

MAR 7 - 1983

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

County Clerk
For Lane County, Oregon
BY *Patricia Butler*
ORDINANCE NO. 875

-) IN THE MATTER OF AMENDING THE CITY
-) OF FLORENCE COMPREHENSIVE PLAN AS
-) ADOPTED BY ORDINANCE NO. 859 AS A
-) COMPONENT OF THE COMPREHENSIVE PLAN
-) PLAN FOR LANE COUNTY (WPA 83-007)

WHEREAS, the Board of County Commissioners has received from the West Lane Planning Commission a report dated February 9, 1983, of record herein, recommending approval of certain amendments to the "City of Florence Comprehensive Plan" as the same was adopted as a component of the Comprehensive Plan for Lane County by Ordinance No. 859; and

WHEREAS, the Board of County Commissioners has received and considered the proposed amendments to the "Florence Comprehensive Plan", public testimony and correspondence relating thereto; and

WHEREAS, the Board of County Commissioners has performed its public hearing and other duties in accordance with applicable law; now therefore

THE BOARD OF COUNTY COMMISSIONERS ORDAIN AS FOLLOWS:

1. That the proposed amendment to the "Florence Comprehensive Plan" consisting of the written and graphical material contained in Appendix "A" to this Ordinance and attached hereto, is ADOPTED.
2. The Finding of Fact contained in Appendix "B" to this Ordinance and attached hereto, are ADOPTED in support of this action.

This ordinance becomes effective 30 days from the date set forth herein.

ENACTED this 2nd day of March, 1983.

Gerald H. Rust, Jr.
Chairman, Board of Commissioners

Debbie Madal
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
DATE 2/10/83
William W. [Signature]
OF THE OFFICE OF LEGAL COUNSEL

In the Matter of Amending the City of Florence Comprehensive Plan as Adopted by Ordinance No. 859 as a Component of the Comprehensive Plan for Lane County (WPA 83-007)

BILL NO. 59

ORDINANCE NO. 681

AN ORDINANCE REGARDING REVISIONS TO THE CITY OF FLORENCE COMPREHENSIVE PLAN, PART I: GOALS, OBJECTIVES, POLICIES, RECOMMENDATIONS AND THE PLAN DIAGRAMS; AND PART II: TECHNICAL REPORT AND FINDINGS, AND SETTING THE EFFECTIVE DATE OF ENACTMENT.

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

SECTION 1:

TEXT REVISIONS TO THE CITY OF FLORENCE COMPREHENSIVE PLAN,
Part 1: Section 1, Quality of Life, Policy 1:

1. When planning and management activities are likely to impact historic properties identified on the Historic Resources Map of the Florence Comprehensive Plan, the State Historic Preservation Officer shall be consulted concerning action to avoid adverse impacts on the properties. Building permit applications for significant external alteration or demolition of historic structures, together with any recommendation by the State Historic Preservation Officer, shall be reviewed by the Design Review Board. Adverse impacts to those properties resulting from public and private actions will be avoided where possible. The City will continue efforts to identify other historic resources.

Part 1, Section VI11, Florence Urban Service Area:

- 8. The following minimum lot size standards shall apply to residential lands within the limited service plan designation.
 - A. The minimum lot or parcel size shall be ten acres, except as provided in B., below.
 - B. On the basis of findings contained in a site investigation report, less than ten (10) acres may be permitted. The report shall be required as part of partition or subdivision application. The following conditions must be met in addition to any other applicable criteria:
 - 1) The report shall determine the carrying capacity of the site and demonstrate that the proposed development would be in conformance with this plan and the Coastal Resources Management Plan.

- 2) The development will be served by a public water system and a sewerage system which meets the standards of the State Department of Environmental Quality.
- 3) The report shall address any development hazards inventoried in the Comprehensive Plan; the proposal shall be allowed only when the report demonstrates that any hazards and constraints can be mitigated or do not exist on the specific property.

9. Prior to the annexation of lands within the limited service plan designation, the City will adopt a new Zoning District to implement policy number 8, above.

Part 1, The Plan Diagrams.

Limited Service Residential: Residential lands within the Limited Service designation have been included in the urban growth boundary for locational reasons. Sewer services will be extended through this area only if necessary to serve other developing areas in the City. Service connections will be allowed for developments approved in conformance with the policies contained in this plan.

Minimum lot sizes shall be ten (10) acres, except where services are provided by community or public water systems. Prior to approval of land divisions less than ten (10) acres, a site investigation report will be required to determine the carrying capacity of the site and to demonstrate that the proposed development is in conformance with the plan and the Coastal Resources Management Plan.

- 4 All development must be consistent with rules established by the Department of Environmental Quality to protect the North Florence Dunal Aquifer.

Part 1, The Plan Diagram.

Limited Service Designation: This plan has established two limited service areas. These areas are included within the Urban Growth Boundary for locational reasons and because the City of Florence will be the logical provider of services by the end of the planning period. This designation is used as an overlay, in combination with one or more of the primary designations described above.

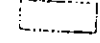
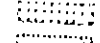
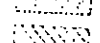
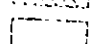

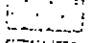
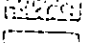
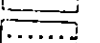
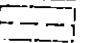


Heceta Beach Road Area: This area will receive city sewer service only in the event that it is necessary to route sewers along Heceta Beach road to serve Heceta Beach.

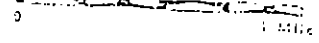
North Jetty Area: Services will be provided by the City to support public and recreational use, the Aquaculture site and other uses which are consistent with this plan and the Coastal Resources Management Plan.

PACIFIC
OCEAN

CITY OF FLORENCE
COMPREHENSIVE PLAN

LAND USE

-  RESIDENTIAL
-  COMMERCIAL
-  HIGHWAY
-  INDUSTRIAL
-  WATERFRONT
-  MARINE
-  PUBLIC
-  OPEN SPACE
-  URBAN GROWTH BOUNDARY
-  CITY LIMITS
-  LIMITED SERVICE AREA



SECTION 111

THE FOLLOWING ARE TEXT REVISIONS TO THE CITY OF FLORENCE COMPREHENSIVE PLAN, PART 11; TECHNICAL REPORT AND FINDINGS:

Technical Report, Section Vlll, Florence Urban Service Area.

Limited Service Designations. Two areas designated "Limited Service" have been included within the Urban Growth Boundary, based upon the findings below.

Heceta Beach Road area:

An area traversed by Heceta Beach Road is designated limited service on the Comprehensive Plan diagram. This area is included within the Urban Growth Boundary on the basis of the seven factors in Statewide Goal 14.

Factors (1) and (2) demonstrated need; housing, employment, livability. This area is not needed according to these criteria, but is justified according to the criteria below.

Factor (3) Orderly and economic provision for public facilities services. This area lies between two north/south corridors of development along Rhododendron Drive and Highway 101. Certain existing and future facilities and services must run through the Limited Service Area to service the adjacent corridors of development. This Limited Service Area would logically be included within the Urban Growth Boundary to allow the City to annex areas where it is providing services, to have land under its administrative control where its facilities are located, and to reduce the potential for intermittent and overlapping jurisdictions.

Water Service. Water service outside of the city limits is provided by Heceta Water District. A water main along Heceta Beach Road serves Heceta Beach and properties developed along the road. This water main cuts across the northern end of the Limited Service Area. Upon annexation of Heceta Beach, the City will have all but a few of the District's customers within the City limits. It is likely, at that point, that the City would acquire the facilities now belonging to the district.

Roads. Heceta Beach Road is the arterial connecting Heceta Beach with downtown Florence via Highway 101. As both ends of the road at Highway 101 and Heceta Beach are planned to be within the City, it is logical for the central portion to also be within the City. An extension of Munsel Lake Road is also planned through the Limited Service Area as an east/west arterial.

Police. When Florence annexes Heceta Beach, and the northern portion of Highway 101 to Heceta Beach Junction, the City will be providing Police protection on three sides of the Limited Service Area. The City would be able to respond to calls within that area with little effort. The City would be the logical provider of Police protection.

Factor (4) Maximum efficiency of land uses within and on the fringe of the existing Urban Area. The designation of the Limited Service Area promotes maximum density on the remainder of the land included within the UGB. Only a limited amount of development can occur. As shown on the soils map on Page 101 of this report, the majority of the Limited Service Area has wetness problems which would make development of septic systems impossible. As a result of the North Florence Dunal Aquifer Study, the Department of Environmental Quality has placed limits on the allowable density in the area.

Factor (5) Environmental, Energy, Economic, and Social Consequences

Environmental. There would be no environmental consequences. Fish and wildlife habitat in the Limited Service Area has been protected through either designation as Open Space or inclusion within a management unit. This land is neither agricultural land nor forest land.

Energy. There will be little, if any, effects on energy as a result of including the Limited Service Area within the UGB. The development pattern will not be altered through this action.

Economic. The economic effects would be minimal. The tax base brought into the City through future annexation of the Limited Service Area would be minimal since there is very little development. On the other hand, the demand for services would be minimal. The City would be an efficient provider of some services since it would be already providing services on adjacent lands. The greatest economic benefit would be the efficiency gained by providing the City and County a logical boundary and providing the City with Municipal jurisdiction over all of the area where it is providing services.

Social. There would be no social consequences as a result of including the Limited Service Area within the UGB, since there would be no additional development generated.

Factors (6) and (7). Retention of Agricultural Land, and compatibility with nearby Agricultural Land. There is no Agricultural Land in the area.

North Jetty Area:

An area adjacent to the North Jetty is designated Limited Service on the Comprehensive Plan Diagram. This area is included within the Urban Growth Boundary on the basis of the following findings:

Factors (1) and (2) Demonstrated need; housing, employment, livability. In Chapter V of this Technical Report, the North Jetty Area is listed as a recreation area of regional significance. In addition, two special needs identified in the Statewide Outdoor Recreation Plan, access to fishing and access to ocean shores, can be provided for in this area. With increased population in Florence and Lane County, this area will have to accommodate more people for outdoor recreation activities. At minimum, public facilities such as restrooms may be required. An Aquaculture site is designated in this area. The present development is small, but could be expanded in the future. At present, the site has a sewage holding tank. If the operation is expanded in the future, sewer service should be provided. The Oregon aqua foods development in Newport, for example, has City water and sewer services.

Factor (3) Orderly and economic provision of public facilities and services. The North Jetty Area should be included within the Urban Growth Boundary for locational reasons. To delete this area from the boundary would create an island of County jurisdiction, not contiguous with other unincorporated lands in Lane County. At present, for example, the County Sheriff is responsible for serving the North Jetty Area as well as all unincorporated lands within the Urban Growth Boundary. When Heceta Beach is annexed to the City, the City will be able to provide a better level of Police services.

Factor (4) Maximum efficiency of land uses within and on the fringe of the existing urban area. Inclusion of this area in the Limited Service District will promote maximum efficiency of land use as planned by providing recreational opportunities within the urban area.

Factor (5) Environmental, Energy, Economic and Social Consequences.

Environmental: The environmental consequences would be minimal. Resources are identified and protected in the Coastal Resources Management Plan. The Open Space designation on the major portion of the area provides a high level of protection.

Energy: The energy consequences would be minimal. The types of development which can occur are severely restricted.

Economic: The provision of a higher level of services to this major recreation area will encourage greater public utilization and will benefit the economy of Florence and the State.

Social: There are no identifiable social consequences.

Factors (6) and (7). Retention of Agricultural Land and compatibility with nearby Agricultural Land. There is no Agricultural Land in the area.

Part 11, Section X.

Analysis of Conflicting Uses for Historic Buildings:

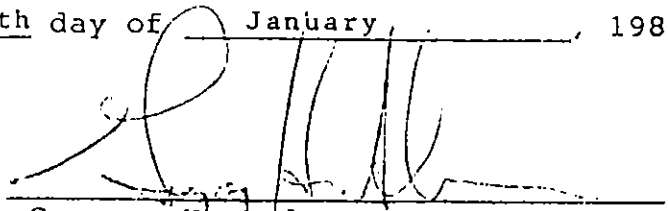
All three historic buildings are located within the Old Town Waterfront District which allows Commercial as well as Residential Uses. All three buildings are privately owned and are in Commercial Use. These are woodframe buildings dating from early in the century

Uses which may conflict with the preservation of these buildings are alterations or their demolition for use as businesses or residences. Regular repair and maintenance as well as remodeling, rehabilitation and possible additions will be ongoing activities over the life of these buildings. The Design Review Board is required to review any building permits relating to Historic Buildings. In addition, Policy Number 1 on Page 5 of the plan requires that the State Historic Preservation Officer be consulted "When planning and management activities are likely to impact properties identified on the Comprehensive Plan Map, Historic Buildings". No other conflicting uses have been identified at this time.

ADOPTED BY THE COUNCIL, this 11th day of January, 1983.

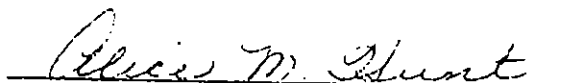
AYES: Jensen, English, Ternyik, Phelps, Anderson
NAYS: 0
ABSENT: 0
ABSTAIN: 0

APPROVED BY THE MAYOR, this 11th day of January, 1983.



Gregory H. Anderson, MAYOR

ATTEST:



Alice M. Hunt, CITY RECORDER

APPENDIX B

FINDINGS OF FACTS

FINDINGS

1. The Statewide Planning Goals mandate that cities and counties recognize the same urban growth boundary and have common policies for lands within those boundaries. Lane County's General Plan Goals and Policies (Ordinance No. 804), adopted August 28, 1980, allow the county to adopt a common comprehensive plan with a city. When practicable, it is the County's policy to carry out this mandate. In this way, a single document is established as the controlling land use document for the area.
2. Lane County amended the Coastal Subarea Plan on June 9, 1982 (Ordinance No. 858) to require that within the Florence Urban Growth Boundary land use designations, policies and decisions will be determined by the Florence Comprehensive Plan, as adopted by Lane County.
3. Lane County most recently adopted the Florence Comprehensive Plan on June 9, 1982 (Ordinance No. 859).
4. The City of Florence amended its Comprehensive Plan on January 11, 1983 (Florence Ordinance No. 681). the City has forwarded these amendments to the County asking that the policy and land use designation changes contained in these revisions be adopted by the County. These revisions address conflict resolution procedures for historic preservation and limitations on development in the Limited Service Area of the Florence Urban Growth Boundary.
5. Lane Code, Chapter 12.050(2) provides the County comprehensive plan may be amended or supplemented upon a finding of:
 - (a) an error in the plan; or
 - (b) changed circumstances affecting or pertaining to the plan; or
 - (c) a change in public policy; or
 - (d) a change in public need based on a re-evaluation of factors affecting the plan.

CONCLUSIONS

1. The revision of the Florence Comprehensive Plan constitutes a change in circumstances, which warrants the amendment of the County Comprehensive Plan.
2. The adoption of the Florence Comprehensive Plan is authorized by Lane County's General Plan Goals and Policies and the Statewide Planning Goals and is mandated by the Coastal Subarea Plan (as amended by Ordinance No. 858).

MEMORANDUM

TO: West Lane Planning Commission

FROM: Vern Delk

SUBJECT: Florence Comprehensive Plan Adoption (PA 83-007)
Revision of the Interim Urbanizing Combining
District (/U) (Z 83-008)
Rezoning of Certain Properties Adjacent to the Florence City
Limits on Highway 126 (ZC-83-806)

DATE: February 1, 1983

ATTACHMENTS

1. Resolution PA 83-007 (Florence Plan)
2. Resolution Z 83-008 (Revision to /U Zone)
3. Lane County Ordinance No. 858
4. Lane County Ordinance No. 859
5. Map of Properties to be Rezoned from RA/U to C-2

BACKGROUND

The Statewide Planning Goals require that cities and counties have mutually agreed upon urban growth boundaries and land use policies within these boundaries. Lane County, through its General Goal and Policies document, has authorized that this mutual agreement requirement be implemented through the county's adoption of the comprehensive plan of each city.

More precisely, Lane County Ordinance No. 858 (Attachment 3) which amends the Coastal Subarea Plan, provides that land uses within and the exact designation of the Florence Urban Growth Boundary will be determined by the Florence Comprehensive Plan as adopted by Lane County. Lane County has most recently implemented this directive through Lane County Ordinance No. 859 (Attachment 4).

On January 27, 1983 the Land Conservation and Development Commission (LCDC) reviewed Florence's Comprehensive Plan for compliance with Statewide Planning Goals. The Commission found minor deficiencies with Goals 2, 5, 10, 14, 16 and 17. Florence has made plan amendments (Ordinance No. 681, attached to Resolution PA 83-007) and code revisions to address the deficiencies in goals 2, 5, 10, and 14. These amendments, however, were made too late to meet review and comment requirements necessary for LCDC review.

LCDC's review indicated three areas where action by Lane County was necessary for Florence's Comprehensive Plan to be in compliance with goals #1-14. These areas are as follows:

1. Adoption by Lane County of the most recent amendments to the Florence Comprehensive Plan.
2. Revision by Lane County of the Interim Urbanizing Combining District (/U).
3. Rezoning by Lane County of certain properties adjacent to the Florence city limits on Highway 126 so these properties will be consistent with their designation as highway commercial on the Florence Comprehensive Plan Diagram.

Criteria for Plan Amendment (L.C. 12.050(2))

The Board of Commissioners may amend or supplement the Comprehensive Plan upon a finding of:

1. An error in the plan; or
2. Changed circumstances affecting or pertaining to the plan; or
3. A change in public policy; or
4. A change in public need based on a re-evaluation of the factors affecting the plan.

There must be a clear finding that one or more of the criteria are satisfied before amendments can be approved.

Adoption of the Revised Florence Comprehensive Plan

The most recent changes to the Florence Comprehensive Plan deal with historic preservation procedures and policies for development in the Limited Service Area. These revisions address deficiencies regarding Goal #5 and #14, respectively, and can be found in Florence Ordinance No. 681.

The Florence plan amendment which deals with historic preservation addresses an LCDC "in order to comply" statement which requires comprehensive plans to indicate how uses will be dealt with when they conflict with historic resources.

Two other "in order to comply" in this matter have been dealt with through amendments to sections of the Florence Zoning Ordinance dealing with their Design Review Board.

The remainder of Florence's plan amendments provide additional justification for Florence's Limited Service Area (LSA). These revisions explain how development will be restricted in the LSA. It should be noted that policy 8 of Part I, Section VIII of the Florence Comprehensive plan serves as the model for proposed revisions to Lane County's Interim Urbanizing Combining District (/U).

Revision of the Interim Urbanizing Combining District (/U)

Goal #14 requires that once a city and county have agreed upon land use designations and policies for an urban growth boundary, regulations must be adopted to implement those designations and policies. As previously discussed, Florence has added policies controlling development in the Limited Service Area. Since Lane County currently has zoning responsibility over this area, it is necessary for the county to make changes to applicable regulations (the /U zone) consistent with Florence's revised plan policies.

Briefly, the proposed amendment to the Interim Urbanizing Combining District would prohibit development on parcels of less than 10 acres until public water and sewer are available. Additionally, a site investigation report is required and must address hazards and constraints to development.

Rezoning of Properties Adjacent to the Florence City Limits

Currently these properties, located adjacent to the Florence city limits, on both sides of Highway 126, are zoned Suburban Residential/Urbanizing (RA/U). The Florence Comprehensive Plan, however, has designated these properties for highway commercial usage. LCDC's "in order to comply" addressing this situation has directed Lane County to amend their Zoning Ordinance to be consistent with the plan designation for this area. Accordingly, a rezoning to Neighborhood Commercial (C-2) is being proposed.

CONCLUSION

County action in the three areas outlined in this memo should result in allowing Florence to receive compliance for Statewide Planning Goals #1-14 in April. While Florence will be making additional plan amendments to address minor deficiencies in goals #16 and #17, it is important to the City that they be found in compliance with the first 14 goals as soon as possible. A finding of compliance will allow the City and the County to make land use decisions in a framework of predictability and without the burden of justifying those decisions with goal findings. A corollary benefit of compliance would be the legal protection afforded land use decisions made within the context of an acknowledged comprehensive plan.

REQUIRED ACTION

1. Adoption of Resolution PA 83-007 (amends Florence Plan)
2. Adoption of Resolution Z 83-008 (revises /U Zone)
3. Recommendation regarding proposed rezoning

ATTACHMENT 1

IN THE WEST LANE PLANNING COMMISSION OF LANE COUNTY, OREGON

IN THE MATTER OF ADOPTING THE CITY)
OF FLORENCE COMPREHENSIVE PLAN AS) RESOLUTION WLCPC (PA 83-007)
A COMPONENT OF THE LANE COUNTY)
COMPREHENSIVE PLAN (PA 83-007))

WHEREAS, Lane County Ordinance No. 858 amended the Lane County Coastal Subarea Plan to require that within the Florence Urban Growth Boundary land use designations, policies and decisions will be determined by the Florence Comprehensive Plan, as adopted by Lane County; and

WHEREAS, Lane County, through Ordinance 859, has most recently adopted the Florence Comprehensive Plan on June 9, 1982; and

WHEREAS, the City of Florence did amend its Comprehensive Plan on January 11, 1983; and

WHEREAS, it is therefore necessary that Lane County readopt the City of Florence Comprehensive Plan; and

WHEREAS, the West Lane County Planning Commission has held public hearings and otherwise discharged its duties for adoption of a comprehensive plan as the same are specified in Chapter 12, Lane Code;

IT IS HEREBY RESOLVED that amendments to the City of Florence Comprehensive Plan, as set forth in Appendix A attached hereto, be forwarded to the Board of County Commissioners with a recommendation for adoption as a component of the Lane County Comprehensive Plan;

IT IS FURTHER RESOLVED that the Findings of Fact supporting the above recommendation, as forth in Appendix B attached hereto, are hereby adopted.

Meeting of February 9, 1983

Ayes:
Nays:
Abstaining:
Absent:
Not Voting:

Chairman
West Lane Planning Commission

BILL NO. 59

ORDINANCE NO. 681

AN ORDINANCE REGARDING REVISIONS TO THE CITY OF FLORENCE COMPREHENSIVE PLAN, PART 1: GOALS, OBJECTIVES, POLICIES, RECOMMENDATIONS AND THE PLAN DIAGRAMS; AND PART II: TECHNICAL REPORT AND FINDINGS, AND SETTING THE EFFECTIVE DATE OF ENACTMENT.

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

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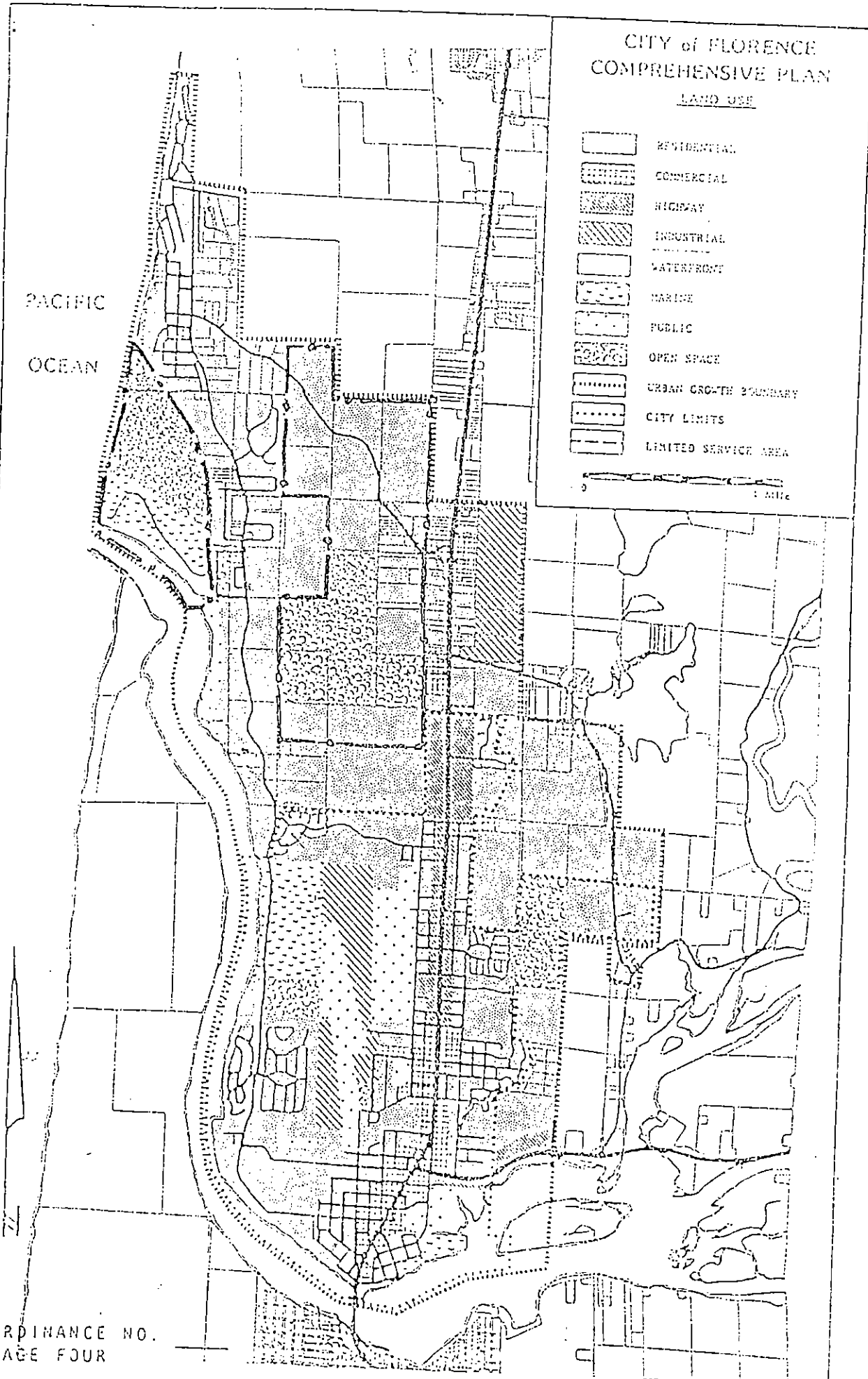
Part 1, Section VIII, Florence Urban Service Area:

8. The following minimum lot size standards shall apply to residential lands within the limited service plan designation.

A. The minimum lot or parcel size shall be ten acres, except as provided in B., below.

B. On the basis of findings contained in a site investigation report, less than ten (10) acres may be permitted. The report shall be required as part of partition or subdivision application. The following conditions must be met in addition to any other applicable criteria:

1) The report shall determine the carrying capacity of the site and demonstrate that the proposed development would be in conformance with this plan and the Coastal Resources Management Plan.



SECTION 111

THE FOLLOWING ARE TEXT REVISIONS TO THE CITY OF FLORENCE COMPREHENSIVE PLAN, PART 11; TECHNICAL REPORT AND FINDINGS:

Technical Report, Section Vl11, Florence Urban Service Area.

Limited Service Designations. Two areas designated "Limited Service" have been included within the Urban Growth Boundary, based upon the findings below.

Heceta Beach Road area:

An area traversed by Heceta Beach Road is designated limited service on the Comprehensive Plan diagram. This area is included within the Urban Growth Boundary on the basis of the seven factors in Statewide Goal 14.

Factors (1) and (2) demonstrated need; housing, employment, livability. This area is not needed according to these criteria, but is justified according to the criteria below.

Factor (3) Orderly and economic provision for public facilities services. This area lies between two north/south corridors of development along Rhododendron Drive and Highway 101. Certain existing and future facilities and services must run through the Limited Service Area to service the adjacent corridors of development. This Limited Service Area would logically be included within the Urban Growth Boundary to allow the City to annex areas where it is providing services, to have land under its administrative control where its facilities are located, and to reduce the potential for intermittent and overlapping jurisdictions.

Water Service. Water service outside of the city limits is provided by Heceta Water District. A water main along Heceta Beach Road serves Heceta Beach and properties developed along the road. This water main cuts across the northern end of the Limited Service Area. Upon annexation of Heceta Beach, the City will have all but a few of the District's customers within the City limits. It is likely, at that point, that the City would acquire the facilities now belonging to the district.

Roads. Heceta Beach Road is the arterial connecting Heceta Beach with downtown Florence via Highway 101. As both ends of the road at Highway 101 and Heceta Beach are planned to be within the City, it is logical for the central portion to also be within the City. An extension of Munsel Lake Road is also planned through the Limited Service Area as an east/west arterial.

North Jetty Area:

An area adjacent to the North Jetty is designated Limited Service on the Comprehensive Plan Diagram. This area is included within the Urban Growth Boundary on the basis of the following findings:

Factors (1) and (2) Demonstrated need; housing, employment, livability. In Chapter V of this Technical Report, the North Jetty Area is listed as a recreation area of regional significance. In addition, two special needs identified in the Statewide Outdoor Recreation Plan, access to fishing and access to ocean shores, can be provided for in this area. With increased population in Florence and Lane County, this area will have to accommodate more people for outdoor recreation activities. At minimum, public facilities such as restrooms may be required. An Aquaculture site is designated in this area. The present development is small, but could be expanded in the future. At present, the site has a sewage holding tank. If the operation is expanded in the future, sewer service should be provided. The Oregon aqua foods development in Newport, for example, has City water and sewer services.

Factor (3) Orderly and economic provision of public facilities and services. The North Jetty Area should be included within the Urban Growth Boundary for locational reasons. To delete this area from the boundary would create an island of County jurisdiction, not contiguous with other unincorporated lands in Lane County. At present, for example, the County Sheriff is responsible for serving the North Jetty Area as well as all unincorporated lands within the Urban Growth Boundary. When Heceta Beach is annexed to the City, the City will be able to provide a better level of Police services.

Factor (4) Maximum efficiency of land uses within and on the fringe of the existing urban area. Inclusion of this area in the Limited Service District will promote maximum efficiency of land use as planned by providing recreational opportunities within the urban area.

Factor (5) Environmental, Energy, Economic and Social Consequences.

Environmental: The environmental consequences would be minimal. Resources are identified and protected in the Coastal Resources Management Plan. The Open Space designation on the major portion of the area provides a high level of protection.

Energy: The energy consequences would be minimal. The types of development which can occur are severely restricted.

APPENDIX B

FINDINGS OF FACTS

FINDINGS

1. The Statewide Planning Goals mandate that cities and counties recognize the same urban growth boundary and have common policies for lands within those boundaries. Lane County's General Plan Goals and Policies (Ordinance No. 804), adopted August 28, 1980, allow the county to adopt a common comprehensive plan with a city. When practicable, it is the County's policy to carry out this mandate. In this way, a single document is established as the controlling land use document for the area.
2. Lane County amended the Coastal Subarea Plan on June 9, 1982 (Ordinance No. 858) to require that within the Florence Urban Growth Boundary land use designations, policies and decisions will be determined by the Florence Comprehensive Plan, as adopted by Lane County.
3. Lane County most recently adopted the Florence Comprehensive Plan on June 9, 1982 (Ordinance No. 859).
4. The City of Florence amended its Comprehensive Plan on January 11, 1983 (Florence Ordinance No. 681). the City has forwarded these amendments to the County asking that the policy and land use designation changes contained in these revisions be adopted by the County. These revisions address conflict resolution procedures for historic preservation and limitations on development in the Limited Service Area of the Florence Urban Growth Boundary.
5. Lane Code, Chapter 12.050(2) provides the County comprehensive plan may be amended or supplemented upon a finding of:
 - (a) an error in the plan; or
 - (b) changed circumstances affecting or pertaining to the plan; or
 - (c) a change in public policy; or
 - (d) a change in public need based on a re-evaluation of factors affecting the plan.

CONCLUSIONS

1. The revision of the Florence Comprehensive Plan constitutes a change in circumstances, which warrants the amendment of the County Comprehensive Plan.
2. The adoption of the Florence Comprehensive Plan is authorized by Lane County's General Plan Goals and Policies and the Statewide Planning Goals and is mandated by the Coastal Subarea Plan (as amended by Ordinance No. 858).

ATTACHMENT 2

IN THE WEST LANE PLANNING COMMISSION OF LANE COUNTY, OREGON

IN THE MATTER OF RECOMMENDING)
AND REPORTING ON AN AMENDMENT)
TO SECTION 10.122-30 OF THE LANE) RESOLUTION WLPC (Z 83-008)
CODE, THE INTERIM URBANIZATION)
COMBINING DISTRICT (/U) (Z 83-008))

WHEREAS, Chapter 10, Lane Code establishes procedures and criteria for amending zoning regulations for Lane County; and

WHEREAS, Statewide Planning Goal #14 requires that land use designations and policies for urban growth boundaries be implemented by appropriate and consistent regulations; and

WHEREAS, the City of Florence has recently amended its comprehensive plan (Ordinance No. 681) to impose certain restrictions upon development in the area of the Florence Urban Growth Boundary designated as Limited Service Area; and

WHEREAS, Lane County currently has zoning responsibility over the Limited Service Area; and

WHEREAS, the City of Florence has requested that Lane County amend Section 10.122-30 of the Lane Code, the Interim Urbanizing Combining District (/U), as it applies to the Limited Service Area, to conform with recent policy amendments to the Florence Comprehensive Plan; and

WHEREAS, the West Lane Planning Commission has held hearings and otherwise duly performed its duties for amendments to the requirements of Chapter 10, Lane Code;

IT IS HEREBY RESOLVED that the proposed amendment to Section 10.122-30 of the Lane Code, the Interim Urbanizing Combining District (/8), as set forth in Appendix A attached hereto, be forwarded to the Board of County Commissioners with a recommendation for adoption as a revision to Chapter 10, Lane Code; and

IT IS FURTHER RESOLVED that the Findings of Fact supporting the above recommendation, as set forth in Appendix B attached hereto, are hereby adopted.

Meeting of February 9, 1983

Ayes:
Nays:
Abstaining:
Absent:
Not Voting:

Chairman
West Lane Planning Commission

PROPOSED AMENDMENT TO SECTION 10.122-30
OF THE INTERIM URBANIZING COMBINING DISTRICT (/U)

-30

Lot Area

- (1) For land served by a community water supply and community sewerage system, the minimum lot area shall be as provided by the respective district with which the /U District is combined.
- (2) For land not served by a community water system and community sewerage system, the minimum lot area shall be 10 acres, except that smaller lot areas may be permitted where:
 - (a) Initial connection to a community sewerage system is not feasible.
 - (b) The proposed parcel size, configuration and number will be consistent with the long-range sewerage plan for the area where such plans exist.
 - (c) The proposed land division will be adequately served by interim sewerage disposal facilities and will not adversely affect other properties by causing water pollution.
 - (d) The design and operation of the proposed land division or development will allow for later conversion to urban densities in an orderly and efficient manner and not otherwise preempt the subject property and other properties from:
 - (i) Later inclusion into a community sewerage system.
 - (ii) Inclusion into the City of Florence.
 - (iii) The orderly provision of other community services and facilities.
- (3) For land designated Limited Service Area by the Florence Comprehensive Plan, the minimum lot or parcel size shall be 10 acres. A lot of less than 10 acres may be approved if, on the basis of findings contained in a site investigation report, the following conditions are met in addition to any other applicable criteria:
 - (a) The site investigation report shall determine the carrying capacity, as defined by the Statewide Planning Goals, of the site. The report shall demonstrate that the proposed development would be in conformance with the Florence Comprehensive Plan and the Coastal Resources Management Plan.
 - (b) The development will be served by a public water system and a sewerage system which meets the standards of the state Department of Environmental Quality.
 - (c) The report shall address any development hazards inventoried in the comprehensive plan; the proposal shall be allowed only when the report demonstrates that any hazards and constraints can be mitigated or do not exist on the specific property.

APPENDIX B

FINDINGS OF FACT

FINDINGS

1. Chapter 10, Lane Code establishes procedures and criteria for amending zoning regulations for Lane County.
2. Statewide Planning Goal #14 requires that land use designations and policies for urban growth boundaries be implemented by appropriate and consistent regulations.
3. The City of Florence has recently amended its comprehensive plan (Ordinance No. 618) to impose certain restrictions upon development in the area of the Florence Urban Growth Boundary designated as Limited Service Area.
4. Lane County currently has zoning responsibility over the Limited Service Area.
5. The City of Florence has requested that Lane County amend Section 10.122-30 of the Lane Code, the Interim Urbanizing Combining District (/U), as it applies to the Limited Service Area.
6. The amendment of Section 10.122-30 of the Lane Code is a legislative action in that the revision will be of general application to lands designated within the Limited Service Area of the Florence Comprehensive Plan.
7. The West Lane Planning Commission has initiated the change to the Interim Urbanizing Combining District (/U) as authorized by Section 10.315-035(1) of the Lane Code and has given notice and held a public hearing on the matter consistent with Section 10.315-55 of the Lane Code.

CONCLUSIONS

1. The West Lane Planning Commission has properly followed procedures, as set out in Chapter 10, Lane Code, for the initiation and hearing of an amendment to Lane County zoning requirements.
2. The proposed amendment to Section 10.122-30 of the Lane Code, the Interim Urbanizing Combining District (/U), is necessary to enable Lane County to properly implement Florence Comprehensive Plan requirements applicable to lands designated within the Limited Service Area of the Florence Urban Growth Boundary.