

September 13, 1979
7:30 p.m.

SPECIAL MEETING AND PUBLIC HEARING/
JOINT MEETING WITH
WEST LANE PLANNING COMMISSION
BOARD OF COUNTY COMMISSIONERS

Florence
City
Hall

Chairman Vance Freeman presided. Other Commissioners present included Gerald Rust, Harold Rutherford, Otto t'Hooft and Archie Weinstein. Members of the West Lane Planning Commission included Al Wysong, Chairman; Cliff Hughes, Bill Powell and Donna Shelton. Freeman asked for introductions of the WLPC County staff present and others before proceeding with the topic of the evening. Reba Charles was Recording Secretary.

1. CONSIDERATION AND APPROVAL/Combining Urbanizing District and Adoption of a Policy Specifying the Urbanizing Combining District to be Used Only in the Area of Jurisdiction of the West Lane Planning Commission/Coastal Zoning/Resolution to Refer Subdivisions and Partitions to the West Lane Planning Commission for Review and Approval

Al Wysong introduced what had been done on zoning in the Plan and stated that the Plan had been received with overwhelming support of the citizens of Western Lane County. He said the Commission had used whatever means were available to protect the environment and had abided by the rule that preexisting uses should not be considered as precedents for zoning in the same vicinity. He explained the (RA/U) and the (7/U) classifications and stated that there was no minimum lot size after satisfying other conditions. The only way that is practical, he said, would be to judge each specific site on its merits. He stressed the recommendation that the (RA/U) be adopted and said that the WLPC has shown a willingness to take this responsibility. He said that if intent to rezone is found to be improper for this classification, something like site review might be substituted.

Phil Bredesen, County Planning staff, stated that a review of the subareas in several meetings and work sessions had been a very long process, which is well documented in the staff report and the report of the WLPC. He mentioned that there was one exception in the report, that the Urbanizing Combining District would be discussed, and that there was a memo together with correspondence containing requests from individual citizens. Chairman Freeman opened the public hearing. Rutherford asked County Counsel to explain what first and second readings or hearings meant, and Counsel Hendriksen explained that no final decisions could be made at this meeting.

Bill Powell, Herman Cape Road, member of the WLPC, stated that he was concerned about the (RA/U) classification, which he said was an attempt to give a great amount of flexibility to an area that was somewhat marginal and extremely vulnerable and that needed to be scrutinized closely for development. It covered an area which would eventually be within the Florence Urban Service Boundary but meant it needed some protection in order to create orderly growth beyond the City of Florence. Rust inquired about what criteria were used to determine what orderly and efficient growth might be. Powell replied that it allowed County planners to review

any plans before zoning an area and if the land will not support what is proposed, it is brought to the attention of MLPC, the developer and the city. Weinstein said he agreed that each piece of land should be evaluated and the economic base considered.

Rutherford said it might be time to talk about the agreement with the city and its veto power. Legal Counsel Handrikson stated that the County cannot delegate its veto powers to another jurisdiction. Subjects can be referred to other jurisdictions and recommendations received from them but the final say, legally, falls to the County. A Florence citizen spoke up to say that he did not agree with this understanding at the dinner meeting.

Art Koning, Florence, asked why there was a 10,000 sq. ft. requirement for parcels not served by a municipal sewer system and said that he intended to oppose that and get it changed. Mysong said that if there were other water, or if other requirements were met that were listed, the limit would not apply. Koning disagreed on the requirement for a 10,000 sq. ft. size under any circumstances. Rutherford asked for a clarification. Handrikson said she thought the language was not clear; Brecken said that it could be reworded for the second reading. Powell said that the size requirement had already been designated in the Plan.

Al Pearson, Florence Planning Commission, said that the (RAU) classification would not be acceptable from the city's point of view in the Urban Service Area, since it allows a minimum lot size of 6,000 square feet. He said he felt that MLPC had not made a valid attempt to come to an agreement with the city. In unplatted lands, the city allows 6,500 square foot lots but in the future they would require 9,000 square feet net. In the interim they would like to see a lot size net of 9,000 square feet, which could eventually be divided into two lots of 4,500 and meet city standards such as sidewalks. He said the (AU) would not provide for a site investigation. Regarding zoning of mobile home sites, he said the zoning should agree with the mobile home ordinance of the City of Florence. Rutherford said that he understood lots would be approved on a site basis and that there would be site investigation. Pearson said the city did not want any 6,000-foot lots in the Urban Service District. The size of parcels should be such that they could be broken down into pieces that are compatible with the standards of the city when they come into the Urban Service Area. Pearson said they were planning for the year 2000 and could possibly enlarge the sewer system but they did not want to be stuck. Concerning annexation, the 9,000 square foot size for residential was being considered as a minimum. He thought the planning process should have been negotiated between the city and MLPC and differences hammered out before the public hearing. Weinstein said that Florence needed a better ordinance on mobile homes.

Roger McCortle, Mayor of Florence, stated that the Florence ordinance allowed for a mobile home residential zone. Concerning land developed north of the city, he said that an area developed outside the city limits had been closed for sanitary reasons and the City of Florence compelled to annex it. There was need to forestall another such event in order not to overburden the city sewer system. He said that lots of 10,000 to 12,000 feet being approved by the County could not be further subdivided

when taken into the city without violating the city's comprehensive plan. As to mobile home areas outside the city, annexation would come under Mobile Home Residential or Restricted Residential. Rust inquired what was the 20-year projection of population and McCorkle replied that 15,000 to 20,000 was what the sewage plan was based on. Rust inquired about an inventory of all the fragile areas and McCorkle replied that there was a significant amount of land that was not going to be developed and that was why the Urban Service Area was so large. He thought the actual words "site evaluation" should be included in the text, as there could be areas where 19,000 square feet would not be large enough. Rutherford inquired what McCorkle thought was the cause of the difficulties between the city and WLPC, and McCorkle said that there were some differences of opinion that had not been reconciled and that it was essential that the city seek to protect itself under the County ordinance since it takes precedence. Rutherford asked about the Pacific Pine situation and McCorkle said they were seeing a greater density developed there than this ordinance would allow.

Mike Farthing, 975 Oak Street, Eugene, said that he represented an owner of a substantial amount of property within the Urban Service Area. He raised some questions about zoning restrictions, classifications and requirements for sewage system, for example whether a private system would satisfy the requirement. He said the words "in an orderly and efficient manner" were quite subjective and could be used politically. He thought the planning should give more attention to Florence city standards.

Don Tosch, 406 Harlow Road, Eugene, owner of parcel 1900, map 18-12-202-02 stated that parcel 1900 was served by the water district and he requested that it be changed from FF-20 to RR-2. He said the land was not suitable for production of timber and that for many years the County had imposed real estate taxes that would far exceed timber production under FF-20 classification. Regarding sanitation, he said that there were quite adequate controls supervised by the County Sanitation Department. Rutherford asked what kind of ground cover was on the property. Tosch said jack pine and salal. t'Hooft inquired about acreage and Tosch replied that there were just over 53 acres and that it was assessed at \$1,800 per acre.

John Strasheim, Junction City, stated that he had bought property across from two lots that he understood were zoned commercial, presently used for parking by Driftwood Shores, with the intention of putting up a gift shop and convenience store. He said that he hoped it would not be zoned residential. Bredesen said it was designated (RA/MU) at present and would not cover his concern. Freeman asked if C-2 would be appropriate for his purpose and Bredesen said yes.

Betty Weaver (T19S-R12W, Section 10-10, TL 114) said she was appealing a denial of a CT designation because she thought the decision was not consistent with other sites south of her property. She felt that the request had been denied because of the highway and the speed limit, which also applied to the other parcels. Bredesen referred to Item 4 of the main Commission report. The Plan designation was RR. Rutherford stated that the Weavers needed to be prepared to answer some criteria.

Larry Thomson, Attorney, on behalf of Rose Development, Inc., (T18S-R11W, Section 19, TL 2001), stated that his client wanted to put a mobile home park on tax lots near Cushman in an unzoned area requiring a conditional use permit. If it were zoned RR-5, there would be a question whether the client could put 28 units on 28 acres. Bredesen said the surrounding area is designated FM. In the Plan the area is RR.

Jim Britton, on behalf of Thomas Wildish (TL 1200, map 18-12-02-3), protested the designation of FF, saying the soils report showed that the land was good for little other than residential or recreational use. Rust asked if he wanted the whole 14 acres zoned residential and Britton replied yes.

Ralph Chastain, Florence, said he had requested a zoning change some time ago on tax lots 900 and 800 (T18S, R12W, Sec. 35). He has about 10 acres and wants to put a mobile home park on it. Bredesen said that this use could conform to the Plan under certain conditions which he spelled out.

Gary Parks, General Delivery, Florence, (T18S, R12W, Sec. 11, TL 2000 and 2200) said that he agreed with WLPC for a RR designation. He said the proposed zoning is FF-20 with the intent to rezone to RR-1 under certain conditions. He wanted to know if it could be classified to include the words "intent to rezone." Rust said yes, provided the conditions were met and recommended that he make his request to the WLPC.

Robert E. Moulton, Attorney representing Davidson Industries (15-12-22-1, TL 400), said he was concerned about Item 6 on page 14, map 1. This land is planned RR. He felt LCDC would not agree with the Natural Resource designation. He suggested considering an amendment to the ordinance for a review before initiating zoning. He added that he had observed the whole planning process and thought that the WLPC was to be commended.

Dave Clark, representing clients who wish to buy four lots along the river (T18S, R11W, Sec. 16, Tls 1600, 1700, 1200 and 1201), said that one lot is designated CT. He requested all four parcels be designated AGT and requested reconsideration rather than having to go through the conditional use permit process. There was some question about flooding and Hughes, WLPC, said that the use in this area has to be water-related or water dependent.

Bob Chapman, 89009 Condon Creek Road, (T17, R11W, Sec. 33, TL 101) requested a zone change on his family farm, saying there are several fine home sites on the left side of the road where he would like to allow his sons to build. He would also like to build a residence for his mother on his property. He owns 109 acres now designated FF-20. The request is for a change to AGT-5. Rust asked what is in the Plan and Bredesen said either Natural Resource or FF.

Carole Whitehall (18-12-2-3, Tls 4400, 4100, 4200, 4201 and 4300), Dunes Excavation Company, said that she and her husband had a building permit issued to house and maintain heavy equipment when they got zoned RR.

Hans Radtke, Ridgefield, Washington, (15-11, TL 1000) stated he and his brother have a tree farm of 120 acres on Tennile Creek. It was purchased

as a timber farm but had a house on it that they would like to sell along with two acres. t'Hooft asked if the house site was distinctive from the rest of the property. Radtke replied that it included a garden area, a creek on two sides and a road on another. Rutherford asked if he was just trying to get out from taking care of a rental and Radtke replied yes. Weinstein read into the record a letter from Hans Radtke.

Mike Farthing, Eugene, on behalf of Allen and Richard Kuebler, (18-12-24, TLs 1590 and 1601) in the Urban Service Area, requested CT zoning. Bredesen said that it was not CT because of the intersection, but that there is potential Plan conformity. A site review would cover many of the other requirements. Size of the parcel is about 10 acres and the plan for it included a recreation vehicle stop with laundromat, etc.

Mary J. Gerber, representing applicant Angie Camp et al, (16-11-21, TL 300) made a request concerning a 104-acre parcel up Big Creek. Bredesen also introduced a letter from Dwight Donald Gerber, Attorney, on behalf of Peter Bray and Angie Camp, concerning the same parcel on which partitions had been requested.

Jim William, Junction City, spoke on behalf of Glen Thompson (19-12-22-3, TL 101) for a conditional use permit for a mobile home park of approximately 40 units adjacent to Dunes City.

Shirley Merze, Mayor of Dunes City, stated that any change in zoning should be presented to the city to give the city a chance to present an opinion.

Rust stated he thought that all the jurisdictions should be considered of each other when there are problems related to the others. Weinstein said that he wished to talk at the next session about compensation to property owners for loss of value due to zoning and other regulations.

Regarding a resolution on Item 2, Legal Counsel Hendriksen said that it would need to be examined as to whether an ordinance was required.

Rust moved to adjourn the public hearing to October 11, 1979, at 9:00 a.m., in Harris Hall; t'Hooft seconded; all voted aye and the motion carried.

Reba Charles

Recording Secretary to the Board