review. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements; it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

F. Engineer's Certification and As-Built Plans: A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two (2) sets of "as-built" plans along with an electronic copy, in conformance with the City Engineer's specifications, for permanent filing with the City.

G. Acceptance of Public Improvements: Public improvements shall only be accepted by the City after the "as-built" plans and actual improvements are approved, and all easements are recorded. Upon acceptance of public improvements, the City will accept ownership and maintenance responsibility.

H. Warranty of Public Facilities: All public improvements shall be warranted against defects in materials and workmanship for a period of one year following acceptance of the improvements by the City. Once accepted, a minimum one (1) year warranty agreement on materials and workmanship shall be initiated between the City of Florence and the developer. A warranty bond or other financial security acceptable to the City in the amount of 12 percent of the original public improvement construction cost shall be maintained throughout the warranty period.

Findings: Per FCC 10-36-8, all public improvements installed by the developer, whether required or optional, must conform to City-approved construction plans, adopted

installation standards, and specifications. The Standard Specifications for Public Works Construction, Oregon Chapter APWA are incorporated by reference, and additional standards may be required by the Public Works Director.

The developer must provide written notification to the City before starting work and must notify the City again if work has been discontinued for more than one month. The City Public Works Department will inspect all improvements, and any necessary modifications to the approved plans will be subject to City review. Before acceptance of public improvements, the developer must provide a registered civil engineer's certification that all improvements, workmanship, and materials conform to standard engineering and construction practices. The developer must also provide as-built plans in the required format.

Upon City acceptance of public improvements, the City assumes ownership and maintenance responsibility. The developer must provide a minimum one-year warranty against defects in materials and workmanship, with a warranty bond or other financial security equal to 12% of the original construction cost, maintained for the warranty period.

Conclusion: As a condition of approval (COA#28), the applicant shall comply with all construction standards, inspections, approvals, and bonding/warranty requirements outlined in FCC 10-36-8. Before acceptance of public improvements, the applicant shall submit as-built plans and an engineer's certification to the City for review. Additionally, the applicant shall provide a warranty bond or other financial security in the amount of 12% of the original construction cost, to be maintained for at least one year following City acceptance of the improvements.

TITLE 10: CHAPTER 37: LIGHTING

10-37-2: APPLICABILITY: Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

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A. Resumption of Use - If a property with non-conforming lighting is abandoned for a period of one year or more, then all exterior lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

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B. Major Additions or Alterations - If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

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1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either

with a single addition or with cumulative additions after the effective date of this Ordinance.

2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.

3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.

C. Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.

Findings: The applicant has submitted a lighting plan ([Sheet EL01](#)) for review. The code applies to all lighting fixtures installed after the effective date of the ordinance, including lights for buildings, parking areas, landscape areas, streets, and maneuvering areas. The applicant's lighting plan must ensure compliance with the City's lighting standards.

The site does not involve resumption of use after abandonment, nor does it include non-conforming lighting that would require amortization compliance. The lighting plan is required to meet current standards and is subject to review under applicable sections of FCC 10-37.

Conclusion: The lighting plan submitted by the applicant ensures compliance with the applicable standards of FCC 10-37-2. As such, the criterion is met.

10-37-3: LIGHTING PLANS REQUIRED: All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

Findings: FCC 10-37-3 requires that all applications for building permits and land use planning review, which include exterior lighting installations, submit details including the number of luminaires, the number of lamps in each luminaire, a photometric report for each luminaire type, and a site plan with a photometric plan of the lumen output. Additionally, the City has the authority to request further information to ensure compliance with this ordinance. The applicant has submitted a photometric plan ([Sheet EL01](#)) and light fixture details for review.

Conclusion: The applicant has provided the required photometric plan and lighting details to ensure compliance with FCC 10-37-3. As such, the criterion is met.

10-37-4: LIGHTING STANDARDS:

A. All exterior lighting fixtures subject to this code section must be designed as a full cutoff fixture or have a shielding method to direct light emissions downward below the horizontal plane onto the site and does not shine illumination or glare skyward or onto adjacent or nearby property.

Findings: The applicant has submitted lighting fixture details in photometric plan on [Sheet EL01](#), which demonstrate that all proposed lighting is shielded and directed downward.

Conclusion: The proposed exterior lighting fixtures comply with the shielding and light direction requirements of FCC 10-37-4(A). The criterion is met.

B. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) foot-candles over parking spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.

Findings: FCC 10-37-4(B) requires parking areas to provide at least 2 foot-candles of illumination at any point in the lot, with a maximum of 5 foot-candles over parking spaces and walkways. The Design Review Board may consider a decrease in the minimum if sufficient documentation is provided demonstrating that the overall parking lot has adequate lighting. The Board may also approve an increase in the maximum on a case-by-case basis, up to 7 foot-candles directly under light fixtures. The applicant's original [Sheet EL01](#) demonstrates an average parking lot illumination of 3.64 foot-candles, with a minimum of 1.7 foot-candles in some areas and a maximum of 7 foot-candles over parking and walkways. However, on February 24, 2025, the applicant proposed revised lighting levels to address concerns about overlighting while ensuring compliance with safety and visibility standards. The proposed lighting levels are:

- Minimum: 0.3 foot-candles
- Average: 1.7 foot-candles
- Maximum: 7 foot-candles



The revised lighting plan does not meet the minimum required 2 foot-candles in all areas, which must be addressed to conform with FCC 10-37-4(B).

Conclusion: As proposed, the revised lighting plan does not meet the minimum two-foot-candle requirement in all areas. Planning Commission can grant lesser lighting requirements, if not approved the applicant will need to adhere to the following condition of approval. As a condition of approval (COA#29), the applicant shall revise the lighting plan to ensure that all areas of the parking lot meet the minimum illumination standard of 2-foot candles, in compliance with FCC 10-37-4(B), prior to building permit issuance.

C. Lighting in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.

Findings: FCC 10-37-4(C) establishes that lighting in or adjacent to residential zones or uses shall not exceed 20 feet in height, while lighting in other zoning districts shall not exceed 25 feet, unless the Design Review Board (Planning Commission) finds that taller fixtures are necessary to achieve proper illumination levels. Additionally, in Old Town District C (OTC), lighting is required to be pedestrian-scaled.

The proposed development is not adjacent to or within a residential zone and is instead located in Old Town District C. In previous Planning Commission findings, "pedestrian-scaled" lighting in OTC has been interpreted as 16 feet in height in parking and maneuvering areas. As shown on [Sheet EL-3](#), on-site lighting fixtures are proposed at a maximum of 16 feet in the parking lot and maneuvering areas, and 3 feet for pedestrian pathways. The proposed lighting is designed to accommodate recreational vehicles (RVs) and fire truck access while maintaining pedestrian-scaled lighting in compliance with FCC 10-37-4(C).

However, given the nature of the site's use and its parking accommodations for larger and taller vehicles such as RVs, the Planning Commission may determine that higher light fixtures are warranted in specific areas for safety and visibility. This is a design decision that the Planning Commission should review.

Conclusion: The proposed lighting complies with the 16-foot pedestrian-scale interpretation for Old Town District C. However, if the Planning Commission does not approve a deviation for lighting above 16 feet, the applicant shall revise and resubmit lighting plans to demonstrate compliance with FCC 10-37-4(C) before final approval.

D. Main exterior lights for commercial, institutional, and industrial buildings, landscaping and parking lots shall be extinguished at end of business hours with a minimum lighting remaining for personal and building security and safety after hours.

Findings: The proposed development is a hotel, which operates 24/7 and does not have traditional business hours. As such, lighting cannot be fully extinguished at any point, as it is necessary for guest

safety, wayfinding, and security. The lighting plan ([Sheet EL-01](#)) has been designed with safety and security elements in mind while ensuring compliance with all other applicable lighting standards.

Conclusion: FCC 10-37-4(D) does not apply to this development, as hotels do not have standard business hours. Essential exterior lighting will remain on for guest safety and security throughout the night. Criterion is not applicable.

E. A thirty-day review period beginning with the first day in business using the new lighting system shall be required to evaluate and adjust illumination levels of lighting. The City may ask for lighting to be adjusted in this time period based on public comments or staff inspections.

Findings: FCC 10-37-4(E) requires a thirty-day review period beginning with the first day in business using the new lighting system. This review period allows the City to evaluate and adjust illumination levels based on public comments or staff inspections.

The applicant is not requesting a variance to the City's lighting standards but seeks acceptance of the proposed photometric plan as designed. The applicant's design team has provided professional assurance that the overall photometric plan meets the intent and spirit of Florence's lighting standards. However, should deficiencies be observed, the City and Planning Commission retain the right to inspect the site and request adjustments without requiring a formal variance process.

Conclusion: The proposed photometric plan is subject to a thirty-day review period upon opening. If public comments or staff inspections indicate deficiencies or over-illumination, the City may require adjustments to bring the lighting into compliance with City standards. Criterion met.

F. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination is restricted to the sign face and glare is eliminated.

Findings: As shown on [Sheet LU-5](#), the proposed building signage is top-lit and directed downward, ensuring compliance with this requirement.

Conclusion: The proposed sign lighting meets the City's illumination standards by directing light downward onto the sign face. Criterion met.

G. Lighting for roadway signs and pedestrian ways must be designed or have an opaque shielding method to direct light emissions downward and below the horizontal plane of the fixture in the permanently installed position.

Findings: As shown on [Sheet EL01](#), the proposed bollard lighting features BTS top and BCF crown, ensuring that light emissions are shielded and directed downward.

Conclusion: The proposed pedestrian and roadway lighting meets the shielding and directional requirements outlined in FCC 10-37-4(G). Criterion met.

TITLE 9: CHAPTER 5: STORMWATER MANAGEMENT

9-5-3: STORMWATER DESIGN CRITERIA:

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9-5-3-1: GENERAL:

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A. The criteria in Section 9-5-3 shall be used in the design of public and private stormwater drainage and management systems. Stormwater management facilities shall be constructed in accordance with the Stormwater Manual: the 2008 Portland Stormwater Management Manual, as superseded by the December 2010 City of Florence Stormwater Design Manual; and the 2008 City of Portland Erosion and Sediment Control Manual.

Findings: The applicant has submitted a stormwater drainage plan prepared by Mr. Sean Lloyd of Civil West Engineering to address stormwater runoff and ensure compliance with FCC 9-5-3 and the City of Florence Stormwater Design Manual (2010). The stormwater management system is designed to eliminate the need for additional outfalls by utilizing on-site infiltration.

Key components of the proposed stormwater management plan include:

- **Underground Storm Drainage Basin System:** The system will collect and convey stormwater to a stormwater treatment pond for infiltration.
- **Double-Chambered Catch Basins:** These basins will be installed to remove hydrocarbons and other pollutants, ensuring adequate water quality treatment before infiltration.
- **Stormwater Storage and Infiltration Ponds:** The stormwater treatment ponds will retain and infiltrate stormwater using the site's well-drained native soils. The applicant contends that this design maximizes infiltration to the greatest extent possible.
- **100-Year Storm Event Modeling:** Engineering analysis shows that the stormwater system will not overflow even in a 100-year storm event, ensuring the site can manage extreme weather conditions.
- **Native Wetland Planting for Additional Treatment:** The treatment ponds will be planted with a native wetland mix to provide further filtration and natural water quality improvement.

The applicant has also submitted a blank sample Stormwater Management Facility Operation and Maintenance Agreement form, which outlines the owner's responsibilities for stormwater facility maintenance and the City of Florence's role in overseeing compliance. However, the form has not been filled out or signed.

Conclusion: As conditions of approval, the applicant shall:

- Submit final stormwater engineering plans for review and approval by the Public Works Department prior to permit issuance. (COA#26)
- Complete and execute the Stormwater Management Facility Operation and Maintenance Agreement, ensuring it includes specific maintenance details for the stormwater facilities and catchment basins. This agreement shall be fully signed and finalized prior to final building inspections. (COA#30)

9-5-3-2: STORMWATER QUANTITY (FLOW CONTROL):

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A 25-year, return period storm shall be used for the design of all private and public stormwater drainage systems.

Onsite stormwater management facilities shall be required to prevent the post development runoff rates from a project site from exceeding the predevelopment runoff rates from the site, based on a 2 through 25-year storm. Exemptions to this requirement may be approved by the City Manager or his/her designee if it is determined that a more effective solution is available and that downstream capacity will accommodate the increase in flow.

Findings: The applicant's stormwater drainage plan, prepared by Civil West Engineering, has been reviewed by the Public Works Director to ensure compliance with FCC 9-5-3-2. The proposed stormwater management system is designed to fully infiltrate stormwater on-site, preventing post-development runoff rates from exceeding predevelopment runoff rates, as required by code. The stormwater system includes a vegetated stormwater facility that provides detention and treatment, utilizing infiltration to the maximum extent possible. The design has accounted for 2-, 10-, 25-, and 100-year storm events, ensuring that the system will function properly under various conditions. The Public Works Director has confirmed that the design fully relies on infiltration, mitigating any potential impacts on downstream stormwater infrastructure. Given these considerations, the stormwater drainage system meets the City's stormwater quantity control requirements, ensuring that the site does not contribute excess runoff to downstream systems.

Conclusion: The proposed stormwater management system has been designed to ensure that post-development runoff rates do not exceed predevelopment runoff rates, in compliance with FCC 9-5-3-2. The system accounts for all required storm events and is designed to function without impacting downstream infrastructure. This criterion is met.

C. Each new development project is responsible for mitigating its impacts on the stormwater system. This mitigation requirement can be satisfied through the use of any of the following techniques, subject to the other limitations identified by this Code:

1. Construction of onsite facilities to limit the flow rate of stormwater runoff leaving the development site, in accordance with the Stormwater Manual.
2. Enlargement or improvement of the down gradient conveyance system in accordance with the requirements of this Code and the City of Florence Stormwater Management Plan.

Findings: The applicant has proposed to mitigate the project's stormwater impacts through the construction of on-site stormwater management facilities in accordance with the Stormwater Manual. The proposed system is designed to fully infiltrate stormwater on-site, eliminating the need for additional outfalls or reliance on downstream conveyance systems. The applicant has confirmed that no stormwater will be conveyed over the eastern slope into the Estuary, thereby preventing any direct impact on sensitive natural resources. By utilizing infiltration and vegetated treatment ponds, the applicant has demonstrated compliance with the stormwater mitigation requirements outlined in FCC 9-5-3-2(C).

Conclusion: The applicant has satisfied the stormwater mitigation requirements by constructing on-site facilities that manage runoff in compliance with the Stormwater

Manual and the City of Florence Stormwater Management Plan. No stormwater will be discharged into the Estuary, further ensuring environmental protection. This criterion is met.

D. The development of any land requiring a Drainage Plan shall address onsite and off-site drainage concerns, both up gradient and down gradient (a minimum of 1/4-mile) of the project, including:

1. Modifications to the existing onsite stormwater drainage and management facilities and drainage patterns shall not restrict or redirect flows creating backwater or direct discharge onto off-site property to levels greater than the existing condition unless approved by the affected off-site property owners and the City. Proof of off-site property owners approval shall be provided by having the affected property owner(s) sign an easement identifying the location of the backwater storage or impoundment area. This area shall be clearly shown on the submitted Drainage Plan site sheet(s). The easement shall be in a form approved by the City and recorded with the Lane County Deeds and Records Office.
2. Stormwater facilities shall be designed and constructed to accommodate all flows generated from the project property in accordance with the land use zoning as shown in the most recent approved City Code.
3. Capacity of the downstream drainage system to determine if increases in peak flow rates resulting from the proposed development can be accommodated.

Findings: The applicant's stormwater report confirms that the proposed stormwater management system relies entirely on on-site infiltration and a detention pond to handle stormwater runoff. The system is designed to prevent modifications to existing drainage patterns that would restrict or redirect flows, ensuring that backwater or direct discharge does not impact off-site properties beyond existing conditions. The concern raised during initial planning stages regarding the potential for an outfall on the eastern slope to cause erosion or concentrated flow issues has been addressed by significantly oversizing the detention pond and utilizing the well-drained native soils of the site. The stormwater system is designed to accommodate a 100-year storm event, which exceeds the minimum requirement of a 2 through 25-year storm. If an overflow event were ever to occur, the parking lot and system piping would provide additional temporary storage to prevent adverse impacts to adjacent properties or future trail development along the estuary.

Conclusion: The applicant has demonstrated compliance with FCC 9-5-3-2(D) by designing an on-site stormwater management system that mitigates drainage impacts both on-site and off-site. The system does not redirect or increase flows onto neighboring properties, and it is sized to handle extreme storm events without overflow concerns. This criterion is met.

- E. The types of stormwater management controls presented in the Stormwater Manual are available for owners and developers to use in satisfying the predeveloped and post-development runoff requirement. More than one of these types of controls may be needed to satisfy the runoff requirement. In areas where the runoff requirement in Section 9-5-3-2-F are exempt or partially exempt, the City may require improvements to the down gradient conveyance system.

Findings: The applicant's stormwater management plan follows the guidelines set forth in the Stormwater Manual and utilizes a combination of stormwater controls to satisfy predevelopment and post-development runoff requirements. The design includes an oversized detention pond and infiltration-based stormwater management system, ensuring that stormwater is retained and treated on-site without impacting down-gradient conveyance systems. The proposal does not rely on stormwater outfalls but instead maximizes infiltration, which aligns with best management practices and the intent of the Stormwater Manual. The Public Works Director has reviewed the stormwater drainage plan and determined that the proposed system adequately meets the City's stormwater management requirements.

Conclusion: The applicant has demonstrated compliance with FCC 9-5-3-2(E) by implementing stormwater management controls consistent with the Stormwater Manual. The system effectively mitigates stormwater impacts while satisfying predevelopment and post-development runoff requirements. This criterion is met.

9-5-3-3: STORMWATER QUALITY:

- A. Stormwater management facilities to treat stormwater are required for certain types of projects. These water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan and for other projects as required by this section. Stormwater management facilities required for development shall be designed, installed and maintained in accordance with the Stormwater Manual, which is based on achieving at least 70% removal of the Total Suspended Solids (TSS) from the flow entering the facility for the design storm specified in the Stormwater Manual.
- B. Water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan.
- D. The water quality design storm shall be based on an intensity of 0.25 inches per hour, or 0.83 inches for a 24-hour SCS Type 1A rainfall return event.

Findings: The stormwater management plan for the Wyndham Microtel project at 750 Quince Street in Florence, Oregon, is designed to ensure compliance with FCC 9-5-3-3: Stormwater Quality requirements. The plan, prepared by Civil West Engineering, outlines a stormwater treatment approach that includes an underground storm drainage system that conveys water to a stormwater treatment pond. This system is designed to achieve at least 70% removal of total suspended solids (TSS) from the flow entering the facility, in accordance with the Stormwater Manual.

The stormwater treatment pond is designed to maximize infiltration and vegetative treatment, utilizing well-drained native soils and a wetland vegetation mix to further enhance water quality. Double-chambered catch basins are proposed to preemptively remove hydrocarbons and other pollutants before water enters the treatment pond. The stormwater facility is designed to handle a water quality design storm based on an intensity of 0.25 inches per hour or 0.83 inches for a 24-hour SCS Type 1A rainfall return event. Additionally, a Stormwater Management Facility Operation and Maintenance Agreement has been proposed to ensure the long-term functionality of the system. However, the agreement submitted by the applicant is currently a blank sample form and must be finalized with specific maintenance details and executed by all parties prior to the issuance of building permits.

Conclusion: The proposed stormwater management system has been designed to comply with the applicable stormwater quality standards by incorporating best management practices for treatment and infiltration. However, as a condition of approval (COA#30), the applicant must submit a finalized and executed Stormwater Management Facility Operation and Maintenance Agreement, detailing specific maintenance requirements for the stormwater facilities and catchment basins, prior to the issuance of building permits.

- E. Water quality facilities must be designed to prevent damage to the facility for flows exceeding the water quality design storm and to ensure no re-suspension of pollutants, consistent with the Stormwater Manual.
- G. The types of stormwater management facilities presented in the Stormwater Manual are available for owners and developers to use in satisfying the stormwater quality requirement. More than one of these types of facilities may be required to satisfy this requirement.

Findings: The applicant's stormwater management plan includes a combination of stormwater treatment and detention facilities designed to meet FCC 9-5-3-3: Stormwater Quality requirements. The plan features an underground storm sewer system, an on-site detention pond located north of the hotel, and an infiltration system. These facilities are intended to manage stormwater runoff while preventing damage and re-suspension of pollutants in accordance with the Stormwater Manual.

The applicant's Civil Engineer has calculated peak storm events for 2-, 10-, 25-, and 100-year storms. The stormwater management plan concludes that the designed system, including the detention pond, will effectively handle the runoff generated even under a 100-year storm event. The detention pond has been designed specifically to comply with the Florence Stormwater Design Manual and includes prescribed landscaping improvements to assist in pollutant capture from surface water runoff.

Since the detention pond is a privately owned facility, an easement per FCC 9-5-5-1-A is not required. The applicant's Civil Engineer has confirmed that the proposed stormwater facilities are appropriate for the site and will provide an effective solution for stormwater treatment and conveyance.

Conclusion: The stormwater management plan meets the required standards for stormwater quality and treatment. However, as a condition of approval (COA#30), the

applicant must submit a fully executed Operations and Maintenance (O&M) Plan for review and approval by Public Works prior to the completion of the stormwater facility.

9-5-4: MAINTENANCE RESPONSIBILITY:

- A. Private stormwater facilities must be maintained in accordance with the Operations and Maintenance Plan approved as part of the Drainage Plan. The Operations and Maintenance Agreement will be recorded with the Lane County Deeds and Records Office. The Stormwater Manual contains the Operations and Maintenance Agreement Form to be used. A log of all maintenance activity shall be kept by the owner and made available to the City upon request. The City may, at its option, inspect the facilities for compliance with the requirements. If a property owner fails to maintain their facilities, the City may issue a written notice specifying the required actions. If corrective actions are not completed in a timely manner, the City may pursue legal remedies to enforce the provisions of the Operations and Maintenance Plan. The City will only enter the property to perform the required corrections if the public's health and public property are in imminent danger. In this situation, reasonable attempts will be made to contact the property owner(s), but a written notice may not be required. The property owner(s) will be billed for City incurred expense.
- B. The Maintenance Agreement shall provide that upon notification by the City of any violation, deficiency or failure to comply with the agreement or this Code, corrections shall be completed within ten (10) days after notice thereof. Thereafter the City may pursue legal action to enforce the provisions of the agreement. In an emergency situation, the City may provide for all necessary work to place the facility in proper working conditions. The persons specified as responsible for maintenance in the Maintenance Agreement shall be charged the costs of the work performed by the City or its agents.

Findings: The applicant has provided a draft Operations and Maintenance (O&M) Agreement as part of the submittal. This agreement outlines the responsibilities for maintaining the private stormwater facilities in accordance with the approved Drainage Plan. The O&M Plan must be recorded with the Lane County Deeds and Records Office and will include a log of maintenance activities, which must be made available to the City upon request. The City retains the authority to inspect stormwater facilities for compliance and to issue corrective notices if maintenance deficiencies are identified. If the property owner fails to perform necessary maintenance, the City may take legal action or, in emergency situations, perform corrective actions at the owner's expense.

Additionally, the O&M Agreement must specify that violations must be corrected within ten (10) days of notification. In emergency situations, the City may undertake necessary work to restore proper function and charge the responsible party for incurred expenses.

Conclusion: As a condition of approval (COA#30), the applicant shall finalize and execute the Operations and Maintenance Agreement prior to final building inspections. The agreement shall be recorded with the

Lane County Deeds and Records Office and include specific maintenance details for the stormwater facilities and catchment basins to ensure long-term compliance with FCC 9-5-4.

IV. SUMMARY CONCLUSIONS AND STAFF RECOMMENDATION

This request by the applicant, Matt Braun, to receive Design Review approval for an 86- room hotel and associated development on Tax Lot 00903, of Assessors map 18-12-26-33, situated in the City of Florence's city limits meets or is capable of meeting through conditions of approval, all of the applicable decision criteria for a Design Review in the City of Florence.

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 grants **APPROVAL** of this Design Review PC 24 40 DR 14, with conditions of approval from Section V of this report.

V. CONDITIONS OF APPROVAL: *These conditions are related to the code in the order they were evaluated in the report and shall be reviewed for compliance not on their own but with the applicable code sections and staff findings.*

4. Any food truck use on the subject property shall be reviewed separately and approved by the City's business licensing and land use review process prior to operation.
5. If the Planning Commission does not approve the proposed modification for parapet steps at 60- to 80-foot intervals, the applicant shall submit a revised design that incorporates parapet steps at intervals of 30 to 40 feet in compliance with City standards.
6. If the Planning Commission does not approve the proposed white glass panel fencing around the outdoor patio, the applicant shall submit a revised design that utilizes a permitted fencing material in compliance with City standards.
7. If the Planning Commission does not approve the yellow diamond brand element on the signage, the applicant shall submit a revised signage design that complies with the muted palette standard while maintaining brand identity.
8. If the Planning Commission does not approve the proposed three distinct finishes as an alternative to the single dominant exterior wall material requirement, the applicant shall submit a revised design that consolidates the exterior materials to establish a clearly dominant finish while maintaining the project's historical design strategy and compatibility with the Old Town District's architectural character.
9. If the Planning Commission does not approve the use of rectangular leaders, the applicant shall revise the design to incorporate alternative leader styles that comply with Old Town design standards and submit updated plans for review and approval.
10. If the Planning Commission does not approve the omission of divided lights on individual hotel room windows, the applicant shall revise the design to incorporate divided light windows consistent with Old Town design standards and submit updated plans for review and approval.
11. To ensure continued slope stability, any future removal of critical vegetation will require a Type II Vegetation Clearing Permit to ensure that erosion control measures remain in place and the bank remains protected.
12. The applicant shall record a Covenant of Release outlining applicable hazards, restrictions, and/or conditions for the property, as required by FCC 10-7-7(D).

13. If the Planning Commission determines that the proposed mitigation measures—pedestrian pathways, landscaped berms, and professionally designed landscaping—do not adequately justify parking in front of the building, the applicant shall revise the site plan to relocate parking or provide additional mitigation measures and submit updated plans for review and approval.
14. All signage shall be installed in accordance with the City Code and shall comply with the requirements of FCC 4-7. The final signage design shall be reviewed and approved through a separate sign permit process during the building permit review to ensure compliance with applicable regulations.
15. The Planning Commission shall make a design determination on the proposed 6-foot glass panel fence surrounding the outdoor patio to ensure compliance with FCC 10-17C-4(H)(2). If the proposed design is not approved, the applicant shall revise the fencing material to comply with the City Code and resubmit for review and approval.
16. Prior to building permit issuance, the applicant shall update TIA with the following information contained in Exhibit P:
 - A. Crash Data: Please pull the 2018-2022 from the ODOT website and address the data.
 - B. Access Safety: The north driveway does not meet the driveway separation standards from the FEC driveway. This is being addressed with a condition of approval to shift the driveway north to align with the FEC. This can be accomplished via an easement with the Urban Renewal. Keeping the driveway where proposed would require a variance, and assuming it could meet variance criteria would require an engineer's evaluation of safety concerns and their stamp on driveway design and its close proximity to the FEC's northern driveway. It was excluded from the site plans in the TIA.
 - C. Access South: The traffic counts for the "6th" and Quince St. intersection are referenced but are not in the appendices. Please have the engineer respond to the count origin and distribution. Also, what is the offset, if any, between the FEC southern driveway (6th) and the hotel driveway?
 - D. Vehicle Counts—It's okay to use the original data, but adding two years to the base year to reflect the actual build-out year would be helpful.
 - E. Pedestrian Crossing—Please have the engineer respond to the proximity of the crossing with the southern driveway location.
17. The applicant shall relocate the north driveway to align with the Florence Events Center (FEC) driveway and shall obtain and record a reciprocal access easement with the property to the north (Tax Lot 902) prior to final site development approval. All modifications shall be reviewed and approved by the City prior to permit issuance.
18. The applicant shall submit final driveway approach designs and apron designs for review and approval by the Public Works Director prior to the issuance of site development permits.

19. Prior to building permit issuance, the applicant shall submit a fire access and safety plan for review and approval by Siuslaw Fire and Rescue and the Fire Code Official. The plan shall include the relocation of the Fire Department Connection (FDC) to the same side as the entrance hydrant to ensure safe and efficient fire suppression operations, detailed standpipe system specifications, and a code summary verifying the inclusion of fire alarm and sprinkler systems per the Oregon Fire Code. Designated fire lanes shall be clearly marked as "No Stopping/No Parking" as shown on Sheets C1 through C4, and the fire access design shall demonstrate adequate turning radius clearance for emergency vehicles. Final fire access approval shall be subject to Fire Code Official review and approval prior to building permit issuance.
20. The applicant shall perpetually maintain landscaping so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets.
21. Unless the Planning Commission determines that the applicant has provided sufficient justification for this deviation, the crosswalks shall be clearly marked with contrasting paving materials or incorporated into a raised/hump crossing area to meet the standard in 10-35-3-3(B).
22. The applicant shall ensure continued maintenance of the sidewalks and planter strips in the right-of-way in accordance with FCC 10-36-2-16(F).
23. The applicant shall be responsible for the cost and installation of all required stop signs and roadway signage as part of the approved street system. All signage shall be installed per the City of Florence Standards and Specifications before issuing a certificate of occupancy.
24. The applicant shall submit evidence to the Florence Planning Director demonstrating that the United States Postal Service has reviewed and approved the plan for a mailbox to serve the hotel. This evidence shall be provided prior to the issuance of a certificate of occupancy.
25. The applicant shall install street lighting in accordance with Resolution 16, Series 1999 and the City of Florence Standards and Specifications. All proposed lighting within the public right-of-way shall be Central Lincoln Public Utility District's ornamental streetlights. The applicant shall submit an application for public infrastructure improvement plans for Quince Street to ensure compliance with these standards.
26. All construction plans related to sewer, water, and stormwater shall be reviewed and approved by the Public Works Director or their designee prior to permit issuance.
27. The applicant shall submit evidence of an approved NPDES permit to the City of Florence Building Department prior to any development occurring on the subject property.
28. The applicant shall comply with all construction standards, inspections, approvals, and bonding/warranty requirements outlined in FCC 10-36-8. Before acceptance of public improvements, the applicant shall submit as-built plans and an engineer's certification to the City for review. Additionally, the applicant shall provide a warranty bond or other financial security in

the amount of 12% of the original construction cost, to be maintained for at least one year following City acceptance of the improvements.

29. Unless the Planning Commission determines that the applicant has provided sufficient justification for this deviation, the applicant shall revise the lighting plan to ensure that all areas of the parking lot meet the minimum illumination standard of 2-foot candles, in compliance with FCC 10-37-4(B), prior to building permit issuance.
30. The applicant shall complete and execute the Stormwater Management Facility Operation and Maintenance Agreement, ensuring it includes specific maintenance details for the stormwater facilities and catchment basins. The agreement shall be recorded with the Lane County Deeds and Records Office and include specific maintenance details for the stormwater facilities and catchment basins to ensure long-term compliance with FCC 9-5-4. This agreement shall be fully signed and executed prior to final building inspections.
31. Applicant shall ensure compliance with ORS 455.417, which requires that 20% of parking spaces provide electrical conduit for future Level 2 EV charging. Proof of compliance shall be submitted to the City prior to the Certificate of Occupancy being issued.



Planner Name, Title, Date