

AGENDA
Aurora City Council Meeting
Tuesday, January 08, 2013, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

1. Call to Order of the City Council Meeting

2. City Recorder Calls Roll

Mayor Taylor
Councilor Graupp
Councilor Brotherton
Councilor Sahlin
Councilor Vlcek

3. Consent Agenda

- I. City Council Meeting Minutes – December 11, 2012
- II. Planning Commission Meeting Minutes – December 04, 2012
- III. Historic Review Board Minutes –November 29, 2012

Correspondence

- I. Letter from Allied Waste, name change to Republic Services**
- II. Preview of ODOT Speed Study**
- II. Notice of Decisions sent out by Historic Review Board**
- IV. Letter of Resignation From Stephen Braun, from Planning Commission**

4. Visitors

Anyone wishing to address the City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the City Council could look into the matter and provide some response in the future.

5. Appointments of New Councilors

- A. Appointment of New Mayoral Candidate Greg Taylor**
- B. Appointment of New Councilor Candidate Rick Vlcek**
- C. Appointment of New Councilor Candidate Scott Brotherton**
- D. Appointment of New Council President for 2013 year**

6. Assignment of New Council Liaison Positions

- A. Administration Liaison**
- B. Public Works Liaison**
- C. Police Contract Liaison**
- D. Parks Liaison**

7. Discussion with the Parks Committee

8. Discussion with Traffic Safety Commission

9. Reports

A. Police Chiefs Report – (not included in your packet)

B. Finance Officer's Report – Financials (included in your packets)

- 1. Revenue & Expense Report

C. Public Works Department's Report – (included in your packet)

- 1. Monthly Status Report (Storm Water)
- 2. Monthly Status Report (Water)

- A. Waste Water Treatment Plant Update (from Otis Phillips, included in your packet)

D. City Recorder's Report (included in your packet)

E. City Attorney's Report – (not Included in your packet)

- **Rodger Eddy**

10. Ordinances and Resolutions

A. RESOLUTION 662 A RESOLUTION TO AMEND CHAPTER V, SECTION 3 OF THE CHARTER OF THE CITY OF AURORA

11. Old Business

- A. Discussion and or Action on Councilor Graupps Presentation on Court Revenue and Expenses.**

12. New Business

- A. Discussion and or Action on re-appointment of Merrra Frochen to Historic Review Board.**
- B. Discussion and or Action on re-appointment of Kris Sallee to Planning Commission.**
- C. Discussion and or Action on Liquor License Renewals as listed**
- **Aurora Colony Market**
 - **Aurora Market and Deli**
 - **Fir Point Farms**
 - **Hyer Convenience Store**
 - **Pacific Hazelnut Farms**
 - **The Colony Pub**
 - **Topaz Bistro**

13. Adjourn

CONSENT AGENDA

Meeting Minutes

Correspondence

Financials

Other Items

Minutes
Aurora City Council Meeting
Tuesday, December 11, 2012, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Jason Andersen, Police Supervisor
Jan Vlcek, Finance Officer
Otis Phillips, Waste Water Superintendent
Bob Southard, Water Superintendent

STAFF ABSENT:

VISITORS PRESENT: Kris Sallee, Aurora
Phil Hankins, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Greg Taylor at 6:59 p.m.

2. Administrative assistant does Roll Call

Mayor Taylor – present
Councilor Graupp - absent
Councilor Brotherton -present
Councilor Sahlin – present
Councilor Vlcek - present

3. **Consent Agenda**

- I. City Council Meeting Minutes – November 13, 2012
- II. Planning Commission Meeting Minutes – November 06, 2012
- III. Historic Review Board Minutes –October 17 & 25th

Correspondence

- I. **Memo From Aurora Colony Visitors Association**
- II. **Aurora Colony Visitors Association News letter**
- III. **Wave Broadband Rate Adjustment Notice**, Councilor Vlcek asks if this is a request for our approval or a scheduled increase. City Recorder Richardson informs the Council that this is a scheduled increase.
- IV. **Oregon Department of Aviation Brochure**

A motion is made to accept the consent agenda as presented by Councilor Brotherton and seconded by Councilor Vlcek. Motion Passes

4. Visitors

Anyone wishing to address the City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the City Council could look into the matter and provide some response in the future.

Aaron Reed, Aurora Asks Council what steps are being taken in regards to the alleged theft of property at City Hall by Mayor Taylor. City Attorney Koho, states there has been no arrest at this time and the Marion County District Attorney's office is looking at it at this time.

Phil Hankins, Aurora in regards to street light issue, apparently the light needs moved before it can be fixed which we have agreed upon years ago, I have spoken to Bob Southard with Public Works he had stated that he is not sure how to address it at that time. Since then the committee or home owners association transferred ownership of the lights to the City of Aurora. Mr. Hankins has a document in his possession that shows transfer of ownership. City Attorney Koho will look into it and if we own it then its PGE responsibility.

No one else spoke during this section.

5. Public Hearing Called to Order at 7:10 p.m.

A. Discussion and or Action on CPMA-12-01 Application from Fidanzo tax lot 700. No conflicts declared Mayor Taylor states ex-parte contact. City Council is in agreement with Mayor Taylor remaining with ability to vote.

Mayor Taylor opens with Public Hearing Procedures as provided by City Planner Wakeley.

CITY COUNCIL

STAFF REPORT

HEARING DATE: December 11, 2012
TO: Aurora City Council
FILE: CPMA-12-01
APPLICANT: Anthony Fidanzo
151Main Street W
Monmouth, OR 97361

**SUBJECT
PROPERTY**

Map 4.1.W13 Lot 700 (subject parcel is located at the eastern terminus of Ottaway Road and is also identified as 15233 Ottaway Road NE in Aurora. See Exhibit A.

REQUEST:

The application applies to those portions of Lot 700 that are within the Urban Growth Boundary of the City of Aurora. The applicant submitted an application requesting a Comprehensive Plan Map Amendment to remove the western 225 feet of the subject parcel from the Flood Hazard (FH) overlay designation, established by the City of Aurora in 2002. Upon further review and receipt of additional information, the applicant requested to remove the westernmost 150-175 feet of the subject parcel from the FH overlay designation (See Exhibit E). The remainder of Lot 700 within the Urban Growth Boundary would maintain under the Flood Hazard (FH) designation of the Comprehensive Plan Map. No change to the city limits or urban growth boundary is proposed at this time.

**APPLICABLE
CRITERIA:**

Oregon Revised Statutes (ORS) 197.610 through 197.651;
Comprehensive Plan goals and policies; Aurora Municipal Code Section 16.80 and 16.76

EXHIBITS:

Exhibit A: Site Map
Exhibit B: Application materials
Exhibit C: DLCD correspondence and maps
Exhibit D: FEMA maps from 1987 and 2000
Exhibit E: Letter of Map Amendment (LOMA) determination from FEMA

BACKGROUND:

The City received a revised application for re-designation of the westernmost 150-175 feet of the subject parcel from the Flood Hazard (FH) Comprehensive Plan designation (See Exhibit E) to a Low Density Residential (R-1) Comprehensive Plan designation. No change to the city limits or urban growth boundary is proposed at this time. The subject parcel contains approximately 93,544 square feet, or 2.15 acres, within the City of Aurora Urban Growth Boundary and has a Marion County designation of Urban Transition (UT-20). The remainder of Lot 700, approximately 190,357 square feet, or 4.37 acres, are outside the Aurora Urban Growth Boundary and under a Marion County zoning designation of Exclusive Farm Use (EFU). The portions of the subject property included within this land use application are located within the City of Aurora Urban Growth Boundary (UGB). The proposed land use action will not change the current zoning of the property but will rather change the Aurora Comprehensive Plan Map designation which would apply upon approval of annexation of the property and application to the City of Aurora for a zone change.

The subject parcel is currently shown in the Aurora Comprehensive Plan Map as having a Flood Hazard (FH) zone upon annexation into the city.

The property is located at the eastern terminus of Ottaway Road. The area to the west is zoned Low Density Residential and is within the Aurora city limits. The area to the north is within the Aurora Urban Growth Boundary with a Comprehensive Plan designation of Flood Hazard (FH) zone. The area to the east and south are located outside the city limits and urban growth boundary and are zoned Exclusive Farm Use (EFU) by Marion County.

PROPOSED USE:

The requested action was to move the Flood Hazard Overlay 225 feet to the east of its current location and change the Comprehensive Plan designation from Flood Hazard (FH) to a Comprehensive Plan designation of Low Density Residential (R-1). Upon further information and review, the applicant revised the application request to move the westernmost 150-175 feet of the subject parcel from the FH overlay designation (See Exhibit E) to a R-1

designation. If the subject application is approved, the applicant would be able to develop the property with uses permitted under the Low Density Residential, upon approval of an annexation and zone change application.

The land use action requested at this time does not include a request for annexation or zone change.

ANALYSIS OF APPLICABLE CRITERIA

Subchapter 16.80 Amendments to the Code, Comprehensive Plan, and Maps

16.80.30. Quasi-judicial amendments.

Quasi-judicial amendments shall be in accordance with the procedures set forth in 16.76. The council shall decide the applications on the record. A quasi-judicial application may be approved, approved with conditions, or denied.

Findings: Aurora Municipal Code (AMC) sections 16.76.020 through 16.76.110 outline the procedures for the application process, noticing requirements, approval authorities, and hearings procedures. The application was determined complete on June 5, 2012 and the City had 120 days, or until October 1, 2012, to take final application on the request unless extended at the request of the applicant. The City received a waiver from the applicant for the 120 day rule in order to allow for collection of more information in support of the application.

Notice of the proposed land use action was mailed to property owners within 250 feet of the subject property at least twenty (20) days prior to the first hearing date and published in the Canby Herald no less than ten (10) days prior to the first hearing date. Notice was also mailed to the Department of Land Conservation and Development for review and comment. The Planning Commission makes a recommendation to the City Council for final decision.

Staff finds the criteria under 16.76.020 through 16.76.110 are met.

Subchapter 16.76 Procedures for Decision Making—Quasi-Judicial

16.76.120 Standards for the decision

A. *The decision shall be based on proof by the applicant that the application fully complies with:*

1) *Applicable policies of the city comprehensive plan and map designation;*

Findings: The applicant requests a Comprehensive Plan Map Amendment of the westernmost 150-175 feet of the subject parcel from the Flood Hazard (FH) designation to a Low Density Residential (R-1) designation (See Exhibit E). The property was previously designated in 2002 from R-1 to FH. Approval of this land use action would revert portions of the property back to its pre-2002 Comprehensive Plan Map designation. A summary of applicable policies of the Aurora Comprehensive Plan are addressed below

Conformance with applicable policies of the city comprehensive plan and map designation:

Comprehensive Planning Goal 1: Citizen Involvement

Findings: Citizens owning property with 250 feet of the subject property were notified regarding the proposed comprehensive plan map amendment. The City printed a public notice of the proposed amendment and public hearing in the local newspaper. Both notices invited citizens to participate in a public hearing before the Planning Commission in July 2012 or to submit comments to the City prior to the public hearing. No written comments were received prior to the July Planning Commission meeting. At the July 2012 Planning Commission meeting, the applicant requested a continuation of the hearing until additional factual data could be provided. The public hearing was continued to the October Planning Commission meeting date and announced at the July hearing. Testimony

from the public was also invited at the July Planning Commission meeting and none was received. Beyond the applicant, no interested parties were recorded. At the October 2012 Planning Commission meeting, the hearing was once again continued to the November 2012 Planning Commission hearing as no additional information had been received by the applicant, and no interested parties were recorded.

Staff finds this goal is met.

Comprehensive Planning Goal 2: Land Use Planning

Findings: The proposed plan map amendment follows the procedures and criteria for reviewing applications for plan amendment as outlined by the City of Aurora and statewide statutes.

Staff finds this goal is met.

Comprehensive Planning Goal 6: Air, Water and Land Resources

Findings: Policy 6 under this goal states, “The City will require all development to adhere to applicable federal and state clean water requirements.” While the proposed application is not for creation of new lots for development or construction at this time, approval of the application would remove the Aurora Flood Hazard (FH) designation from portions of the subject property which previous data showed to be within the Federal Emergency Management Agency (FEMA) 100-year floodplain.

Evidence submitted by the applicant under Exhibit E documents approval of a Letter of Map Amendment (LOMA) from FEMA. The approved LOMA, dated October 2, 2012, documents FEMA's approval to move the 100-year floodplain. Exhibit E documents how far to the east the 100-year floodplain and FH overlay could be moved (approximately 175 feet to the east on the southern property line and approximately 150 east on the northern property line), thereby removing portions of the subject parcel from the 100-year floodplain and FH overlay. Staff and the Planning Commission found this goal and criteria to be met.

Comprehensive Planning Goal 7: Natural Hazards

Findings: The Objective of this Goal is to “Protect life and property from natural hazards due to flood or landslide.” AMC section 16.18.050 states, “all property which falls within the boundaries of the one hundred (100) year floodplain shown on the FEMA maps as areas of special flood hazard shall be subject to the provisions of this title”. The applicant has revised their request to match the data submitted under Exhibit E. Policy 1 under Natural Hazards further states, “The City will prohibit any urban development within the 100-year flood plain.” Approval of the subject application would remove the prohibition for future development within the 100-year floodplain as it would remove portions of the subject property shown to be under the 100-year floodplain from the City of Aurora Flood Hazard designation.

Subsequent data submitted by the applicant from FEMA shows the approval from FEMA for removal of portions of this property from the 100-year floodplain and that the approval of this application would not be contrary to the Comprehensive Plan goals and policies for Natural Hazards.

Staff and the Planning Commission found that the application met this Comprehensive Plan goal and criteria.

Comprehensive Planning Goal 10: Housing Policies

Findings: The application would remove prohibitions for development currently applying to the subject parcel. The amendment would meet Policy 7 which states, “the City will encourage an active code enforcement program to maintain existing dwellings at minimum structural hazards”.

Staff and the Planning Commission found that this Comprehensive Plan goal was met.

Staff finds that Comprehensive Plan goals for Forest Lands, Open Spaces and Natural Resources, Recreation, Energy, Historic Resource Policies, Economic Policies, Public Facilities, Public Facilities and Services, and Transportation Policies do not apply to the subject application.

Staff finds this application is *consistent* with the applicable goals and policies of the Aurora Comprehensive Plan.

- 2) *The relevant approval standards found in the applicable chapter(s) of this title, the public works design standards, and other applicable implementing ordinances, including but not limited to, the Aurora Design Review Guidelines for Historic District Properties; and*

Findings: The proposed land use action would change portions of the property from the Flood Hazard (FH) Comprehensive Plan designation which is more restrictive of new construction than that permitted under Low Density Residential designation.

While the proposed land use action does not include annexation of the property within the city limits or the creation of new residential lots, the proposed Comprehensive Plan Map Amendment would allow for development in the future by removing portions of the property from the Flood Hazard designation upon annexation into the City. The intent of the FH designation is to, "promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions". AMC section 16.18.050 states, "all property which falls within the boundaries of the one hundred (100) year floodplain shown on the FEMA maps as areas of special flood hazard shall be subject to the provisions of this title".

New information submitted by the applicant under Exhibit E shows that portions of the subject property can be re-designated or removed from the Flood Hazard overlay zone as they are not within the boundaries of the 100- year floodplain shown on the previous FEMA maps as areas of special flood hazard.

The applicant will still be subject to the Aurora Municipal and Development Code and other applicable chapter(s) of this title and the public works design standards. At the time of annexation, partition/subdivision, development, and/or permit approval, the subject property will remain subject to the approval criteria of the Municipal Code. Staff and the Planning Commission found this criterion met.

- 3) *In the case of a quasi-judicial plan map amendment or zone change, the change will not adversely affect the health, safety and welfare of the community.*

Findings: The applicant argues that his property was erroneously placed under the Flood Hazard (FH) Comprehensive Plan designation in 2002 as portions of the property are not within the 100-year FEMA special flood hazard area. The applicant was able to provide documentation of approval of a Letter of Map Amendment (LOMA) from FEMA. The subject land use action does not propose an amendment to FEMA maps but rather requests the City comprehensive plan map designation of Flood Hazard be removed from the portions of the subject property based upon elevation data submitted by the applicant and the approved LOMA (see Exhibit E). The FH overlay could be moved (approximately 175 feet to the east on the southern property line and approximately 150 feet to the east on the northern property line), thereby removing portions of the subject parcel from the FH overlay without adversely affecting the health, safety and welfare of the community as these portions of the subject property are shown to not be within the 100-year floodplain. Staff and the Planning Commission found this goal and criteria met.

B. Consideration may also be given to:

- 1) *Proof of a substantial change in circumstances or a mistake in the comprehensive plan or zoning map as it related to the property which is the subject of the development application; and*

Findings: Exhibit E documents FEMA's concurrence that circumstances have changed or the comprehensive plan map mistakenly identified the entirety of subject parcel as subject to the 100-year floodplain. Staff believes the applicant has provided information to satisfy the criterion that circumstances have changed or that a mistake was made and that portions of the parcel, approximately the westernmost

175 feet of the southern property line and approximately the westernmost 150 feet on the northern property line), should be removed from the FH Comprehensive Plan designation. Staff and the Planning Commission found this criterion is met.

- 2) *Factual oral testimony or written statements from other parties, other persons and other governmental agencies relevant to the existing conditions, other applicable standards and criteria, possible negative or positive attributes of the proposal or factors in subsections (A) or (B)(1) of this section.*

Findings: See Exhibit E and summary above. Staff and the Planning Commission found the application met the criteria as outlined above for approval of an amendment to the comprehensive plan map.

SUMMARY FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

Based on the findings above and in the body of this report, staff and the Planning Commission recommend the City Council **APPROVE** the application CPMA-12-01 with the following findings:

1. The subject property is: Section 4 Township 1 Range W13. Tax Lot 700 of Map 041W13.
2. The owners of record are: Anthony and Gayle Fidanzo
3. The property subject to this action is currently within the Urban Growth Boundary and has a Comprehensive Plan designation of Flood Hazard (FH) overlay.

CITY COUNCIL ACTION

Comprehensive Plan Amendment 12-01:

- A. A motion to approve the request for Comprehensive Plan Map Amendment 12-01:
 1. As recommended by staff and the Aurora Planning Commission; or
 2. As further amended by the City Council (stating any revisions).
- B. A motion to continue the comprehensive plan map amendment request to a date and time certain (stating the date and time).
- C. A motion to continue the comprehensive plan map amendment request indefinitely, stating at what point the City Council would consider reopening the hearing.
- D. A motion to deny the request for Comprehensive Plan Map Amendment 12-01 stating the reason(s) for denial.

Upon completion of staff report, Applicant Joe Fidanzo speaks in favor of the approval of application. No one from the audience had comment either way.

Hearing closed at 7:20 pm

A motion to approve the request for Comprehensive Plan Map Amendment 12-01 as recommended by staff and Aurora Planning Commission option A is made by Councilor Sahlin and seconded by Councilor Brotherton. Motion Passed Unanimously.

6. **Discussion with the Parks Committee**, No one from Parks Committee was in attendance however Councilor Sahlin stated that they would be available on Friday to look at the trees.
7. **Discussion with Traffic Safety Commission**, No one from Traffic Safety was present.
8. **Reports**

A. Police Chief's Report – (included in your packet) Jason Anderson read his report.

- Cease Patrol as of December 1, 2012
- Deputy Eli was here for about 3 days
- Deputy Buchholtz will be here for about 3 weeks until a selection is made.
- Norcom will not let us out of our contract, since this could set precedence.
- All the evidence has been successfully transferred.
- We will need to maintain a maintenance type contract with cop link so Marion County will have access to our records more efficiently.
- All positions of the Aurora Police Department have now been eliminated.
- We have an offer of 3,000 for our firearms and various other items.
- The interviews for the new Marion County Deputy are scheduled for the 18th of December.

No more questions of Jason Andersen

B. Finance Officer's Report – Financials (included in your packets)

1. **Revenue & Expense Report**, Councilor Vlcek asks that one more column be placed in the spreadsheet to show the percentage spent.

Finance Officer Vlcek states that the filtration situation is complete however we are still waiting on reimbursement from AD Edge. Mayor Taylor asks City Attorney Koho to look into this I feel we have given them enough time to respond.

There were no more questions from the council.

C. Public Works Department's Report – (included in your packet) Superintendent Southard has been excused from this month's meeting. Mayor Taylor reads the report.

1. Monthly Status Report (Storm Water)
 2. Monthly Status Report (Water)
- Ehlen Road project is over budget as there has been some unforeseen issues
 - Public Works vehicles are in need of repairs, Councilor Graupp is looking into to this.

Finance Officer Vlcek addresses Council and asks that we reimburse Daryl for his many hours that he has been covering while Bob and Ricky have been in training and for the pending vacation of Otis.

Vlcek asks that we consider bumping the pay up closer to what the hourly pay is for those positions

Mayor Taylor states that as much as he would like to see that he is uncertain if that is in the budget.

A. Waste Water Treatment Plant Update (from Otis Phillips),

- Report is attached
- Lab Oven stopped working, I ordered another one
- Been having issues with grease clogging lines effecting lift station 2 we need to send out letters to business owners.
- Water quality is looking really good
- Both Daryl and Amy passed there coarse and are now certified

No questions from Council

D. **City Recorder's Report** (included in your packet)

City Recorder, Richardson gives a brief overview of her report as included in the packet. There were no questions from the Council.

E. **City Attorney's Report** – (not Included in your packet)

- **Rodger Eddy** has received conditional approval for a fence from HRB, however we have very different views on the situation from previous years and I have spoken to the previous City Attorney on this matter and I will have a report of the situation for you at the January meeting. Councilor Sahlin wants clarification that we are indeed still moving forward on this as a violation and the fence was not one of the options. Koho states yes we are still moving in that direction.
- To close the Aurora Municipal Court there needs to be a charter amendment done. Mayor Taylor asks Koho to move forward on this.

9. **Ordinances and Resolutions**

10. **Old Business**

11. **New Business**

- A. **Discussion and or Action on Liquidation of Police Departments Assets**, there has been discussion as whether or not items should be retained, Mayor Taylor states I do not see us reopening the dept, and most of our items are out of date

anyway. Mayor Taylor asks Jason Andersen if this 3,000 dollar estimate is a good deal, he feels as though it is.

- Bikes,
- 2 AR 15's
- 3 Tazer's,
- Other Misc items

Other areas of discussion were

- 2 patrol cars
- 4 tough books various operating condition.
- We don't want to deal with State Motor pool on any of these items.

We have a volunteer who has offered to strip the cars down.

Councilor Vlcek asks, do we have to go through license dealer it is the recommendation of Officer Anderson to go through licensed dealer.

What about the bean bags and, ammo they will be transferred to Canby Police Dept since they allowed the use of their training range.

It is discussed as to whether or not the bikes since it is evidence in a pending case should be liquidated at this time. Once the case is closed we can then liquidate the items.

A motion to authorized Mayor Taylor and or his designee to declare police department items surplus property, and therefore dispose or sell the items is made by Councilor Sahlin and seconded by Councilor Vlcek. Motion Passes Unanimously.

B. Discussion and or Action on Councilor Graupps Presentation on Court Revenue and Expenses. Discussion started with Mayor Taylor stating, it was my intention to do this at this meeting however that being said we thought that we could take care of this now however with my conversation with Kelly Richardson, City Recorder not only is there a high probability that Court will extend due to outstanding items it will require a charter change. Also unless you lay some people in the office off we are not really going to save on court, so until we get a history of what we are doing with Marion County we will not know for sure the direction to take. it is decided to table this until Councilor Graupp can explain his report.

Jim Fisher, Aurora, what do we do with citations if we don't have a court. Let's Look at this in January.

- C. **Discussion and or Action on Possible Litigation and or Settlement, City Attorney Koho** has apprised us on mediation how does the council want to proceed on this, Council states that we handled the situation by the book and we will stick to the fact that we didn't do anything wrong so we do not want to negotiate.

Councilor Sahlin, states to the Council the need for The Economic Development Committee and the need to know what it is like to do business in Aurora, we want people to do business here and we want them to be here. I have asked the businesses around town to put together comments from citizens and business owners and bring them to Council.

12. Adjourn

A motion to adjourn the December 11, 2012, meeting at 8:39 p.m. was made by Councilor Brotherton and seconded by Councilor Sahlin. Motion Passed Unanimously.

Greg Taylor, Mayor

ATTEST:

Kelly Richardson, City Recorder

Minutes
Aurora Planning Commission Meeting
Tuesday, December 04, 2012 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

STAFF ABSENT:

VISITORS PRESENT: Bill Graupp, Aurora

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:00 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Present
Commissioner, Gibson	Absent
Commissioner, Graham	Present
Commissioner, Fawcett	Present
Commissioner, Braun	Present
Commissioner, Sallee	Present

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –November 06, 2012
- II. HRB Minutes
- III. City Council – October 09 , 2012

A Motion is made by Commissioner Braun to accept the minutes and seconded by Commissioner Graham. Motion Approved.

Correspondence

- I. Preliminary Speed Zone Study Map from ODOT , place in file

4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

5. New Business

6. Old Business

A. Discussion and or Action on Historic Review Board Guidelines

Review of Title 17 revisions, After last month's meeting Chairman Schaefer states that he sent around a first draft to everyone for their review. At the last HRB meeting the discussion was whether or not certain items that were in the guidelines were more appropriate for Title 17 or not.

Planning Commission decides to review the HRB guidelines beginning with fencing to see whether it is appropriate for title 17 or not as follows

- Fencing done
- Plant Material, 5-8 is more informational so leave it out of 17
- Streets Alleys & sidewalks cross references with much title 17
- Parking and Driveways these are addressed in 17.36.180
- Tents & Canopies item 14 & 15 are addressed in 17;28
- Structures item 16 to 18 are addressed in title 17
- Building Alterations pg 27 is addressed in title 17 although 21 to 25 are process and are not in title 17.
- Primary Façade pg 29 cross reference 17:36:110
- Design Features pg 30 most is referenced in 17:36 however it is agreed that items 30 and 31 will be added to title 17 changes for item 32 & 33 to add a height restriction.
- Siding pg 32 is covered in title 17:36:100
- Paint Color is covered in title 17 however a palette is not given and during discussion it is added under a new heading 17:36:190
- Roofing is covered in title 17:36:80 during discussion it was decided to add skylights to title 17 under dormers.
- Chimneys pg 41 is now added to contributing structures in 17:36:070
- Windows is covered in title 17 however it is decided that on contributing structures the location cannot be changed.
- Porches item 60 to 62 are covered in 17:36:040
- Alterations pg 46 item 63 to 65 discussion is that pre 1920 will be the deciding factor on whether or not alterations will be allowed.
- Relocations 66 to 74 these sections are covered in title 17
- Churches, nothing is covered in title 17
- Storefront Rehab, nothing is included in title 17
- Awnings are covered in title 17
- Item 80 to 81 these are covered for look not use.
- 82 to 103 most of these item are covered in title 17 many of these items are much stricter for contributing structures. A height restriction of 27 feet is also discussed.
- Setbacks, a 10 foot minimum is discussed except for on mixed use.
- Materials, has been addressed
- Roofs again this is done
- Ornamentation, is covered
- Chimneys, is mostly covered however red brick is discussed as a design element.
- The last few items has been covered in prior discussion

7. Commission Action/Discussion

A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.

- Commissioner Sallee asks if there has been feedback on the ODOT Corridor study, discussions went well however none at this point.
- City Planner Wakeley asks the Commission if at some point we want to take a look at our fee schedule specifically for interpretation, because so many questions are coming before staff. It would be my recommendation to have a 100 dollar fee for any items that go over and above the 30 minute window set by Council.

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9. Adjourn 8:50 P.M.

A motion to adjourn the December 04, 2012 meeting is made by Commissioner Graham and seconded by Commissioner Sallee. Motion Passes Unanimously.



Chairman, Schaefer

ATTEST:



Kelly Richardson, City Recorder

**HISTORIC REVIEW BOARD MINUTES
21420 MAIN ST. NE, AURORA OR 97002
November 29 2012**

Staff Members Present: Sophia Kuznetsov, Administrative Assistant

Others Present: None

The meeting of November 29, 2012, was called to order at 7:05 p.m. by Chairman Townsend.

Administrative Assistant takes Roll Call

Chairman Karen Townsend – Present
Vice-Chair Gayle Abernathy – Present
Member Bill Simon – Present
Member Merra Frochen – Present
Member Mella Dee Fraser – Present

CONSENT AGENDA

A motion to approve the HRB minutes of October 17, 2012, with corrections, was made by Merra Frochen, seconded by Gayle Abernathy and passed unanimously.

A motion to approve the HRB minutes of October 25, 2012, with corrections, was made by Gayle-Abernathy, seconded by Mella Dee Fraser and passed unanimously.

- Chairman Townsend felt that it was important to emphasize that ODOT presents a new proposal to improve the angle of Aurora streets every 3-4 years and the HRB still has not changed their stance on it. By accepting ODOT's proposal there will be a significant change to the historic aspect of Aurora. Chairman Townsend will be voicing her concerns in a letter to ODOT.

CORRESPONDENCE

None

VISITORS

Joseph Schaefer	Aurora	Planning Commission Chair
Rick Vlcek	Aurora	City Councilor
Rodger Eddy	Portland	2582 NW Lovejoy St

OLD BUSINESS

A. Discussion and/or Action of Updating the Historic Guidelines per City Council Request.

a. Review of Title 17 revision

- Planning Commission Chair Joseph Schaefer came to the meeting to update the members on the progress of the Title 17 revision. He has finished the first draft of the revision and would like to start planning a work session meeting between Planning Commission and HRB. Chairman Townsend asked Chairman Schaefer to hold off on calling a work session meeting until the HRB has gone through the entire sign (17.20) section of Title 17.
- The HRB members are in progress of going over Section 17.20 (Signs) of the Historic District Guidelines; Chairman Townsend will give the HRB recommendations of guideline changes to City Planner Renata when they are complete.

NEW BUSINESS

A. Discussion and/or Action on Fencing for 21520 Main St, Aurora OR 97002 Submitted by Edventures Ltd. / Roger & Janet Eddy.

- Discussion and/or action on fencing – HRB informed the applicant that they didn't deem that the Historic Review Board was the correct venue for his application. According to the City Council minutes, council has given the applicant only 2 options, rebuilding or demolishing. The applicant felt that the city was being inconsistent and as far as he was concerned, he was asked by the City Council to apply to the HRB for a fence and he was given no notice after the Aug 14' 2012 Council Meeting that he had only the options of demolition or rebuild.
- Member Abernathy voiced some concern over the danger of the property. The applicant informed the members that erecting a fence around the property will eliminate the hazard. The members didn't agree with that statement but it wasn't the responsibility of the HRB to have an opinion on whether a fence would protect the property and/or the public.
- Chairman Townsend informed the applicant that since he was not given notice, they will make a decision on his application but the decision of the application needs to be contingent with the approval of the City Council. The applicant agreed and understood that he could not put up a fence without the permission of the City Council.
- HRB made enquires as to why the property has not been sold. The applicant stated that the City's expensive costs and restrictions have limited the market of potential buyers.
- The applicant requested to have a privacy fence over a picket fence due the originality of his situation. He believes that a privacy fence more logical choice over the 4 ft (48") picket fence. According to the guidelines – a white picket 4ft (48")

- fence is what is allowed in the front yard of a historic property. The HRB does recognize that erecting a fence will not fix the current problem in the long run.
- The fence will be painted and erected within a month given that the City Council is in agreement with the approval. The HRB requested that the property is cleaned up a bit. The Applicant intends to clean up the property during the erection of the fence.
 - HRB will be informing the City Council of their decision and will be passing along the Notice of Decision.

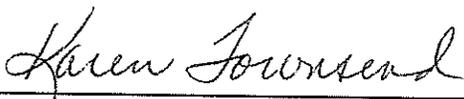
A motion to approve the application of a 4ft (48") wood, permanently secured painted white picket fence with matching gates contingent on City Council Approval was made by Merrra Frochen and seconded by Bill Simon and passed unanimously.

B. Discussion and/or action on temporary Christmas wreath stand at 21568 Highway 99E. Submitted by Greg Henderson

- This application was deleted due to the fact that according to the historic guidelines **Section – Tents, Canopies & Structured Booths, Bullet 4 –** *Items displayed or sold beneath or within the tent, canopy or booth must be of the same general nature as the business conducted in the affiliated permanent structure.*
- Applicant was informed prior to the meeting that as per the guidelines, he would not be able to sell Christmas Wreaths at a location where Food & Drink was sold. Applicant did not attend the meeting.

ADJOURN

A motion to adjourn was made at 9:02pm by Bill Simon, seconded by Merrra Frochen and passed unanimously.



Karen Townsend, Chairman



Sophia Kuznetsov, Administrative Assistant



Allied Waste is now Republic Services!

Dear customer,

We are pleased to announce our official transition to the Republic Services brand. We are the same local company, the same dependable people and services you have come to know over the years, just with a new brand starting now. Republic and its predecessors have been providing solid waste and recycling services for Northwest communities since 1927. When Allied Waste and Republic Services merged in 2008, the decision was made to transition all divisions in the U.S. to the Republic Services brand.

New Website!

Please bookmark our website, www.RepublicServicesNW.com, give us your feedback and let us know what we're doing well and where we can improve.

A New Name on Your Invoice

You will receive invoices from Republic Services going forward. If you haven't already, we encourage you to sign up for online bill pay – to set up your account please go to www.RepublicServicesNW.com and click on the Quick Link on the right side of the page. **NOTE: If you pay your bill with online banking, please change the Allied Waste name to Republic Services. No other changes needed.**

Our customer service representatives are here to answer your questions.

Please call the phone number on your invoice with questions or feedback.

Republic Services is committed to providing exceptional service. Your customer experience is very important to us. Reliable, friendly and professional – we are proud to be your environmental partner.

Thank you,

The Republic Services Team



Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation

Traffic-Roadway Sect. - MS 5
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142
503-986-3568
Fax: 503-986-3749

December 11, 2012

TRA 7-2

Greg Taylor, Mayor
City of Aurora
21420 Main Street NE
Aurora, OR 97002-9229

Dear Mayor Taylor,

As you requested, a speed zone investigation has been conducted on Pacific Hwy East from 250 feet north of Lone Elder Road (MP 24.45) to 0.26 mile south of Orchard Avenue (MP 25.95) (Request ID 6917). A copy of the report indicating the recommended speed zoning is enclosed.

Please let me know if the speed zone recommendation is acceptable. If it is, a speed zone order will be issued and a copy sent to you. If it is not acceptable, the matter can be presented at the next hearing held to decide contested speed zones.

Please provide a written response within 60 days after the date of this letter (by 3/6/2013).

If you have any questions, please call me at (503) 986-3609.
Sincerely,


Kathi McConnell
Traffic Investigations Coordinator

Enclosure(s)

Copy to:
Weldon Ryan, Traffic Investigator, ODOT Region 2

KM/cwc



OREGON DEPARTMENT OF TRANSPORTATION

Report Of Speed Zone Investigation

PACIFIC HIGHWAY EAST (OR 99E)

250 feet north of Lone Elder Road (MP 24.45) to 0.26 mi south of Orchard Ave (MP 25.95)

ODOT / City of Aurora

November 6, 2012



Recommendation: Rescind existing SZ Order J8033 dated September 10, 2007 and create the zoning as described below.

<u>Section</u>	<u>MP</u>	<u>Existing</u>	<u>Recommended</u>
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Investigated:

A	From: 250 feet north of Lone Elder Road (MP 24.45) To: 0.08 mi south of Lone Elder Road (MP 24.58)	55 mph	40 mph <u>1/</u>
A	From: 0.08 mi south of Lone Elder Road (MP 24.58) To: 265 ft north of Liberty (MP 24.83)	45 mph	40 mph <u>1/</u>
B	From: 265 ft north of Liberty (MP 24.83) To: 250 feet south of 4 th Street (MP 25.15)	30 mph	25 mph <u>2/</u>
C	From: 250 feet south of 4 th Street (MP 25.15) To: Bobs Avenue (MP 25.30)	30 mph	35 mph <u>2/</u>
C	From: Bobs Avenue (MP 25.30) To: 75 feet south of Orchard Ave (MP 25.70)	35 mph	35 mph <u>2/</u>
D	From: 75 feet south of Orchard Ave (MP 25.70) To: 0.13 mi south of Orchard Ave (MP 25.82)	50 mph	50 mph <u>2/</u>
D	From: 0.13 mi south of Orchard Ave (MP 25.82) To: 0.26 mi south of Orchard Ave (MP 25.95)	50 mph	50 mph <u>1/</u>

1/ ODOT – Road Authority

2/ City of Aurora – Interested Jurisdiction

Historical Background:

Investigation requested by: Greg Taylor, Mayor, City of Aurora.

Requested Speed: Lowering the existing 45 to 35, 30 to 25, 35 to 30, and the 50 to 35.

Previous Action: Established SZ Order J8033 dated September 10, 2007. This order was previously established by the Speed Zone Review Panel.

<u>Investigation:</u>	<u>Section A</u>	<u>Sections B</u>	<u>Sections C</u>	<u>Sections D</u>
Section Length	0.38 mile	0.32 mile	0.55 mile	0.25 mile
85% Speed	49 mph	33 mph	39 mph	52 mph
2011 Crash Rate*	0	2.35	0.78	0
2011 Average Daily Traffic	13500	7300	6400	6400
Culture Type & Density	Moderate Rural	Heavy Business	Light Business	Moderate Rural
Horizontal Alignment	0 curves	1 curve	1 curve	0 curves
Vertical Alignment	Mostly level	Steady Grade	Mostly level	Mostly level
Curve Signs & Speed Rider	None	None	None	None
Existing Posted Speed	45/55 mph	30 mph	30 / 35 mph	50 mph
Recommended Speed	40 mph	25 mph	35 mph	50 mph

<u>Roadway Data</u>	<u>Section A</u>	<u>Sections B</u>	<u>Sections C</u>	<u>Sections D</u>
Surface	Bituminous	Bituminous	Bituminous	Bituminous
Width	25' – 37'	25' – 59'	25'	25'
Lanes	2 <u>4/</u>	2 <u>5/</u>	2	2
Parking	Not Prohibited	Partially Prohibited	Not Prohibited	Not Prohibited
Shoulders	3'–9' Paved	5'–8' Paved BL	6'–13' Paved	7' Paved
Intersecting Streets	1	6	3	0
Paved	1	6	3	0
Stopped	1	5	3	0
Signalized	0	1	0	0
Pedestrian	3	17	7	0
Bikes	7	0	3	0

<u>Accident Data:</u>	<u>Section A</u>	<u>Sections B</u>	<u>Sections C</u>	<u>Sections D</u>
Study Period	1/1/09–12/31/11	1/1/09–12/31/11	1/1/09–12/31/11	1/1/09–12/31/11
Total Accidents	6	9	5	0
Injuries	6	8	1	0
Fatalities	0	0	0	0
2011 Accidents	0	2	1	0
2011 Crash Rate (R)*	0	2.35	0.78	0
2011 State Rate (r) <u>1/</u>	1.80	1.80	1.80	1.80
Deviation (R-r)	0	0.55	0	0

<u>Spot Speed Data:</u>	<u>Section A</u>	<u>Sections B</u>	<u>Sections C</u>	<u>Sections D</u>
85% Speed	49 mph	33 mph	39 mph	52 mph
Pace Limits <u>2/</u>	39 – 48 mph	26 – 35 mph	30 – 39 mph	43 – 52 mph
% in Pace	71%	92%	74%	78%
Maximum Speed	61 mph	43 mph	49 mph	59 mph
Posted Speed	55 / 45 mph	30 mph	30 / 35 mph	50 mph
% Exceeding Posted Speed	3% / 20%	30%	46% / 53%	23%
Computed Speed <u>3/</u>	49 mph	32 mph	39 mph	52 mph
Recommended Speed	40 mph	25 mph	35 mph	50 mph

1/ Rural Minor Arterial

2/ Ten mile-per-hour range containing the largest number of sampled vehicles.

3/ 85% Speed minus deviation

4/ partial LTL

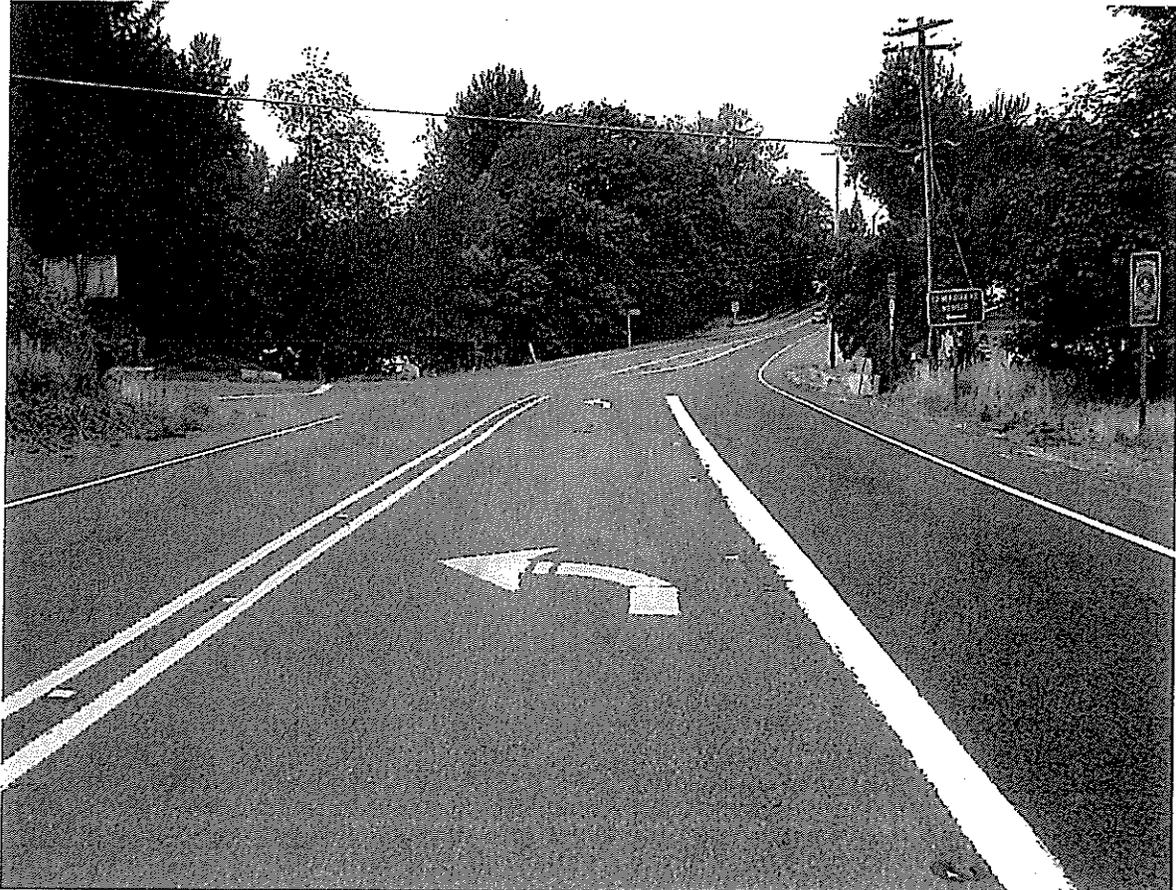
5/ partial continuous CTL / partial LTL, RTL

Factors Influencing Recommendation: 85% Speed, pace limits, culture, and accident rate.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

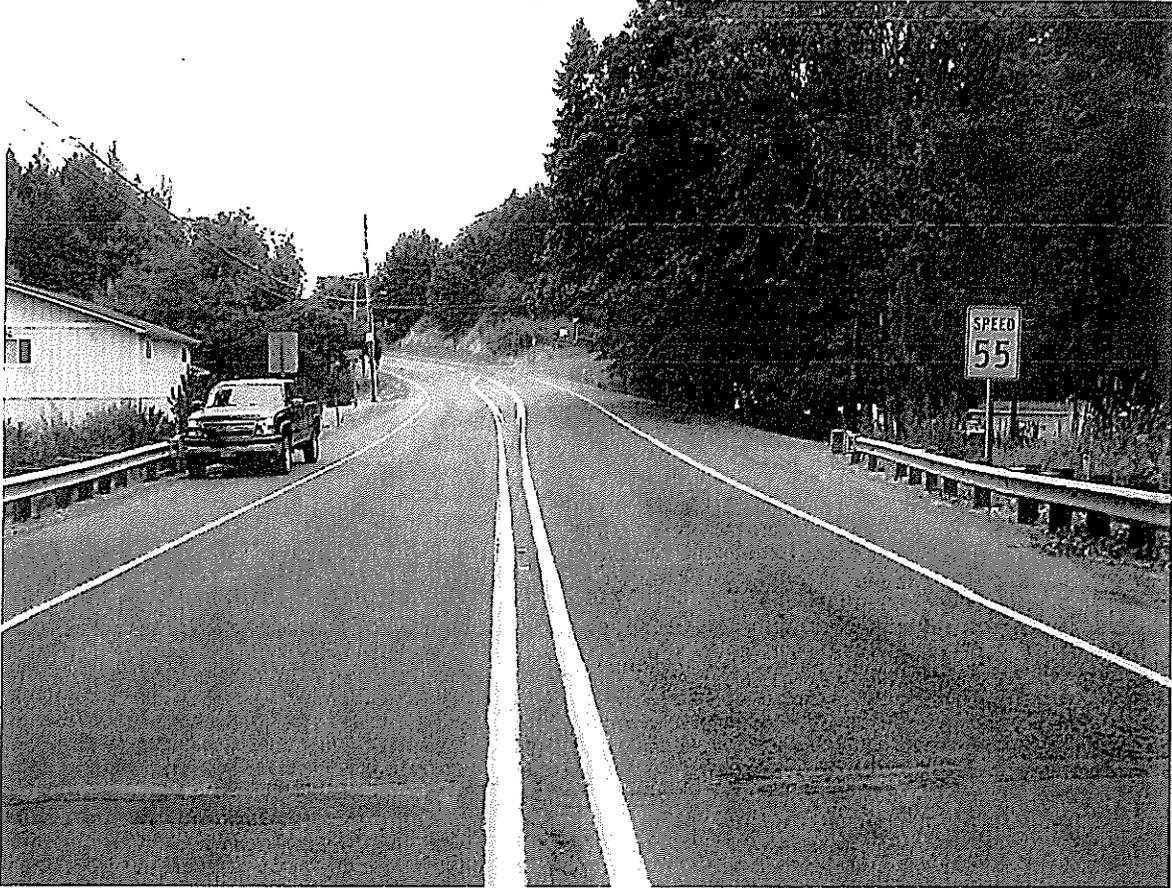


1. Looking north from 150' north of Lone Elder Road.



2. Looking south from 150' north of Lone Elder Road.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

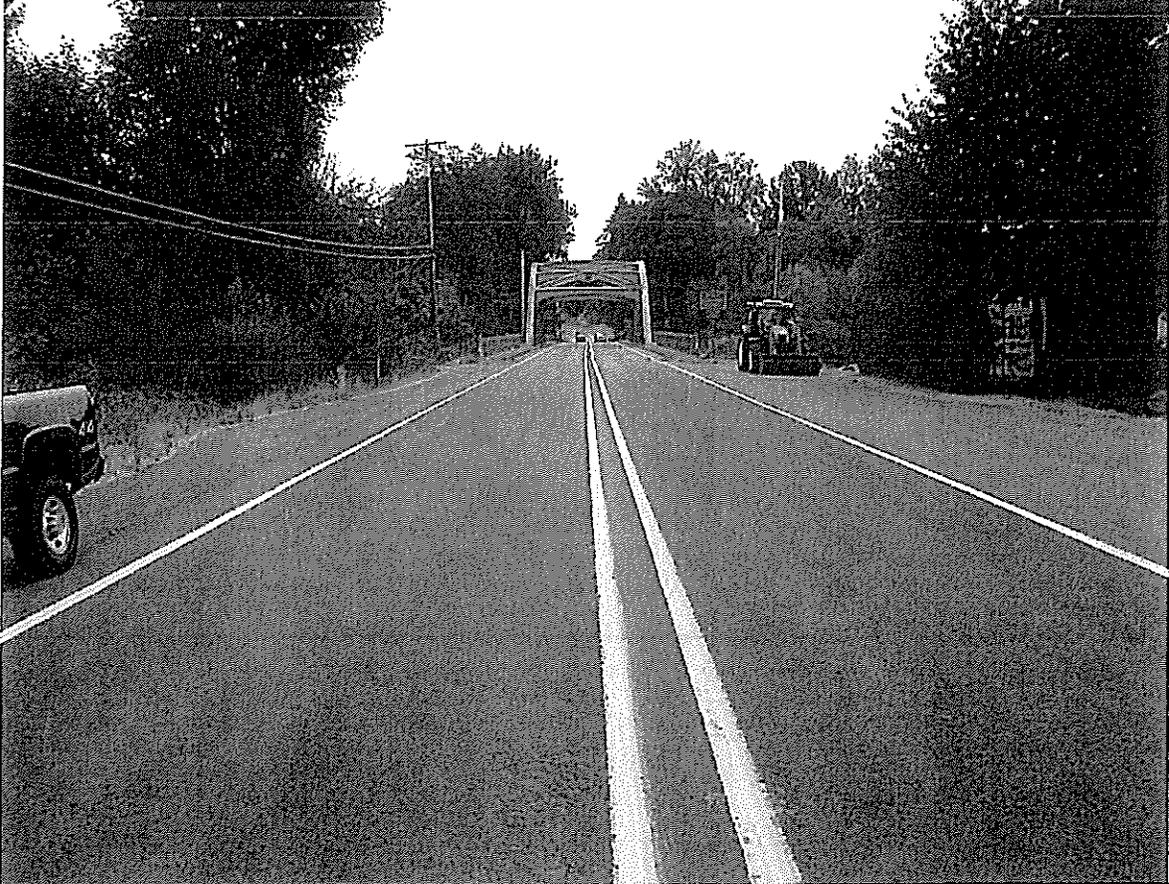


3. Looking north from 400' south of Lone Elder Road.



4. Looking south from 400' south of Lone Elder Road.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

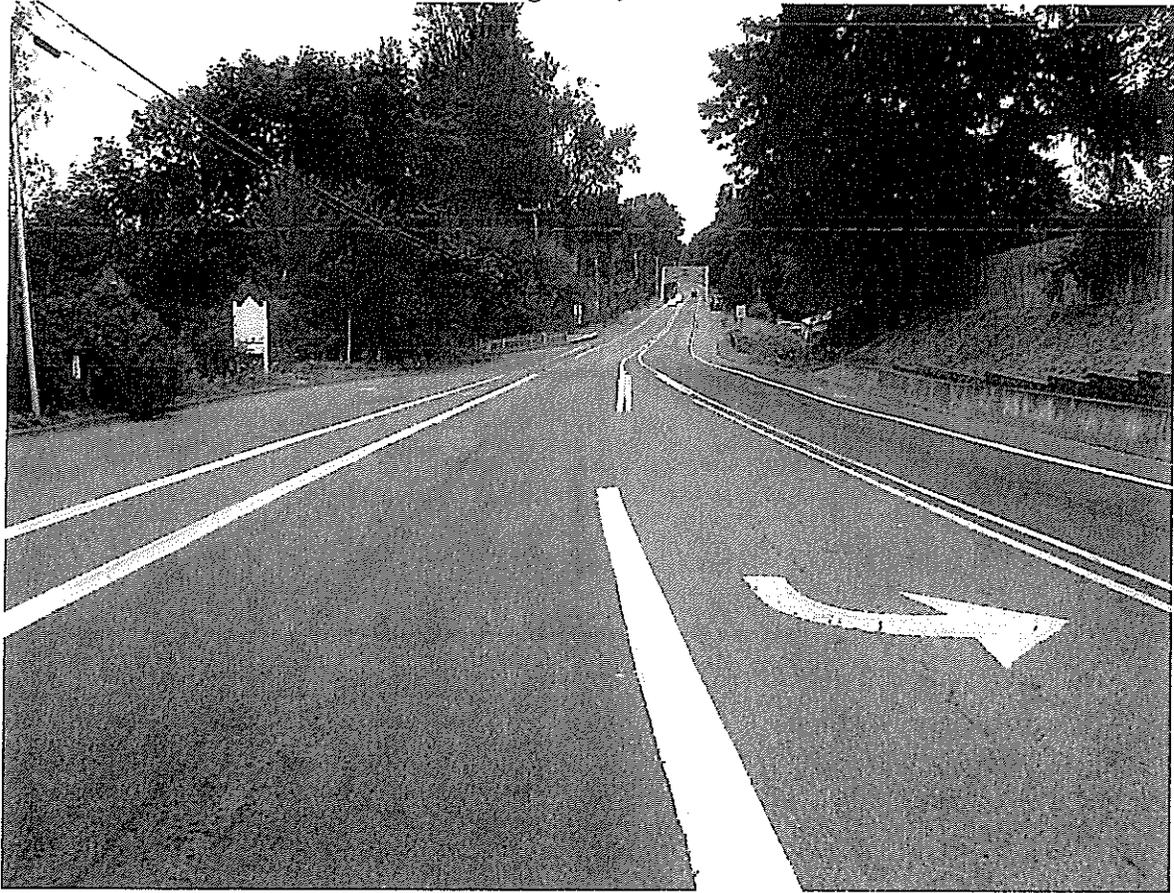


5. Looking north from 250' south of south end of Bridge.



6. Looking south from 250' south of south end of Bridge.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012



7. Looking north from 175' north of Liberty Street.

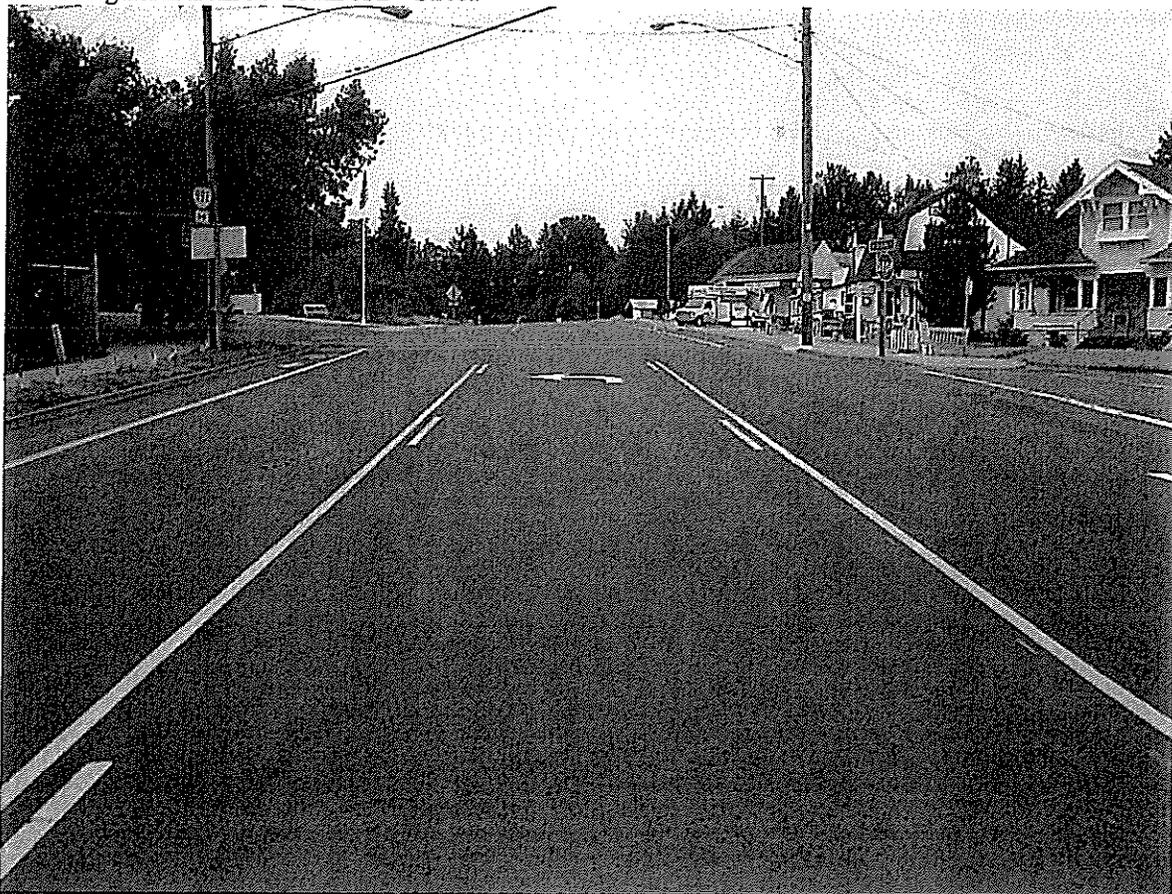


8. Looking south from 175' north of Liberty Street.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012



9. Looking north from 50' south of 2nd Street.



10. Looking south from 50' south of 2nd Street.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

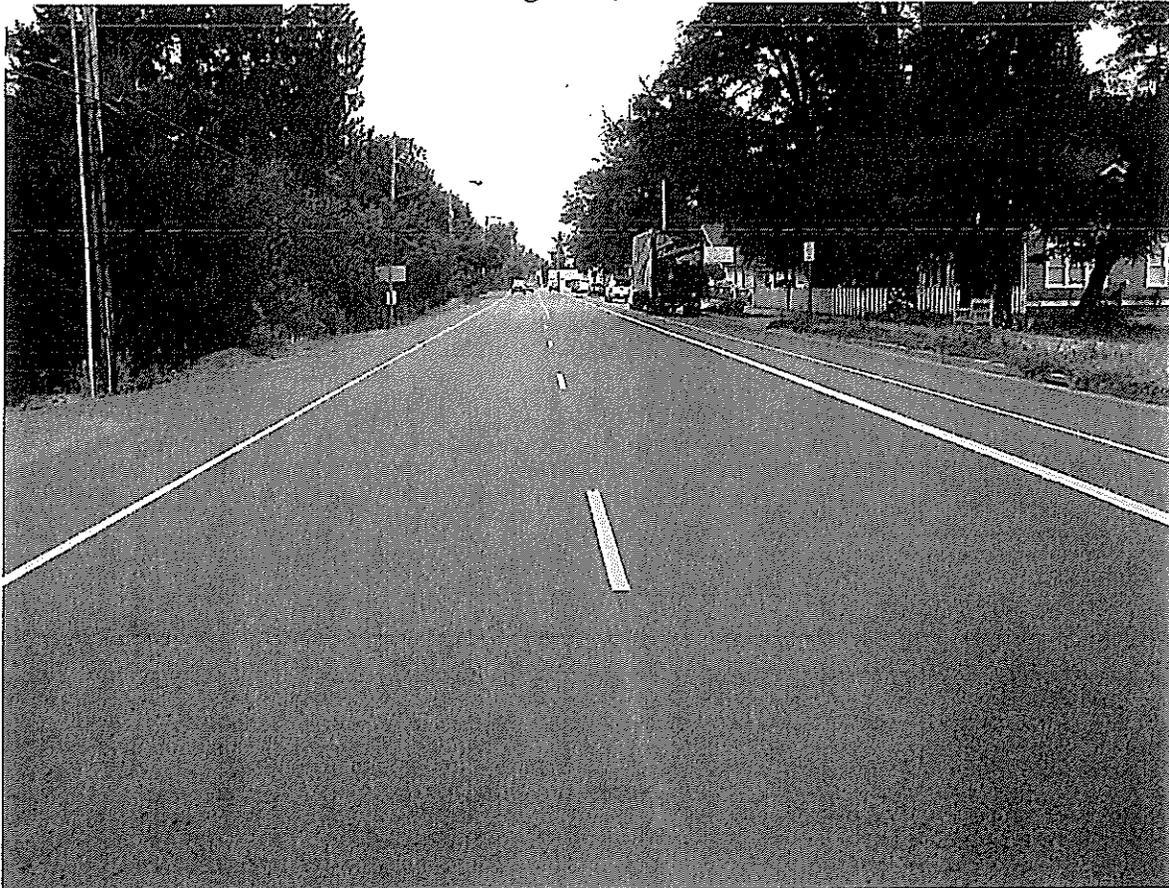


11. Looking north from 200' south of 4th Street.



12. Looking south from 200' south of 4th Street.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

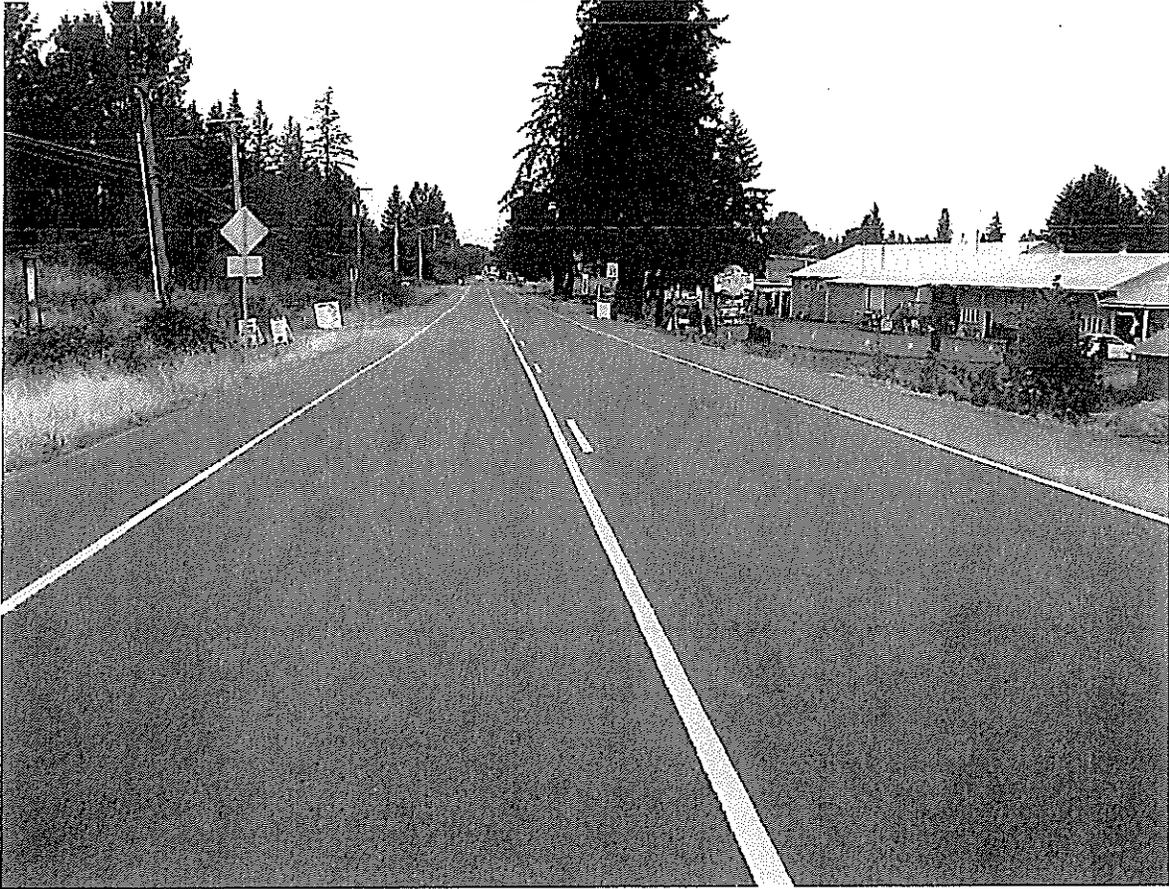


13. Looking north from 80' north of Bobs Avenue.

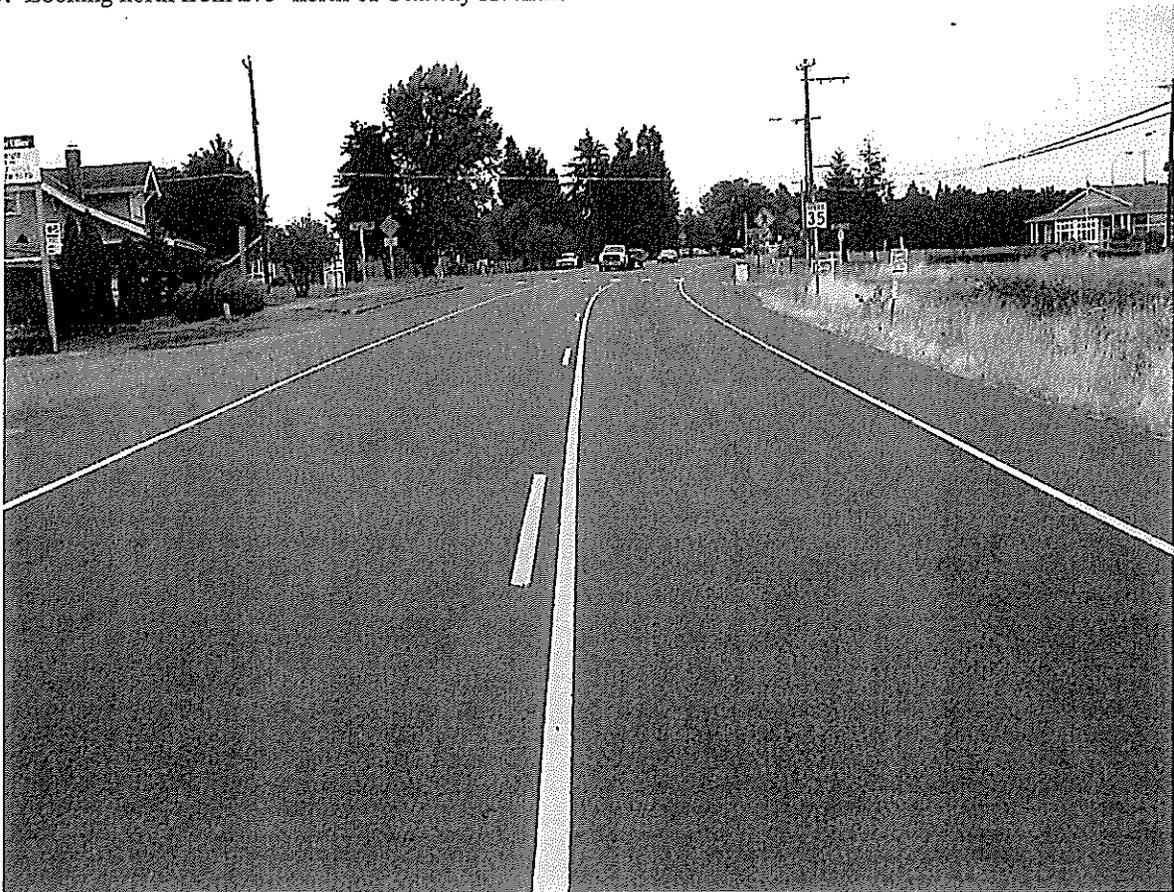


14. Looking south from 80' north of Bobs Avenue.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012



15. Looking north from 275' north of Ottaway Avenue.



16. Looking south from 275' north of Ottaway Avenue.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012



17. Looking north from 200' north of Orchard Avenue.



18. Looking south from 200' north of Orchard Avenue.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012

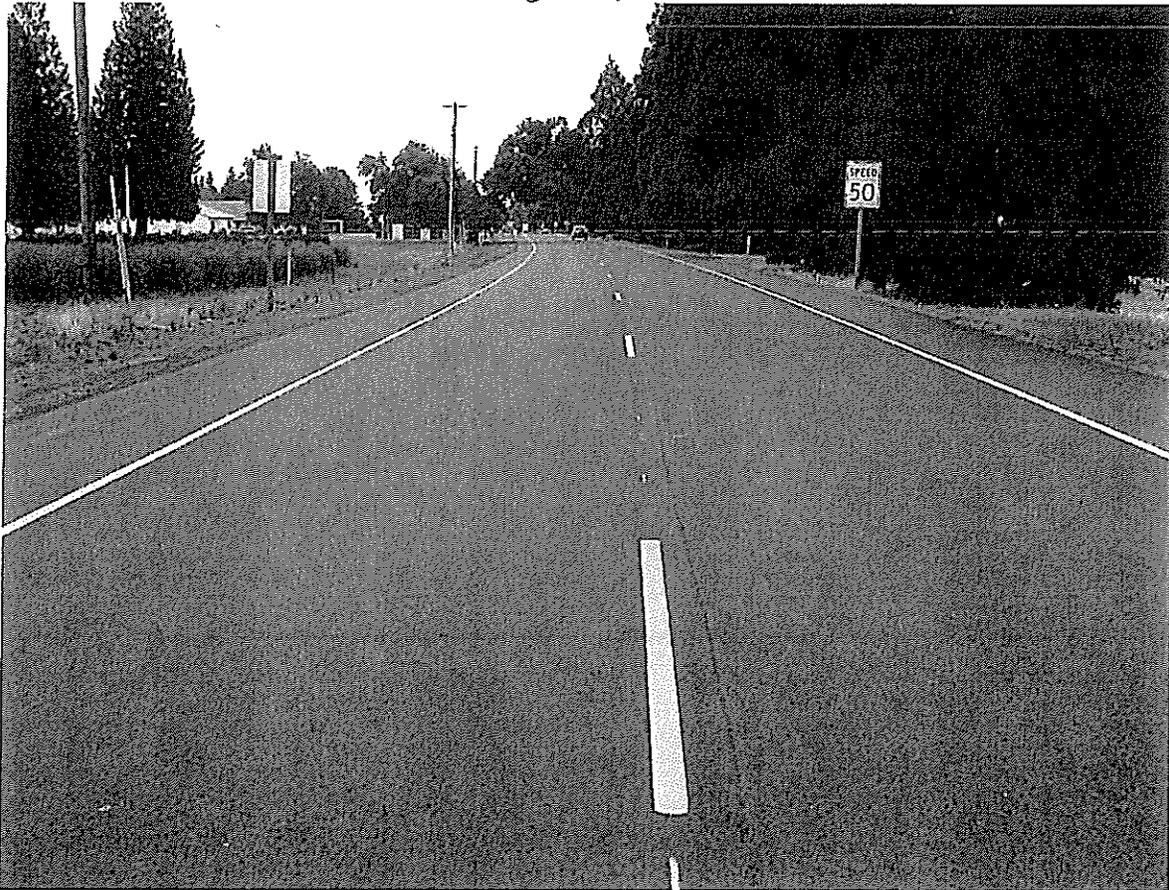


19. Looking north from 0.12 mile south of Orchard Avenue.



20. Looking south from 0.12 mile south of Orchard Avenue.

TYPICAL VIEWS
PACIFIC HIGHWAY EAST (OR 99E)
CITY OF AURORA / OTC
August 21, 2012



21. Looking north from 0.31 mile south of Orchard Avenue.



22. Looking south from 0.31 mile south of Orchard Avenue.