

AGENDA
Aurora City Council Meeting
Tuesday, August 11, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

1. CALL TO ORDER OF THE AURORA CITY COUNCIL MEETING

2. CITY RECORDER DOES ROLL CALL

Mayor Graupp
Councilor Sahlin
Councilor Vlcek
Councilor Southard
Councilor Sallee

3. CONSENT AGENDA

- a) City Council Minutes – June, 2015
- b) Planning Commission – June & July, 2015
- c) Historic Review Board Meeting Minutes – May, 2015

4. CORRESPONDENCE –

- a) 2015 Legislative Report (electronic packets only)

5. VISITOR

Anyone wishing to address the Aurora 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 Aurora City Council could look into the matter and provide some response in the future.

6. REPORTS

- a) Mayors Report
- b) Marion County Deputy
- c) Traffic Safety Committee
- d) Finance Officer
- e) Public Works
- f) Parks Committee
- g) City Recorder
- h) City Attorney

7. Public Hearing

- a) **Discussion and or Action on Zone Change (ZC-2015-01)**

8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- a) Discussion and or Action on Resolution Number 701 to Amend the Current Business License Fees and Amend Resolution Number 642.

9. NEW BUSINESS

- a) Discussion and or Action on Appeal Notice (2015-01) Historic District Overlay.
- b) Discussion and or Action on Planning Commission Recommendation to Appoint Aaron Ensign to fill Commission seat.
- c) Discussion and or Action on. Grove Mueller and Swank Contract for Audit Services.
- d) Discussion and or Action on City Engineer John Ashley Waste Water Engineering Services Report.
- e) Discussion Regarding Better Ways of Council Communication.

10. OLD BUSINESS

- a) NA

11. ADJOURN

Minutes
Aurora City Council Meeting
Tuesday, June 09, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT Kelly Richardson, City Recorder
Mary Lambert, Finance Officer
Darrel Lockard, Public Works Superintendent
Officer Marcellais, Marion County

STAFF ABSENT: Dennis Koho, City Attorney

VISITORS PRESENT: NA

1. CALL TO ORDER OF THE CITY COUNCIL MEETING

Meeting was called to order by Mayor Bill Graupp at 7:02 pm

2. CITY RECORDER DOES ROLL CALL

Mayor Graupp- Present
Councilor Sahlin – Present, came in late
Councilor Sallee-Present
Councilor Southard-Absent
Councilor Vlcek - Present

3. CONSENT AGENDA

- a) City Council Meeting Minutes – May, 2015, Councilor Sallee points out the last sentence is SB 534.
- b) Planning Commission – May, 2015
- c) Historic Review Board Meeting – April, 2015

ACTION ITEM: NA

Motion to approve the consent agenda with one correction was made by Councilor Vlcek and is seconded by Councilor Sallee. Motion approved by all.

4. CORRESPONDENCE –

- a) Affidavit of Mailing on Variance 15-02

5. VISITORS

Anyone wishing to address the Aurora 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 Aurora City Council could look into the matter and provide some response in the future. No comments were made during this section.

No one signed in.

6. Public Hearing, Opened at 7:09 pm

- a) Discussion and or Adoption of 2015/2016 Budget as proposed by the Aurora Budget Committee.

Three changes were discussed and presented by Finance Officer Lambert

- 1) I propose removing \$4,636 out of contract services in material and services and putting the dollars toward a temporary employee in personnel services giving us 350 hours of service at \$12/hour.
- 2) Changing the beginning fund balance in the Public Works Project Maintenance Fund to better reflect the amount expected to be there when the account is dissolved and the balance transferred. \$10.00 dollars was the outcome of the discussion.
- 3) Instead of transferring directly to the Water Reserve Fund, the balance in the Public Works Project Maintenance Fund should be transferred to the General Fund. The General Fund will then transfer that same amount to the Water Reserve Fund. This was recommended based on law by the Department of Revenue.

Public Hearing closed at 7:17 pm

There was no discussion by Council at this time.

7. REPORTS

- a) Mayor Bill Graupp
- Mayor proposes cancelling the July council meeting and by consensus the July council meeting will be cancelled.

Council discussed, NA

ACTION ITEM: NA

- b) Marion County Deputy
- Deputy Marcellais informed the council that he had brought out the Marion County Traffic Safety Team this last month to address various areas that seemed to be speed issues going on. Mr. White passed away and because he was probably there 10 days prior to the landlord finding him I would like to remind everyone to check on the elderly

and sick to avoid this type of thing. I will continue to help Deputy Huitt during Colony Days.

Council discussed, NA

ACTION ITEM: NA

c) Traffic Safety Committee

- Traffic report I received a call from Karen Townsend of the ACVA concerning a sign that was down on Ehlen Rd, she thought it to say no thru traffic it simply said no trucks. My suggestion would be to shut down the turn lane onto Main off of Ehlen. The Council was not convinced this would be the best course of action.

Council discussed that this may not be the best way to handle this.

ACTION ITEM: NA

d) Finance Officer

- Finance officer report currently working on year end close out and working towards scheduling the audit.

Council discussed, NA

ACTION ITEM: Schedule the audit.

e) Public Works

- Public Works report mostly routine see attached. We are seeing an average draw down on the wells between 190 thousand to 200 thousand so well 5 is now in use as well. We finished making repairs on the pillars at the park restrooms following an accident where a pillar fell on a child.

Council discussed various options for the summers watering schedule since in many areas of Oregon we are experiencing drought type conditions. The council decides to have a voluntary odd/even watering schedule. If for some reason it gets worse we can have an emergency meeting to discuss our options then.

ACTION ITEM: City Recorder Richardson will put together a letter and send it out to each customer and post it on the website.

f) Parks Committee

- Park report

Council discussed different options for landscaping needs for the planter strips along 99E. Councilor Vlcek also points out that the old hotel property looks terrible as well as the fire departments piece of property. The Council decides to add it to the scope of work for our landscape contract with living color. There is also a brief discussion regarding various trees which they will begin looking into for removal. Due to the recent

vandalism in the park cameras are discussed as an option but no resolution was reached.

ACTION ITEM: City Recorder Richardson is to write a letter to the Museum and to the Fire Dept regarding their pieces of property and the need for mowing.

Mayor Graupp informs the council that there has been two recent issues at the park and the insurance company has been notified. One was the pillar that fell and the other was an elderly person tripped on the sidewalk. CIS our insurance company has denied the Bruno claim stating that it falls under recreational immunity. This was where the pillar was involved.

- g) City Recorder
- Recorder report is routine items see attached.

Council discussed nothing at this time.

ACTION ITEM: NA

- h) City Attorney
- City Attorney report as Koho is absent Mayor Graupp informs council that the meeting with the Judge regarding the Eddy property took place and now we are in a 6-9 month hold situation.

Council discussed, NA

ACTION ITEM: NA

8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- a) Discussion and or Action on Resolution Number 696 Resolution in Accordance with ORS 211.760.

Motion is made by Councilor Vlcek to accept Resolution Number 696 and is seconded by Councilor Sallee. Passed by all.

- b) Discussion and or Action on Resolution Number 697 Resolution to Receive State Revenue Share Funds.

Motion is made by Councilor Sallee to accept Resolution Number 697 and is seconded by Councilor Sahlin. Passed by all.

- c) Discussion and or Action on Resolution Number 698 Resolution to Dissolve the Public Works Projects Fund.

Motion is made by Councilor Vlcek to accept Resolution Number 698 and is seconded by Councilor Sallee. Passed by all.

- d) Discussion and or Action on Resolution Number 699 Resolution to adopt the 2015/2016 Budget.

Motion is made by Councilor Sallee to accept Resolution Number 699 and is seconded by Councilor Vlcek. Passed by all.

- e) Discussion and or Action on Resolution Number 700 Resolution to Levy Taxes.

Motion is made by Councilor Vlcek to accept Resolution Number 700 and is seconded by Councilor Sallee. Passed by all.

- f) Discussion and or Action on Ordinance Number 479 Ordinances Regarding Medical Marijuana Dispensaries Code Changes. Second Reading and Declaring and Emergency.

Motion is made by Councilor Sallee to accept Ordinance Number 479 and is seconded by Councilor Vlcek and declaring and emergency. Passed by all. 4-0

Councilor Vlcek asks if we need to be working on passing an Ordinance for Recreational use as well. Mayor Graupp states no because it still has a process that needs to be done.

9. NEW BUSINESS

- a) Discussion and or Action on Marion County Police Services Contract.

Motion to approve the Marion County Police Services Contract is made by Councilor Sallee and is seconded by Councilor Vlcek. Passed by all.

- b) Discussion and or Action on Spring Brooke Cloud Migration Contract.

Motion to approve the Spring Brooke Cloud Migration Contract is made by Councilor Sallee and is seconded by Councilor Vlcek. Passed by all.

- c) Discussion and or Action on Mid-Willamette Valley Council of Governments Contract.

Motion to approve the Mid-Willamette Valley Contract is made by Councilor Vlcek and is seconded by Councilor Sallee. Passed by all.

- d) Discussion and or Action on HRB recommendation on John Berard joining the Board.

Motion to approve the HRB recommendation to appoint John Berard to the Board was made by Councilor Vlcek and is seconded by Councilor Sallee. Passed by all.

10. OLD BUSINESS

a) NA

11. ADJOURN,

Mayor Graupp adjourned the June 09, 2015 Council Meeting at 8:38 PM.

Bill Graupp, Mayor

ATTEST:

Kelly Richardson, CMC
City Recorder

Minutes
Aurora Planning Commission Meeting
Tuesday, June 2, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

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

STAFF ABSENT: None

VISITORS PRESENT: None

1. CALL TO ORDER OF THE CITY COUNCIL MEETING

Meeting was called to order by Chairman Schaefer at 7:01 pm

2. CITY RECORDER DOES ROLL CALL

Chair Schaefer - Present
Commissioner McNamara- Present
Commissioner Fawcett - Present
Commissioner Gibson - Present
Commissioner Rhoden-Feely - Present
Commissioner Weidman - Absent
Commissioner TBA

3. CONSENT AGENDA

- a) Planning Commission Minutes – May, 2015
- b) City Council Meeting Minutes – April, 2015
- c) Historic Review Board Minutes – April, 2015

Motion to approve the consent agenda as presented was made by Commissioner Gibson and is seconded by Commissioner Rhoden-Feely. Motion approved by all.

City Recorder Richardson informs the group that she will be leaving on vacation July 1st items for the July meeting will need to be in early.

Chair Schaefer informs the group that Aaron Ensign might be interested in joining Planning Commission.

4. CORRESPONDENCE –

- a) NA

5. Public Hearing, Hearing opens at 7:05 pm

- a) Discussion and Home Occupation 15-01 at 21424 Liberty Street Black Star Studio, City Planner gives her staff report,

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Home Occupation, Type II, 2015-01 (HO-15-01)
DATE: May 26, 2015

APPLICANT/OWNER: Susan Black
21424 Liberty Street NE
Aurora, OR 97002

REQUEST: Type II Home Occupation permit approval to operate an art studio, work rooms, and classroom to teach individual students associated with Black Star Studio.

SITE LOCATION: 21424 Liberty Street NE at the intersection of 4th Street NE and Liberty Street NE in Aurora. Map 041.W.13AB, Tax Lot 300

SITE SIZE: 0.33 acres, or approximately 14,375 square feet

DESIGNATION: Zoning: Low Density Residential (R1)

CRITERIA: Aurora Municipal Code (AMC) Chapters 16.10 Low Density Residential and 16.46 Home Occupations and 16.60 Conditional Uses

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Applicant's Home Occupation Application

I. REQUEST

Type II Home Occupation permit approval to operate an art studio, work rooms, and classroom to teach individual students associated with Black Star Studio.

II. PROCEDURE

Type II Home Occupations are processed as Quasi-Judicial Decisions. Quasi-Judicial Decisions are conducted as stated in Chapter 16.76 of the AMC. Section 16.46 provides the criteria for reviewing Home Occupations. Type II Home Occupations are listed as a Conditional Use under the R-1 zone.

The application was received and fees paid on March 23, 2015. The application was determined complete by staff on April 20, 2015 and notice was mailed to surrounding property owners on May 8, 2015 and a newspaper of general circulation in the City. The City has until **July 21, 2015**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

III. APPEAL

Appeals are governed by AMC 16.76.260. An appeal of the Commission's decision shall be made, in writing, to the City Council within 15 days of the Planning Commission's final written decision.

IV. CRITERIA AND FINDINGS

The applicable review criteria for Home Occupations are found under 16.46 -Home Occupations of the Aurora Municipal Code (AMC) for Conditional Uses.

16.46.050.B.1.

The Planning Commission shall approve, approve with conditions, or deny any application for a Type II home occupation. The decision to approve, approve with conditions, or deny an application for a Type II home occupation permit shall be made by the planning commission upon findings of whether or not the proposed use:

- a. Is in conformance with the standards contained in this chapter.

FINDING: The property currently meets the standards for Low Density Residential (R1) zoning, including height and accessory structures. The applicant is not proposing new construction or building permit approval but rather use of an existing studio structure in the NE corner of the property and the second floor/attic of the existing garage for the home occupation, if permitted. The studio structure and garage are setback 13 feet and 11 feet, respectively, from the rear property line. Rear setbacks in the zone are ten (10) feet for single story structures and twenty (20) feet for two story structures. The Marion County Assessor shows the 280 square foot multi-purpose building as permitted/constructed in 1988 and the 220 square foot improved attic space over the garage as permitted/constructed in 2003.

Type II home occupations are a permitted use under the zone, pending home occupation permit approval by the Planning Commission under AMC 16.46.

The Home Occupations standards identified in AMC 16.46 include: 16.46.020.D.1., "properties located outside the historic commercial and historic residential overlays shall be permitted one (1) non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. This is included as a recommended condition of approval.

16.46.020.D.2. limits daily customer or client visits to five (5) per day. Customers and clients may not visit the business between the hours of ten (10) p.m. and eight (8) a.m. and shall not generate excessive traffic or monopolize on-street parking. This is included as a recommended condition of approval.

16.46.020.D. 3. states storage of materials, goods and equipment which is screened entirely from view by a solid fence is permitted. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment

shall be reviewed and approved by the city and the fire department. This is included as a recommended condition of approval.

16.46.040 includes additional conditions for all home occupations, including: prohibition of outside employees to be engaged in the business activity other than persons principally residing on the premises; no more than three (3) deliveries per week to the residence by suppliers; limiting the total square footage of the business activity to use more than 700 square feet of the structure; and/or prohibiting storage, use, or distribution of toxic or flammable materials. Staff recommends the applicant be required to acknowledge that they have read all of AMC section 16.46 for Home Occupations and shall maintain a signed copy acknowledging understanding of and conformance with the provisions of AMC 16.46. This is included as a recommended condition of approval.

AMC 16.46.090. requires a business license to operate a home occupation. A business license shall be on file with the City of Aurora at all times that the Home Occupation is in operation. A home occupation permit shall become invalid if the applicant moves his or her residence. These are listed as conditions of approval below.

- b. Will be subordinate to the residential use of the property.

FINDING: According to Marion County Assessor records, the owner of the property is the applicant. Staff has determined the proposed home occupation/business is subordinate to the primary residence and residential use and this criteria is met.

- c. Is undertaken in a manner that is not detrimental nor disruptive in terms of appearance or operation to neighboring properties and residents.

FINDING: The applicant proposes use of an existing, permitted accessory structure and attic space above the permitted garage, which are both subordinate to the primary residential structure. The proposed use will be contained within the existing accessory structure and does not appear to be one that would create excessive noise, odors, or disruptions to neighbors. The subject property measures 0.33 acres. The studio structure measures 13 feet from rear property line (which is also land outside of the current urban growth boundary) and 21 feet from the northern property line/nearest residential use. The garage measures 11 feet from the rear property line (which is also land outside of the current urban growth boundary) and 32 feet from the southern property line/nearest residential use.

Property owners within 200 feet of the subject property were mailed notice of the proposed home occupation and public hearing. At the time of writing of the staff report, the City not received testimony regarding the application from interested parties. Staff finds this criteria is met.

V. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, staff recommends that the Planning Commission **approve** the application for a Type II Home Occupation (HO-15-01) based upon the following:

- 1) Develop the subject property in accordance with plans approved by the city.

- 2) Comply with all City of Aurora and State of Oregon development, building and fire codes.
- 3) One (1) non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. This is included as a recommended condition of approval.
- 4) Customer and client visits shall be limited to no more than five (5) per day. Customers and clients may not visit the business between the hours of ten (10) p.m. and eight (8) a.m. and shall not generate excessive traffic or monopolize on-street parking.
- 5) Storage of materials, goods and equipment screened entirely from view by a solid fence may be permitted. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment shall be reviewed and approved by the city and the fire department.
- 6) The applicant is required to acknowledge that they have read all of AMC section 16.46 for Home Occupations and shall maintain a signed copy acknowledging understanding of and conformance with the provisions of AMC 16.46 on file with the City of Aurora.
- 7) A business license shall be on file with the City of Aurora at all times that the Home Occupation is in operation. A home occupation permit shall become invalid if the applicant moves his or her residence.

VI. PLANNING COMMISSION ACTION

- A. Approve the home occupation permit (file #HO-2015-01) for an art studio, work rooms, and classroom to teach individual students on the property's accessory structure:
 1. As recommended by staff, or
 2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for a home occupation permit for an art studio, work rooms, and classroom to teach individual students on the property's accessory structure stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).

Susan Blackwell the applicant gives a brief history of her art career and informs the group that she plans to have one to two students at a time is all. She also informs the Commission that she has read the Municipal Code and has no problem complying with it.

Hearing no more testimony Chair Schaefer closes the hearing at 7:19 pm there is no discussion from the Commissioners.

A motion is made by Commissioner Fawcett to approve the home occupation HO- 2015-01 and is seconded by Commissioner McNamara. Passed by All.

6. VISITORS

Anyone wishing to address the Aurora 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 Aurora Planning Commission could look into the matter and provide some response in the future.

Bill Graupp, Mayor informs the Commission of the results from the last council meeting regarding MMD which were hours of operation 10-5, not to allow in the Historic Commercial District, Waste needs to be in a locked container, 1000 feet from a daycare.

7. NEW BUSINESS

a) None

8. OLD BUSINESS

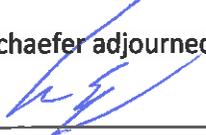
- a) Discussion and or Action on the Aurora Vision Action Plan, Commissioners go over the action plan page by page and make various changes to the document and in the end recommends it to the City Council in the form of track changes.
- b) Discussion and or Action on Beyer Annexation for Discussion Purposes Only As An Example, Chair Schaefer as a training goes over the various steps and procedures that take place during an annexation along with explaining the various forms and documents that need filled out.

9. COMMISSION/DISCUSSION

- a) City Planning Activity (in your packets) Status of Development Projects within the City.
 - Bixler request for extension, City Planner Wakeley gives a brief history of the Bixler project. Bixler has already received 2 extensions and now he is talking about a re-plat/property line adjust. Chair Schaefer states that if he is planning on vacating all of what he has done he will need to come before the Planning Commission before anything is approved. There is also a discussion regarding his performance bond and its requirements.

10. ADJOURN

Chair Schaefer adjourned the June 2, 2015 Aurora Planning Commission Meeting at 8:42 P.M.



Chair Schaefer

ATTEST:



Kelly Richardson, CMC
City Recorder

Minutes
Aurora Planning Commission Meeting
Tuesday, July 7, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT Kelly Richardson, City Recorder

STAFF ABSENT: Renata Wakeley, City Planner

VISITORS PRESENT: None

1. CALL TO ORDER OF THE CITY COUNCIL MEETING

Meeting was called to order by Chairman Schaefer at 7:01 pm

2. CITY RECORDER DOES ROLL CALL

Chair Schaefer - Present
Commissioner McNamara- Present
Commissioner Fawcett - Absent
Commissioner Gibson - Present
Commissioner Rhoden-Feely - Present
Commissioner Weidman - Absent
Commissioner TBA

3. CONSENT AGENDA

- a) Planning Commission Minutes – May, 2015
- b) City Council Meeting Minutes – April, 2015
- c) Historic Review Board Minutes – April, 2015

Motion to approve the consent agenda as presented was made by Commissioner Gibson and is seconded by Commissioner McNamara. Motion approved by all.

4. CORRESPONDENCE –

- a) Supreme Court Commercial Sign Decision, Ed Sullivan
- b) Raison Grower sued and won. Chair Scheafer explains that this issue really had more to do with the takings law.

5. VISITORS

Anyone wishing to address the Aurora 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 Aurora Planning Commission could look into the matter and provide some response in the future.

Aaron Ensign, informs the group that he is interested in the position on Planning and gives a brief history. He states that he has a background in property development and has volunteered in various school activities.

A motion is made to recommend Aaron Ensign to City Council for the open position on Planning Commission by Chair Schaefer and is seconded by Gibson. Passed by all.

6. NEW BUSINESS

- a) Discussion and or Action on Bixler project, Chair Schaefer explains the background regarding the project and the location of the property. The property is located along 99E just in front of the Hazel Nut Factory originally he had divided the lot into 4 sections and now wants to undo that which is basically a re-plat of the property. Since we don't have code for that it would essentially be a partition. The City Planner is handling all of the details and will address it further at the August meeting.

Discussion regarding the Corcoran rezoning and points out that this is a mapping error and at this point we are doing a city initiated rezoning of the property to make it clean and have if corrected properly. There will be a hearing next month.

Let's look at the code language regarding RV's at the August meeting.

7. OLD BUSINESS

- a) None

8. COMMISSION/DISCUSSION

- a) City Planning Activity (in your packets) Status of Development Projects within the City.

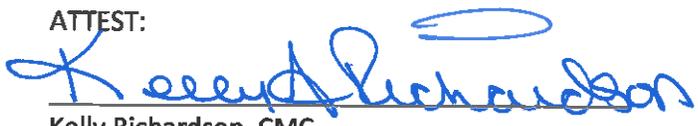
9. ADJOURN

Chair Schaefer adjourned the July 7, 2015 Aurora Planning Commission Meeting at 7:52 P.M.



Chair Schaefer

ATTEST:



Kelly Richardson, CMC
City Recorder

Minutes
Aurora Historic Review Board Meeting
Thursday, June 25, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT Kelly Richardson, CMC City Recorder

STAFF ABSENT: None

VISITORS PRESENT: Bill Graupp, Mayor
John Berard, Aurora

1. CALL TO ORDER OF THE HISTORIC REVIEW BOARD MEETING

The meeting of June 25, 2015 was called to order by Chair Abernathy at 7:00 pm

2. CITY RECORDER DOES ROLL CALL

Chair Abernathy – Present
Member Berard - Absent
Member Frochen – Present
Member Fraser – Present
Member Townsend - Absent

3. CONSENT AGENDA

- a) Historic Review Board Meeting Minutes – May, 2015, on pg 1 John Berard is spelled incorrectly and then in the last paragraph I change to John Berard.
- b) City Council Minutes – May, 2015
- c) Planning Commission – May, 2015

A motion to approve the Historic Review Board minutes of May 28, 2015, as amended was made by Member Frochen and is seconded by Member Fraser. Passed by all.

4. CORRESPONDENCE - NA

5. VISITORS

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

6. NEW BUSINESS

- a) Discussion and or Action on Window Application from Michael Sills located at 21328 Hwy 99E.

A motion is made to deny the application as presented based on 17.40.190 as the materials are not consistent with the code by board member Frochen and is seconded by board member Fraser. Motion passed by all.

7. OLD BUSINESS

- a) Discussion and or Action on the 2015 CGL Grant no updates at this time except to say that the June progress report has been submitted.

Action: Look into the vehicles for sale on Ehlen & Airport Rd.

8. ADJOURN

Chairman Abernathy adjourned the meeting of June 25, 2015 at 7:15 pm.


Gayle Abernathy, Chairman

ATTEST:


Kelly Richardson, CMC
City Recorder



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



July 16, 2015

TO: Land Conservation and Development Commission

FROM: Sadie Carney, DLCD Rural Policy Analyst/Communications Manager

SUBJECT: **Agenda Item 3, July 23-24, 2015, LCDC Meeting**

FINAL 2015 LEGISLATIVE REPORT

The Department of Land Conservation and Development (DLCD or department) will brief the Land Conservation and Development Commission (LCDC or commission) on legislation enacted in the 2015 session, including legislation affecting land use or the department, legislation introduced on behalf of the department concerning population forecasting and the urban growth boundary process, and other legislative matters of interest to the commission.

For additional information about this report, please contact Sadie Carney, Rural Policy Analyst and Communications Manager at 503-934-0036, or at sadie.carney@state.or.us.

I. AGENDA ITEM SUMMARY

The legislature adjourned on July 6, 2015. Several new land use laws have been enacted, as summarized below and in Attachment A to this report. Two of the three policy bills introduced on behalf of the department were enacted (the third bill was passed as a Washington County bill). The department also tracked a significant number of land use bills that did not pass – all land use bills tracked are listed in Attachment B to this report.

II. DEPARTMENT LEGISLATION

For the 2015 session, DLCD (in conjunction with the Governor's office) requested that three bills be introduced. Two of these – **HB 2456** regarding UGB housekeeping, and **HB 2457** regarding parcels straddling the UGB – passed with no negative votes on the House and Senate floors, and have been signed by the Governor. The passage of these bills is expected to provide modest improvement to urban growth boundary amendment procedures. With regard to **HB 2456**, legislation enacted in the 2013 legislative session – **HB 2254**, requires DLCD to adopt administrative rules to establish an optional, streamlined urban growth boundary (UGB) amendment process. These rules must be adopted by January 1, 2016, and must be based on research about urban area development trends in particular regions of the state. **HB 2254** (2013) included two almost-identical sections specifying criteria that the commission must follow in the

development of the new UGB rules – one section regarding small cities (less than 10,000) and a different section for large cities (more than 10,000). HB 2456 (2015) adds language, inadvertently omitted from 2013 HB 2254, that allows application of procedures for large cities over 10,000 in population will mirror those for smaller cities under 10,000 population.

The third department bill, **HB 2458**, was adopted in substantially similar form as HB 2047, a Washington County sponsored bill. It corrects mapping errors in the urban and rural reserve boundaries in comprehensive planning maps adopted by Metro, and previously adjusted by the 2014 Legislative Assembly.

III. LAND USE LEGISLATION ENACTED

Below is a list of land use bills of interest that were enacted in the 2015 session, as well as a few that were under consideration just prior to adjournment but which did *not* pass in the end. For purposes of this report, land use legislation is organized by topic rather than by bill number. Bills shown have been signed by the governor unless otherwise noted (a * indicates rulemaking may be required).

Attachment A to this report provides a complete list of all enacted legislation that is land use related or affects the department, organized by bill number. Significant bills by topic, tracked by the department include:

- UGBs and reserves:
 - HB 2047 – Adjustments to urban and rural reserve boundaries in comprehensive planning maps in Washington County adopted by Metro.
 - HB 2456 – DLCD bill correcting missing language error from 2013 legislation modifying optional process for evaluation of changes to urban growth boundary of city outside Metro with population of 10,000 or more.
 - HB 2457* – DLCD bill allowing county to create parcel smaller than minimum size standard in resource zone (where the existing parcel straddles the UGB).
 - HB 3282* – Requires director of DLCD, at request of a city, to allow periodic review as method for sequential review of work talks related to potential amendment of UGB.

- Other urban bills:
 - HB 2984 - Requires Clackamas County to develop pilot program for forestry products grown on nonforest land, inside or outside urban growth boundary, to be commercially produced and marketed through forestry product cooperative. Generally conceived as an urban bill.
 - HB 3222* – Modifies provisions authorizing LCDC enforcement order with regard to clear and objective standards required for needed housing within UGBs.
 - HB 3223 – Modifies provisions authorizing expedited land divisions within a UGB.

- Industrial Lands:
 - HB 3214* – Requires DLCD to amend rules regarding built or committed residential exception areas to allow rezoning to commercial or industrial use without a new exception.

- Transportation
 - SB 120* – Directs LCDC to evaluate the transportation planning rules, and, if necessary, adopt or amend rules relating to transportation improvements.

- Farm and Forest:
 - HB 2453 – Requires organizer to obtain permit from State Forestry Department prior to conducting large commercial event on state forestland.
 - HB 2831 – Clarifies that a property line adjustment may not be used to increase parcel sizes for M49 parcels in resource zones.
 - HB 3186 – Deletes language prohibiting advertising or promoting outdoor mass gatherings. Clarifies that a permit to hold outdoor mass gatherings requires a permit issued by a county, and that such a permit does not authorize any permanent development on real property.
 - HB 3431 – Extends deadline for owner of Metolious resort site to notify DLCD of intent to seek approval of small scale recreation community. Adds Clatsop County as eligible site.
 - HB 3400* – Medical and Recreational Marijuana. This is the major, but not only bill that describes how and where marijuana may be grown processed and sold. The bill contains limited land use provisions for recreational marijuana, relating to dwellings on farmland, processing, and land use compatibility statements.

- Energy Facilities
 - SB 319 - Requires proprietary authorization from Department of State Lands to construct or operate ocean renewable energy facility in Oregon’s territorial sea.

- Coastal and Ocean
 - See energy facilities and hazards sections

- Hazards
 - HB 2270 – Creates office of State Resilience Officer in Governor’s Office to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies. (Awaits Governor’s signature).

- Annexation
 - SB 534 – Authorizes city and airport to enter into agreement allowing city to provide sewer and water to airport without requiring annexation, or consent to eventual annexation to city of territory on which airport is situated. Does not change requirement to take an exception to Goal 11 to extend sewer services outside an urban growth boundary. (Awaits Governor’s signature).

It is important to note that many additional land use bills were introduced but did not pass. Some of these might reappear in future sessions, and several have been introduced in previous sessions. In general, fewer controversial land use bills passed this session than usual. In large part that is a result of strong committee chairs and legislative leadership insisting that controversial issues should not move forward without a broad consensus of interests.

IV. REQUIRED DLCD/LCDC TASKS DUE TO LEGISLATION

Rulemaking tasks are referenced in Section III above. No department has no “budget notes” attached to its adopted budget, and was not assigned to any interim workgroups.



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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Item 3

Attachment A www.oregon.gov/LCD



July 16, 2015

TO: Local Governments and Natural Resources State Agencies

**FROM: Sadie Carney, Rural Policy Analyst and Communications Manager
Department of Land Conservation and Development**

SUBJECT: 2015 Land Use Legislation

The attached report describes legislation that has been enacted by the 2015 legislature and that is related to land use planning or programs administered by the Department of Land Conservation and Development (DLCD). Not all the bills listed here are signed by the Governor as of the date of this report. This report is also published on the DLCD web site at:

http://www.oregon.gov/LCD/Pages/publications.aspx#Director_s_Office

This report provides only a brief summary of each legislative measure. Many of these new laws have elements in addition to those described in the summary, or may include details not apparent in the summary. Therefore, we recommend that you use the report primarily as a reference to new laws that may be of interest.

In general, if legislation does not specify an effective date, the new law will take effect on January 1, 2016. However, many of the bills enacted in the 2015 session take effect upon passage (with the Governor's signature). The attached report indicates the effective date of all bills that are signed by the Governor at the time of the report.

State law (ORS 197.646) requires DLCD to notify local governments when new statutory requirements require changes to local comprehensive plans, regional framework plans, or ordinances implementing these plans. The department is providing this report for that purpose with the caveat that DLCD cannot determine with specificity which bills will apply to specific local governments. The department believes the following bills will most likely require changes to certain (primarily county) acknowledged comprehensive plans and/or land use regulations: [HB 2457](#), [HB 3222](#), [HB 2126](#), [HB 3400](#). [SB 534](#), regarding the provision of city services to rural airports, does not have a land use impact (as cities are still required to take a Goal 11 exception to extend public facilities and services beyond an urban growth boundary). Additional bills listed in this report may also require changes for certain local governments. Several of these measures authorize but do not require local plan and code amendments. Others may apply only to specific local governments indicated in the legislation. The department suggests local governments seek advice from legal counsel in considering whether new laws on this list require local changes and *when* such changes should be adopted given the applicability date of the new laws. Finally, we

note that some of these new or amended statutes may soon be reflected in new or amended DLCD administrative rules adopted in response to the legislation.

Oregon Law (ORS 197.646) requires that *“a local government shall amend its acknowledged comprehensive plan, regional framework plan, and land use regulations implementing the plan, by a self-initiated post-acknowledgment process under ORS 197.610 to 197.625 to comply with ... a new statutory requirement.”* Furthermore, this statute requires that, *“when a local government does not adopt amendments to a comprehensive plan, a regional framework plan and land use regulations implementing the plan as required by ... this section, the new statutory ... requirements apply directly to the local government’s land use decisions.”*

This report includes hyperlinks for easy download of a pdf file of the final “enrolled” version of bills published on the state’s legislative web site. The home page of the state’s legislative web site is <http://www.leg.state.or.us/>. All legislation considered in the 2015 legislative session, including a large number of measures that were submitted but did not pass, may be accessed at http://www.leg.state.or.us/bills_laws. Printed copies of enacted legislation may be ordered by calling the Legislative Publication Office at the state capitol: (503) 986-1180. DLCD does not have printed copies of legislative measures available for distribution.

If you have questions or comments about the attached report or other legislation, please call DLCD legislative coordinator: Sadie Carney, sadie.carney@state.or.us, 503-934.0036.

Cc: LCDC, LOC, AOC

Final Report on 2015 Land Use Legislation

Department of Land Conservation and Development

The following bills relating to land use planning or similar topics have been considered and in many cases, passed by the 2015 Oregon Legislature. Of the bills listed below, those with a listed effective date have been signed by the Governor. If a bill has passed but awaits signature, it is noted. Included in the list below are bills that have not been enacted, but were tracked through the session by the department. Bills that have not passed are colorfully highlighted for ease in identification.

For questions about this report, contact Sadie Carney, (503) 934-0036, sadie.carney@state.or.us. For information about the Oregon Legislature, call (503) 986-1180. To view complete bill text, amendments, and measure history for all bills seen by the Oregon State Legislature visit: <http://olis.leg.state.or.us>

Bill Number	Bill Summary	Effective Date
HB 2047	Makes adjustments to reserve boundaries in comprehensive planning maps adopted by Metro and previously adjusted by Legislative Assembly.	January 1, 2016
HB 2270	Creates office of State Resilience Officer in office of Governor to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies.	July 6, 2015
HB 2456	Modifies optional process for evaluation of changes to urban growth boundary of city outside Metro with population of 10,000 or more.	January 1, 2016
HB 2457	Allows county to create parcel that is smaller than minimum size standard in resource zone for farm or forest use when part of existing unit of land has been included within urban growth boundary to be planned and zoned for urbanization.	May 20, 2015
HB 3214	Directs Land Conservation and Development Commission to adopt or amend rules related to statewide planning goals to allow local government to rezone land for certain purposes.	June 18, 2015

HB 3222	<p>Modifies provisions related to Land Conservation and Development Commission requirement that local government, state agency or special district bring comprehensive plan, land use regulations and limited land use decisions or other land use decisions into compliance with acknowledged plan or regulations upon good cause belief by commission of existence of particular circumstances.</p>	<p>January 1, 2016</p>
HB 3282	<p>Provides that Land Conservation and Development Commission may permit cities to undergo periodic review for limited purpose of completing work relating to certain urban growth boundary amendments.</p>	<p>June 4, 2015</p>
HB 5027	<p>Appropriates moneys from General Fund to Department of Land Conservation and Development for certain biennial expenses.</p>	<p>July 1, 2015</p>
SB 120	<p>Directs Land Conservation and Development Commission to adopt or amend rules relating to transportation improvements.</p>	<p>June 8, 2015</p>
SB 319	<p>Requires proprietary authorization from Department of State Lands to construct or operate ocean renewable energy facility in Oregon's territorial sea.</p>	<p>June 11, 2015</p>
SB 320	<p>Allows food establishment located within residential dwelling to produce limited amounts of certain foods for sale to public without being regulated by State Department of Agriculture.</p>	<p>January 1, 2016</p>
SB 5507	<p>Appropriates moneys from General Fund to Emergency Board for allocations during biennium.</p>	<p>July 6, 2015</p>

HB 2270	Creates office of State Resilience Officer in office of Governor to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies.	January 1, 2016
HB 2453	Requires organizer to obtain permit from State Forestry Department prior to conducting large commercial event on state forestlands.	January 1, 2016
HB 2831	Modifies authority to use property line adjustments in resource zones.	January 1, 2016
HB 3186	Deletes language prohibiting advertising or promoting outdoor mass gathering without permit.	June 16, 2015
HB 3223	Modifies provisions authorizing expedited land divisions.	January 1, 2016
HB 3431	Permits owner of Metolius resort site that notified Department of Land Conservation and Development prior to June 29, 2010, that owner has elected to seek approval of small-scale recreation community to apply to county for approval of small-scale recreation community within five years of effective date of Act.	Awaiting Signature as of 7/13
SB 534	Authorizes city and airport to enter into agreement pursuant to which city provides sewer and water services to airport without requiring annexation, or consent to eventual annexation, to city of territory on which airport is situated.	July 7, 2015

SB 583	Changes frequency for holder of direct shipper permit to report wine and cider shipments made to Oregon residents. [Events provision removed from bill in amendments, no longer effecting land use.]	July 6, 2015
SB 844	Establishes Task Force on Researching the Medical and Public Health Properties of Cannabis for purpose of studying and making report, including recommendations for legislation, on development of medical cannabis industry that provides patients with medical products that meet individual patient needs.	July 7, 2015
HB 2126	Defines "nonresidential use" for purposes of vertical housing development zone program to mean any use that is not exclusively residential use.	October 4, 2015
HB 2187	Finds and declares policy position of Oregon relating to consideration of ocean renewable energy in regional transmission planning processes.	June 10, 2015 to January 2, 2017
HB 2277	Modifies authority of drainage districts to perform flood control activity.	June 25, 2015
HB 2610	Adds agricultural workforce housing to property used in relation to agricultural work that is eligible for property tax exemption.	October 4, 2015
HB 2664	Subjects university with governing board, or not-for-profit organization or other entity that university with governing board controls, to certain provisions of Public Contracting Code.	June 2, 2015
HB 2830	Modifies time period for local government to take action on application for permit, limited land use decision or zone change after remand based on final order of Land Use Board of Appeals.	January 1, 2016

HB 2984	Requires Clackamas County to develop pilot program for forestry products grown on nonforest land in county to be commercially produced and marketed through forestry product cooperative.	July 7, 2015
HB 3084	Authorizes owner of tract within corporate boundaries of City of Damascus to withdraw tract from city in certain circumstances.	June 25, 2015
HB 3400	Makes changes to Ballot Measure 91 (2014).	June 30, 2015
HB 3524	Requires state, when selling or disposing of real property, to grant right of first refusal to developers of affordable housing.	January 1, 2016
SB 85	Authorizes local governments to implement programs to make loans or facilitate private financing of seismic rehabilitation of multifamily residential dwellings or commercial or industrial buildings by property owners.	May 4, 2015
SB 121	Authorizes electors in affected territory to propose plan for abating health hazard other than annexation of territory or extraterritorial extension of city or district services to territory.	June 8, 2015
SB 306	Permits Oregon Infrastructure Finance Authority to provide financial assistance for levee projects that contribute to improvement, expansion or repair of infrastructure systems and are essential for use or development of farm, industrial or commercial land.	July 6, 2015

<u>SB 333</u>	Designates March 22 of each year as Tom McCall Day to commemorate Governor McCall and encourage school districts to educate children about Governor McCall's legacy.	January 1, 2016
<u>SB 574</u>	Requires person providing restoration work on residential or small commercial structure following man-made or natural disaster to have appropriate license endorsement issued by Construction Contractors Board.	January 1, 2016
<u>SB 623</u>	Eliminates wine production restriction on winery licensee, or person having interest in winery licensee, that acquires full on-premises sales license.	January 1, 2016
<u>SB 775</u>	Provides that evidence of measures taken or vulnerability assessments conducted before natural disaster occurs that were intended to minimize impact of natural disaster is not admissible to prove negligence or culpable conduct in connection with natural disaster.	June 23, 2015

End of Session Report
Report Date: July 14, 2015

Administrative Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 5027 EN	Passed	Not Reviewed	1	July 1, 2015	6/10/2015 - Governor signed. 6/4/2015 - President signed. 6/2/2015 - Speaker signed.
Appropriates moneys from General Fund to Department of Land Conservation and Development for certain biennial expenses.					
SB 5507 EN	Pending	Not Reviewed	1		7/9/2015 - Speaker signed. 7/8/2015 - President signed. 7/6/2015 - Vote explanation(s) filed by Barreto, Gilliam, Whisnant.
Appropriates moneys from General Fund to Emergency Board for allocations during biennium.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2126 EN	Passed	Not Reviewed	3		6/26/2015 - Chapter 507, (2015 Laws): Effective date October 05, 2015. 6/22/2015 - Governor signed. 6/17/2015 - President signed.
Defines "nonresidential use" for purposes of vertical housing development zone program to mean any use that is not exclusively residential use.					
HB 2235 INTRO	Failed	Oppose unless amended	1		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk.
Limits review by Land Use Board of Appeals of land use decisions and limited land use decisions changing comprehensive plans and land use regulations to issues raised during local planning process.					
HB 2610 EN	Passed	Not Reviewed	3		4/17/2015 - Chapter 34, (2015 Laws): Effective date October 05, 2015. 4/16/2015 - Governor signed. 4/10/2015 - President signed.
Adds agricultural workforce housing to property used in relation to agricultural work that is eligible for property tax exemption.					
HB 2619 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Human Services and Housing. 1/12/2015 - First reading. Referred to Speaker's desk.
Requires Housing and Community Services Department to include in state housing plan summary and assessment of actions taken by cities and counties to ensure that adequate supply of affordable housing is available.					
HB 2649 INTRO	Failed	Oppose	1		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk.
Validates urban growth boundary adopted by City of Woodburn.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2664 EN	Passed	Not Reviewed	3	June 2, 2015	6/2/2015 - Governor signed. 5/26/2015 - President signed. 5/26/2015 - Speaker signed.
Subjects university with governing board, or not-for-profit organization or other entity that university with governing board controls, to certain provisions of Public Contracting Code.					
HB 2720 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/10/2015 - Public Hearing held. 1/16/2015 - Referred to Rural Communities, Land Use and Water.
Requires that, in election proposing annexation, votes from city and territory to be annexed be counted separately to determine separate majorities if territory to be annexed includes 100 acres or more.					
HB 2723 B	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/10/2015 - Public Hearing and Work Session held. 6/5/2015 - Referred to Finance and Revenue by prior reference.
Authorizes city to designate any urbanized area of city as urban agriculture incentive zone.					
HB 2725 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk.
Authorizes district or city to require consent to eventual annexation of property before providing extraterritorial service to property.					
HB 2727 INTRO	Failed	Oppose unless amended	1		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk.
Requires counties and metropolitan service districts that propose land for designation as urban reserve or rural reserve in written agreement to in fact designate land if specified factors are decided in affirmative.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2800 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 2/5/2015 - Referred to Rural Communities, Land Use, and Water. 2/2/2015 - First reading. Referred to Speaker's desk.
Allows city to assume duties and functions of county service district, directly or by transfer of duties and functions to successor entity, when majority of district residents are residents of city.					
HB 2830 EN	Passed	Not Reviewed	3	January 1, 2016	6/26/2015 - Chapter 522, (2015 Laws): Effective date January 1, 2016. 6/22/2015 - Governor signed. 6/17/2015 - President signed.
Modifies time period for local government to take action on application for permit, limited land use decision or zone change after remand based on final order of Land Use Board of Appeals.					
HB 2831 EN	Passed	Not Reviewed	2	January 1, 2016	6/16/2015 - Governor signed. 6/10/2015 - President signed. 6/8/2015 - Speaker signed.
Modifies authority to use property line adjustments in resource zones.					
HB 2881 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/2/2015 - Referred to Human Services and Housing by order of Speaker. 3/2/2015 - Without recommendation as to passage and be referred to Human Services and Housing.
Requires Department of State Lands, for purpose of identifying land that could be planned and zoned for residential use, to inventory department land, determine whether land is essential, useful or excessive in relation to plans of department, and report results to Legislative Assembly.					
HB 2894 INTRO	Failed	Neutral with amendments	2		7/6/2015 - In committee upon adjournment. 3/19/2015 - Public Hearing held. 2/13/2015 - Referred to Rural Communities, Land Use, and Water.
Authorizes district to approve or veto land division within or adjacent to boundaries of district based on whether land division interferes with operations of district.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2895 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 2/13/2015 - Referred to Rural Communities, Land Use, and Water. 2/6/2015 - First reading. Referred to Speaker's desk.
Requires local governments and districts to enter into urban service agreements not later than January 2, 2017.					
HB 2938 A	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 6/12/2015 - Referred to Rules by order of the President. 6/12/2015 - Recommendation: Do Pass with amendments. (Printed A-Eng.)
Prohibits city from requiring consent to annexation of landowner's property in exchange for city providing county service as agent of county.					
HB 3084 EN	Passed	Not Reviewed	3	June 25, 2015	7/1/2015 - Chapter 562, (2015 Laws): Effective date June 25, 2015. 6/25/2015 - Governor signed. 6/22/2015 - President signed.
Authorizes owner of tract within corporate boundaries of City of Damascus to withdraw tract from city in certain circumstances.					
HB 3147 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/14/2015 - Referred to Ways and Means by order of Speaker. 4/14/2015 - Recommendation: Do pass and be referred to Ways and Means.
Directs Department of Land Conservation and Development to study and report on statewide land use planning system to identify and evaluate opportunities to decrease time required to site and develop industrial uses.					
HB 3165 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/4/2015 - Referred to Rural Communities, Land Use, and Water. 2/25/2015 - First reading. Referred to Speaker's desk.
Eliminates statutory assignment of priority to certain land for purpose of inclusion of land within urban growth boundary.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 3209 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Rural Communities, Land Use, and Water with subsequent referral to Ways and Means. 2/27/2015 - First reading. Referred to Speaker's desk.
Establishes Task Force on Uses of Forestland.					
HB 3211 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/24/2015 - Public Hearing held. 3/19/2015 - Public Hearing held.
Validates urban reserves adopted by Metro and Clackamas County.					
HB 3214 EN	Passed	Not Reviewed	1	June 18, 2015	6/18/2015 - Governor signed. 6/12/2015 - President signed. 6/9/2015 - Third reading. Carried by Olsen. Passed. Ayes, 29; excused, 1--Burdick.
Directs Land Conservation and Development Commission to adopt or amend rules related to statewide planning goals to allow local government to rezone land for certain purposes.					
HB 3215 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Rural Communities, Land Use, and Water. 2/27/2015 - First reading. Referred to Speaker's desk.
Allows local government, without taking exception to statewide land use goals, to extend infrastructure that provides water, sewer, utility or transportation services within urban growth boundaries through urban reserves to connect with other infrastructure that provides services within urban growth boundary.					
HB 3221 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/2/2015 - Public Hearing held. 3/5/2015 - Referred to Rural Communities, Land Use, and Water.
Modifies process for determining need for buildable land to meet estimated need for housing.					
HB 3222 EN	Passed	Not Reviewed	1	January 1, 2016	6/11/2015 - Governor signed. 6/5/2015 - President signed. 6/4/2015 - Speaker signed.
Modifies provisions related to Land Conservation and Development Commission requirement that local government, state agency or special district bring					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
comprehensive plan, land use regulations and limited land use decisions or other land use decisions into compliance with acknowledged plan or regulations upon good cause belief by commission of existence of particular circumstances.					
HB 3223 EN	Passed	Not Reviewed	2	January 1, 2016	6/8/2015 - Chapter 260, (2015 Laws): Effective date January 1, 2016. 6/4/2015 - Governor signed. 6/1/2015 - President signed.
Modifies provisions authorizing expedited land divisions.					
HB 3224 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Rural Communities, Land Use, and Water. 2/27/2015 - First reading. Referred to Speaker's desk.
Modifies review process for post-acknowledgment land use decisions of city outside Metro that uses simplified method for amending urban growth boundary.					
HB 3282 EN	Passed	Not Reviewed	1	June 4, 2015	6/8/2015 - Chapter 261, (2015 Laws): Effective date June 4, 2015. 6/4/2015 - Governor signed. 6/1/2015 - President signed.
Provides that Land Conservation and Development Commission may permit cities to undergo periodic review for limited purpose of completing work relating to certain urban growth boundary amendments.					
HB 3313 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/12/2015 - Motion to withdraw from Rural Communities, Land Use, and Water failed. Ayes, 25; Nays, 32--Barker, Barnhart, Barton, Boone, Buckley, Clem, Doherty, Fagan, Frederick, Gallegos, Gomberg, Gorsek, Greenlick, Helm, Holvey, Hoyle, Keny-Guyer, Komp, Lininger, Lively, McKeown, Nathanson, Nosse, Rayfield, Read, Reardon, Smith Warner, Taylor, Vega Pederson, Williamson, Witt, Speaker Kotek; Excused, 3--Barreto, Esquivel, Johnson. 3/6/2015 - Referred to Rural Communities, Land Use, and Water.
Designates certain land in Clackamas County as acknowledged urban reserve.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 3367 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 5/20/2015 - Public Hearing held. 5/8/2015 - Referred to Environment and Natural Resources.
Authorizes local government to conditionally approve establishment of recreational trails on land zoned for exclusive farm use.					
HB 3368 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/26/2015 - Public Hearing held. 3/24/2015 - Public Hearing held.
Modifies authority for conditional land use approval to allow home occupation in resource zones to be conducted in outdoor setting on lot or parcel containing dwelling.					
HB 3400 EN	Passed	Not Reviewed	3	June 30, 2015	7/8/2015 - Chapter 614, (2015 Laws): Effective date June 30, 2015. 6/30/2015 - Governor signed. 6/30/2015 - Speaker signed.
Makes changes to Ballot Measure 91 (2014).					
HB 3416 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/7/2015 - Public Hearing held. 3/6/2015 - Referred to Rural Communities, Land Use, and Water.
Requires award of attorney fees to prevailing party on review of land use planning decisions.					
HB 3472 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/9/2015 - Referred to Rural Communities, Land Use, and Water. 3/2/2015 - First reading. Referred to Speaker's desk.
Directs Clackamas County and Metro to review adequacy of lands in Hamlet of Stafford that are designated as urban reserves and rural reserves and to report finding to Legislative Assembly.					
HB 3520 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 4/14/2015 - Public Hearing held. 4/8/2015 - Referred to Rural Communities, Land Use, and Water.
Prohibits local government from restricting industrial use of regionally significant industrial area without express written consent of affected landowners.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 3524 EN	Passed	Not Reviewed	3	January 1, 2016	7/1/2015 - Chapter 572, (2015 Laws): Effective date January 1, 2016. 6/25/2015 - Governor signed. 6/22/2015 - President signed.
Requires state, when selling or disposing of real property, to grant right of first refusal to developers of affordable housing.					
HB 3543 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/20/2015 - Referred to Rules. 4/14/2015 - First reading. Referred to Speaker's desk.
Permits electors of areas within urban growth boundary, urban reserve, rural reserve or metropolitan service district to petition county board for withdrawal.					
SB 86 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 6/15/2015 - Motion to withdraw from committee on Judiciary failed. Ayes, 12; nays, 17--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 1--Johnson. 2/26/2015 - Public Hearing held.
Authorizes establishment of firearms training facility on lot or parcel that is in exclusive farm zone, forest zone or mixed farm and forest zone, and that is not within city or urban growth boundary.					
SB 121 EN	Passed	Not Reviewed	3	June 8, 2015	6/12/2015 - Effective date, June 8, 2015. 6/12/2015 - Chapter 281, 2015 Laws. 6/8/2015 - Governor signed.
Authorizes electors in affected territory to propose plan for abating health hazard other than annexation of territory or extraterritorial extension of city or district services to territory.					
SB 201 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/16/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources.
Creates, as part of Regional Solutions Program, natural resources alignment coordinators in office of the Governor.					

End of Session Report

Report Date: July 14, 2015

Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 203 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/16/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources.
Directs natural resource agencies to coordinate for certain purposes.					
SB 204 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/15/2015 - Referred to Ways and Means by order of the President. 4/15/2015 - Recommendation: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)
Establishes task force to study multiple economic, social and environmental issues affecting continuing use of land as working farm and forests.					
SB 210 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/16/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources.
Allows applicant to obtain expedited review of certain applications by filing request and paying fee.					
SB 359 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 2/25/2015 - Public Hearing held. 1/20/2015 - Referred to Judiciary.
Limits amount of appeal fee that city or county may charge for quasi-judicial review of city or county decisions on land use application.					
SB 422 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Judiciary. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Modifies grant of exclusive jurisdiction to review decisions about land use.					
SB 497 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Environment and Natural Resources. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Requires annexation of territory within urban growth boundary by city or, if within Metro, by city designated by Metro, upon receipt of petition proposing annexation					

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
that is submitted by all owners of land within territory to be annexed.					
SB 498 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Environment and Natural Resources. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Prohibits city from submitting question of annexation of territory to electors of city when owners of land in territory and at least 50 percent of electors in territory consent to annexation in writing and additional criteria are met.					
SB 506 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/23/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 11; nays, 17--Bates, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 2--Beyer, Olsen. 2/3/2015 - Referred to Environment and Natural Resources.
Modifies process for determining need for buildable land to meet estimated need for housing.					
SB 507 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/24/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 11; nays, 17--Bates, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; absent, 1--Beyer; excused, 1--Olsen. 2/3/2015 - Referred to Environment and Natural Resources.
Modifies provisions related to inclusion of needed housing within urban growth boundaries.					

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 508 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 6/24/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 11; nays, 17--Bates, Burdick, Dembrow, Devlin, Edwards, Gelsner, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; absent, 1--Beyer; excused, 1--Olsen. 2/3/2015 - Referred to Environment and Natural Resources.

Modifies provisions authorizing expedited land divisions.

SB 509 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 2/3/2015 - Referred to Environment and Natural Resources. 2/2/2015 - Introduction and first reading. Referred to President's desk.
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Modifies review process for post-acknowledgment land use decisions.

SB 534 EN	Pending	Not Reviewed	2		7/9/2015 - Speaker signed. 7/7/2015 - President signed. 7/3/2015 - Third reading. Carried by Huffman. Passed. Ayes, 50; Nays, 9--Barnhart, Barton, Buckley, Holvey, Lininger, Nosse, Smith Warner, Taylor, Williamson; Excused for Business of the House, 1--Speaker Kotek.
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Authorizes city and airport to enter into agreement pursuant to which city provides sewer and water services to airport without requiring annexation, or consent to eventual annexation, to city of territory on which airport is situated.

SB 549 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 2/4/2015 - Referred to Environment and Natural Resources. 2/2/2015 - Introduction and first reading. Referred to President's desk.
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Allows nonconforming public or private school on land zoned for exclusive farm use to expand on contiguous land acquired by school after school became nonconforming.

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 583 EN	Passed	Not Reviewed	2		7/6/2015 - Governor signed. 6/30/2015 - Speaker signed. 6/29/2015 - President signed.

Changes frequency for holder of direct shipper permit to report wine and cider shipments made to Oregon residents.

SB 677 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 2/20/2015 - Referred to Environment and Natural Resources. 2/19/2015 - Introduction and first reading. Referred to President's desk.
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Requires county and metropolitan service district, when considering land for designation as urban reserve, to give highest priority to land containing sewer line that is located pursuant to goal exception and that serves land within urban growth boundary.

SB 747 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/8/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 11; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 1--Girod. 3/5/2015 - Referred to Environment and Natural Resources.
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Authorizes local government to adopt exception to statewide land use goal without demonstrating that certain statutory standards for exception have been met for employment use that will create five or more new, full-time jobs for which salary or wage compensation is 400 percent or more of federal poverty level for family of four.

SB 748 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/13/2015 - Public Hearing held. 4/6/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney.
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Authorizes local government to adopt exception to statewide land use goal without demonstrating that certain statutory standards for exception have been met for employment use that will create 10 or more new, full-time jobs for which salary or wage compensation is 400 percent or more of federal poverty level for family of

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
four.					
SB 749 INTRO	Failed	Not Reviewed	1		<p>7/6/2015 - In committee upon adjournment.</p> <p>5/12/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney.</p> <p>3/5/2015 - Referred to Environment and Natural Resources.</p> <p>Authorizes local government to adopt exception to statewide land use goal without demonstrating that statutory standards for exception have been met for use that is necessary for employer of 10 or more employees under specified circumstance.</p>
SB 769 INTRO	Failed	Not Reviewed	1		<p>7/6/2015 - In committee upon adjournment.</p> <p>6/10/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney.</p> <p>3/3/2015 - Referred to Environment and Natural Resources.</p> <p>Allows local governments planning for employment sites required by statewide land use goals to waive requirements of goals to establish and maintain five-year supply of shovel-ready employment sites.</p>
SB 770 INTRO	Failed	Not Reviewed	1		<p>7/6/2015 - In committee upon adjournment.</p> <p>6/16/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 17--Bates, Beyer, Burdick, Dembrow, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 1--Devlin.</p> <p>3/3/2015 - Referred to Environment and Natural Resources.</p> <p>Authorizes local government to adopt exception to statewide land use goal without demonstrating that certain statutory standards for exception have been met for employment use that will create 50 or fewer new, full-time jobs.</p>

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 771 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/10/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney. 3/3/2015 - Referred to Environment and Natural Resources.
Authorizes local government to adopt exception to statewide land use goal without demonstrating that statutory standards for exception have been met for use that is necessary for employer of 10 or more employees under specified circumstance.					
SB 844 EN	Pending	Not Reviewed	2		7/9/2015 - Speaker signed. 7/7/2015 - President signed. 7/6/2015 - Third reading. Carried by Buckley. Passed. Ayes, 45; Nays, 14--Davis, Esquivel, Gilliam, Hayden, Johnson, Krieger, McLane, Parrish, Post, Smith, Sprenger, Weidner, Whisnant, Whitsett; Excused, 1--Buehler.
Establishes Task Force on Researching the Medical and Public Health Properties of Cannabis for purpose of studying and making report, including recommendations for legislation, on development of medical cannabis industry that provides patients with medical products that meet individual patient needs.					
SB 851 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Environment and Natural Resources. 3/3/2015 - Introduction and first reading. Referred to President's desk.
Directs Department of Land Conservation and Development, in cooperation with City of Bend, to report status of current, or most recent, legislative review of urban growth boundary of City of Bend.					
SB 873 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/6/2015 - Referred to Environment and Natural Resources. 3/3/2015 - Introduction and first reading. Referred to President's desk.
Modifies authority to site or modify certain utility facilities on land zoned for exclusive farm use.					

End of Session Report

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Community Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 931 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/19/2015 - Referred to Environment and Natural Resources. 3/18/2015 - Introduction and first reading. Referred to President's desk.
Repeals sunset on provisions that prohibit annexation of specified land without written consent of owner of land.					
SB 936 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 3/30/2015 - Public Hearing held. 3/23/2015 - Referred to Implementing Measure 91.
Makes changes to law providing for registration of marijuana grow sites under Oregon Medical Marijuana Act.					
SB 964 A	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 6/2/2015 - Referred to Ways and Means. 5/28/2015 - First reading. Referred to Speaker's desk.
Makes changes to Oregon Medical Marijuana Act, including limiting amount of plants that may be grown at addresses where marijuana grow sites are located and requiring registration of marijuana processing sites.					

End of Session Report

Report Date: July 14, 2015

Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2047 EN	Passed	Support	1	January 1, 2016	5/26/2015 - Governor signed. 5/19/2015 - President signed. 5/19/2015 - Speaker signed.
Makes adjustments to reserve boundaries in comprehensive planning maps adopted by Metro and previously adjusted by Legislative Assembly.					
HB 2270 EN	Pending	Not Reviewed	1		7/6/2015 - President signed. 7/6/2015 - Speaker signed. 7/1/2015 - Third reading. Carried by Boquist. Passed. Ayes, 28; nays, 1--Thomsen; excused, 1--Olsen.
Creates office of State Resilience Officer in office of Governor to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies.					
HB 2453 EN	Pending	Neutral with amendments	2		7/3/2015 - President signed. 7/3/2015 - Speaker signed. 6/30/2015 - Rules suspended. Repassed. Ayes, 42; Nays, 16--Barreto, Bentz, Esquivel, Hack, Hayden, Heard, McLane, Nearman, Olson, Post, Sprenger, Stark, Weidner, Whisnant, Whitsett, Wilson; Excused, 2--Gorsek, Greenlick.
Requires organizer to obtain permit from State Forestry Department prior to conducting large commercial event on state forestlands.					
HB 2456 EN	Passed	Support	1	January 1, 2016	6/8/2015 - Chapter 248, (2015 Laws): Effective date January 1, 2016. 6/4/2015 - Governor signed. 6/1/2015 - President signed.
Modifies optional process for evaluation of changes to urban growth boundary of city outside Metro with population of 10,000 or more.					
HB 2457 EN	Passed	Support	1	May 20, 2015	5/20/2015 - Governor signed. 5/12/2015 - President signed. 5/12/2015 - Speaker signed.
Allows county to create parcel that is smaller than minimum size standard in resource zone for farm or forest use when part of existing unit of land has been included within urban growth boundary to be planned and zoned for urbanization.					

End of Session Report

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2458 INTRO	Failed	Support	1		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk. Makes adjustments to reserve boundaries in comprehensive planning maps adopted by Metro and previously adjusted by Legislative Assembly.
HB 2510 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Rural Communities, Land Use and Water. 1/12/2015 - First reading. Referred to Speaker's desk. Extends deadline for owner of Metolius resort site to notify Department of Land Conservation and Development that owner has elected to seek approval of small-scale recreation community.
HB 2564 A	Failed	Support	1		7/6/2015 - In committee upon adjournment. 6/5/2015 - Recommendation: Do pass the A-Eng. bill, refer to Rules. Refer to committee on Rules by order of the President. 6/2/2015 - Work Session held. Permits local governments to impose conditions on approved permits that effectively establish sales price for up to 30 percent of residential development or limit purchase to class or group of purchasers in exchange for one or more developer incentives.
HB 2666 A	Failed	Oppose unless amended	1		7/6/2015 - In committee upon adjournment. 4/24/2015 - Referred to Rules by order of Speaker. 4/24/2015 - Without recommendation as to passage, with amendments, be printed A-Engrossed, and be referred to Rules. Establishes process for county to evaluate whether proposed mining use causes significant change or significant increase in cost when federal or state agency has not issued permit authorizing proposed mining use.
HB 2724 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Consumer Protection and Government Effectiveness. 1/12/2015 - First reading. Referred to Speaker's desk. Authorizes agency to adopt criteria to waive application of rule, in whole or in part, in specified circumstance.

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2829 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/26/2015 - Public Hearing held. 2/5/2015 - Referred to Rural Communities, Land Use, and Water.
Modifies provisions authorizing private parks in exclusive farm use zones.					
HB 3008 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/20/2015 - Referred to Judiciary. 2/13/2015 - First reading. Referred to Speaker's desk.
Provides for award of attorney fees to prevailing state agency in civil action in which party asserts claim relating to environment against state agency.					
HB 3186 EN	Passed	Not Reviewed	2	June 16, 2015	6/16/2015 - Governor signed. 6/10/2015 - President signed. 6/8/2015 - Speaker signed.
Deletes language prohibiting advertising or promoting outdoor mass gathering without permit.					
HB 3208 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Rural Communities, Land Use, and Water. 2/27/2015 - First reading. Referred to Speaker's desk.
Modifies definition of "land use decision" to exclude decisions pertaining to construction, operation, maintenance or improvement of water delivery infrastructure that are made by districts for irrigation, drainage, water improvement or water control.					
HB 3340 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/6/2015 - Referred to Rural Communities, Land Use, and Water. 2/27/2015 - First reading. Referred to Speaker's desk.
Eliminates requirement that vineyards be contiguous to winery for wineries in Eastern Oregon or Southern Oregon that produce less than 50,000 gallons per year.					
HB 3379 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 3/6/2015 - Referred to Rural Communities, Land Use, and Water. 2/27/2015 - First reading. Referred to Speaker's desk.
Limits amount of appeal fee that city or county may charge for quasi-judicial review of city or county decisions on land use application.					

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 3431 EN	Pending	Not Reviewed	2		7/13/2015 - President signed. 7/3/2015 - Rules suspended. Third reading. Carried by Hansell. Passed. Ayes, 20; nays, 4--Boquist, Gelser, Riley, Thatcher; excused, 6--Devlin, Girod, Johnson, Olsen, Shields, President Courtney. 7/3/2015 - Second reading.
Permits owner of Metolius resort site that notified Department of Land Conservation and Development prior to June 29, 2010, that owner has elected to seek approval of small-scale recreation community to apply to county for approval of small-scale recreation community within five years of effective date of Act.					
HB 3446 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/9/2015 - Referred to Rural Communities, Land Use, and Water. 3/2/2015 - First reading. Referred to Speaker's desk.
Eliminates role of metropolitan service district in statewide land use planning.					
HJR 28 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/23/2015 - Public Hearing held. 3/4/2015 - Referred to Rules.
Proposes amendment to Oregon Constitution relating to legislative review of state agency administrative rules.					
SB 24 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/16/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources, then Ways and Means.
Establishes Task Force on Natural Resource Agency Consolidation.					
SB 25 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/30/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 10; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 2--Boquist, Olsen. 2/23/2015 - Public Hearing held.

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
Allows rural county with no population growth, and other local governments in county, to adopt comprehensive land use plan without complying with statewide land use planning goals.					
SB 191 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Judiciary. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Creates guidance document as new form for statement of state agency's practice, policy or interpretation of law.					
SB 258 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 2/9/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources.
Removes provision that amended site certificate must require both parties to abide by local ordinances and state law and rules of Energy Facility Siting Council in effect on date amended site certificate is executed.					
SB 320 EN	Passed	Not Reviewed	1	January 1, 2016	6/24/2015 - Effective date, January 1, 2016. 6/24/2015 - Chapter 453, 2015 Laws. 6/16/2015 - Governor signed.
Allows food establishment located within residential dwelling to produce limited amounts of certain foods for sale to public without being regulated by State Department of Agriculture.					
SB 333 EN	Passed	Not Reviewed	3	January 1, 2016	4/2/2015 - Effective date, January 1, 2016. 4/2/2015 - Chapter 019, 2015 Laws. 3/30/2015 - Governor signed.
Designates March 22 of each year as Tom McCall Day to commemorate Governor McCall and encourage school districts to educate children about Governor McCall's legacy.					

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 507 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/24/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 11; nays, 17--Bates, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; absent, 1--Beyer; excused, 1--Olsen. 2/3/2015 - Referred to Environment and Natural Resources.
Modifies provisions related to inclusion of needed housing within urban growth boundaries.					
SB 527 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 5/27/2015 - Motion to withdraw from committee on Judiciary failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney. 2/3/2015 - Referred to Judiciary.
Modifies existing administrative rule review process to require legislative approval of newly adopted administrative rules in order for rules to take effect.					
SB 623 EN	Passed	Not Reviewed	3	January 1, 2016	6/15/2015 - Effective date, January 1, 2016. 6/15/2015 - Chapter 358, 2015 Laws. 6/10/2015 - Governor signed.
Eliminates wine production restriction on winery licensee, or person having interest in winery licensee, that acquires full on-premises sales license.					
SB 765 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 3/3/2015 - Referred to Environment and Natural Resources. 2/26/2015 - Introduction and first reading. Referred to President's desk.
Prohibits Land Conservation and Development Commission from adopting land use planning rules except for land use planning rules relating to Columbia River Gorge and Oregon Territorial Sea.					

End of Session Report

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 802 INTRO	Failed	Not Reviewed	1		<p>7/6/2015 - In committee upon adjournment.</p> <p>6/22/2015 - Motion to withdraw from committee on Environment and Natural Resources failed. Ayes, 12; nays, 15--Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney; excused, 3--Bates, Beyer, Johnson.</p> <p>3/3/2015 - Referred to Environment and Natural Resources.</p> <p>Allows governing body of local government to address land use emergency by waiving goal, without taking exception, to take land use action or limited land use action.</p>
SB 873 INTRO	Failed	Not Reviewed	1		<p>7/6/2015 - In committee upon adjournment.</p> <p>3/6/2015 - Referred to Environment and Natural Resources.</p> <p>3/3/2015 - Introduction and first reading. Referred to President's desk.</p> <p>Modifies authority to site or modify certain utility facilities on land zoned for exclusive farm use.</p>
SB 5507 EN	Pending	Not Reviewed	1		<p>7/9/2015 - Speaker signed.</p> <p>7/8/2015 - President signed.</p> <p>7/6/2015 - Vote explanation(s) filed by Barreto, Gilliam, Whisnant.</p> <p>Appropriates moneys from General Fund to Emergency Board for allocations during biennium.</p>
SJR 10 INTRO	Failed	Not Reviewed	3		<p>7/6/2015 - In committee upon adjournment.</p> <p>2/2/2015 - Referred to Judiciary.</p> <p>2/2/2015 - Introduction and first reading. Referred to President's desk.</p> <p>Proposes amendment to Oregon Constitution relating to administrative rules.</p>

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Director's Office

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SJR 13 INTRO	Failed	Not Reviewed	3		<p>7/6/2015 - In committee upon adjournment.</p> <p>5/27/2015 - Motion to withdraw from committee on Judiciary failed. Ayes, 12; nays, 18--Bates, Beyer, Burdick, Dembrow, Devlin, Edwards, Gelser, Hass, Johnson, Monnes Anderson, Monroe, Prozanski, Riley, Roblan, Rosenbaum, Shields, Steiner Hayward, President Courtney.</p> <p>2/2/2015 - Referred to Judiciary.</p>
<p>Proposes amendment to Oregon Constitution to require Legislative Assembly to approve each administrative rule or amendment of administrative rule adopted by executive branch agency before taking effect.</p>					

End of Session Report

Report Date: July 14, 2015

Ocean/Coastal Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2187 EN	Passed	Neutral	3	January 1, 2016	6/10/2015 - Governor signed. 6/4/2015 - President signed. 6/2/2015 - Speaker signed.
Finds and declares policy position of Oregon relating to consideration of ocean renewable energy in regional transmission planning processes.					
HB 2216 INTRO	Failed	Neutral	3		7/6/2015 - In committee upon adjournment. 4/24/2015 - Referred to Rules by order of Speaker. 4/24/2015 - Without recommendation as to passage and be referred to Rules.
Authorizes Public Utility Commission to include in electric company's rates cost of electricity, including above-market cost of electricity, if electricity is generated under certain conditions.					
HB 2633 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/16/2015 - Public Hearing held. 6/8/2015 - Assigned to Subcommittee On Natural Resources.
Directs Department of Land Conservation and Development to develop program to provide guidance to local governments and special districts regarding planning for natural disasters.					
HB 3447 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/27/2015 - Referred to Ways and Means by order of Speaker. 4/27/2015 - Recommendation: Do pass and be referred to Ways and Means.
Directs Land Conservation and Development Commission to develop guidelines for tsunami resilience planning and to require local governments that have communities at substantial risk of experiencing severe impact from tsunami inundation to plan for tsunami resilience.					
HR 5 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/27/2015 - Referred to Veterans and Emergency Preparedness. 2/20/2015 - First reading. Referred to Speaker's desk.
Recognizes risks and susceptibility of Oregon to catastrophic damage and loss of life resulting from megathrust earthquakes and tsunamis associated with Cascadia fault.					

End of Session Report

Report Date: July 14, 2015

Ocean/Coastal Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 11 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 3/4/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources. Exempts from lease requirements privately owned structures on state-owned submerged and submersible lands that were constructed prior to January 1, 1916.
SB 22 INTRO	Failed	Neutral	2		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Environment and Natural Resources, then Ways and Means. 1/12/2015 - Introduction and first reading. Referred to President's desk. Establishes Task Force on Ocean Acidification.
SB 94 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/16/2015 - Public Hearing held. 6/8/2015 - Assigned to Subcommittee On Natural Resources. Directs Land Conservation and Development Commission to require local governments in which there are communities at substantial risk of experiencing severe impact from tsunami inundation to plan for tsunami resilience.
SB 319 EN	Passed	Support	1	June 11, 2015	6/15/2015 - Effective date, June 11, 2015. 6/15/2015 - Chapter 386, 2015 Laws. 6/11/2015 - Governor signed. Requires proprietary authorization from Department of State Lands to construct or operate ocean renewable energy facility in Oregon's territorial sea.
SB 778 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/7/2015 - Public Hearing held. 3/3/2015 - Referred to Veterans and Emergency Preparedness. Allows State Department of Geology and Mineral Industries to require use of risk mitigation methods in, or to prohibit construction of, certain facilities and structures in tsunami inundation zone.

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Hazards

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2269 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/16/2015 - Referred to Veterans and Emergency Preparedness with subsequent referral to Ways and Means. 1/12/2015 - First reading. Referred to Speaker's desk.
Creates office of State Resilience Officer in Oregon Department of Administrative Services to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies.					
HB 2270 EN	Pending	Not Reviewed	2		7/6/2015 - President signed. 7/6/2015 - Speaker signed. 7/1/2015 - Third reading. Carried by Boquist. Passed. Ayes, 28; nays, 1--Thomsen; excused, 1--Olsen.
Creates office of State Resilience Officer in office of Governor to direct, coordinate and oversee seismic safety and resilience planning and preparation by state agencies.					
HB 2277 EN	Passed	Watch	3	June 25, 2015	7/1/2015 - Chapter 544, (2015 Laws): Effective date June 25, 2015. 6/25/2015 - Governor signed. 6/18/2015 - President signed.
Modifies authority of drainage districts to perform flood control activity.					
HB 2436 A	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 5/6/2015 - Assigned to Subcommittee On Transportation and Economic Development. 2/23/2015 - Referred to Ways and Means by order of Speaker.
Permits Oregon Infrastructure Finance Authority to provide financial assistance for levee projects that contribute to improvement, expansion or repair of infrastructure systems and are essential for use or development of farm, industrial or commercial land.					
HB 2633 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/16/2015 - Public Hearing held. 6/8/2015 - Assigned to Subcommittee On Natural Resources.
Directs Department of Land Conservation and Development to develop program to provide guidance to local governments and special districts regarding planning for natural disasters.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Hazards

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 3048 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/7/2015 - Public Hearing held. 2/24/2015 - Referred to Veterans and Emergency Preparedness with subsequent referral to Ways and Means.
Requires two percent of gross proceeds of certain bonds to be set aside to fund disaster resiliency projects.					
HB 3272 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Agriculture and Natural Resources. 2/27/2015 - First reading. Referred to Speaker's desk.
Directs Oregon Business Development Department to conduct study to determine forestland wildfire and timber harvesting effects on business activities and on economic development efforts.					
HB 3386 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/2/2015 - Public Hearing held. 3/6/2015 - Referred to Veterans and Emergency Preparedness.
Establishes Oregon Public Utility Homeland Security Commission.					
HB 3393 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/26/2015 - Public Hearing held. 3/6/2015 - Referred to Veterans and Emergency Preparedness.
Establishes Task Force on State Public Safety Coordination.					
HB 3412 A	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 4/27/2015 - Referred to Ways and Means by order of Speaker. 4/27/2015 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means.
Requires State Department of Geology and Mineral Industries to develop comprehensive landslide hazard assessment program.					
HB 3447 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/27/2015 - Referred to Ways and Means by order of Speaker. 4/27/2015 - Recommendation: Do pass and be referred to Ways and Means.
Directs Land Conservation and Development Commission to develop guidelines for tsunami resilience planning and to require local governments that have					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Hazards

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
communities at substantial risk of experiencing severe impact from tsunami inundation to plan for tsunami resilience.					
HB 3461 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/9/2015 - Referred to Veterans and Emergency Preparedness. 3/2/2015 - First reading. Referred to Speaker's desk.
Directs Office of Emergency Management of Oregon Military Department to increase staffing level of office to better coordinate and facilitate private sector and governmental response to, and recovery from, natural and human-caused emergencies.					
HR 5 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/27/2015 - Referred to Veterans and Emergency Preparedness. 2/20/2015 - First reading. Referred to Speaker's desk.
Recognizes risks and susceptibility of Oregon to catastrophic damage and loss of life resulting from megathrust earthquakes and tsunamis associated with Cascadia fault.					
SB 85 EN	Passed	Not Reviewed	3	May 4, 2015	5/12/2015 - Effective date, May 4, 2015. 5/12/2015 - Chapter 048, 2015 Laws. 5/4/2015 - Governor signed.
Authorizes local governments to implement programs to make loans or facilitate private financing of seismic rehabilitation of multifamily residential dwellings or commercial or industrial buildings by property owners.					
SB 94 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 6/16/2015 - Public Hearing held. 6/8/2015 - Assigned to Subcommittee On Natural Resources.
Directs Land Conservation and Development Commission to require local governments in which there are communities at substantial risk of experiencing severe impact from tsunami inundation to plan for tsunami resilience.					
SB 235 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/30/2015 - Referred to Ways and Means by order of the President. 3/30/2015 - Recommendation: Do Pass and be referred to Ways and Means.
Changes name of Oregon Pre-Disaster Mitigation Fund to Oregon Emergency Preparedness Account.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Hazards

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 306 EN	Passed	Not Reviewed	3		7/6/2015 - Governor signed. 6/30/2015 - Speaker signed. 6/29/2015 - President signed.
Permits Oregon Infrastructure Finance Authority to provide financial assistance for levee projects that contribute to improvement, expansion or repair of infrastructure systems and are essential for use or development of farm, industrial or commercial land.					
SB 565 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/26/2015 - Referred to Tax Credits by order of the President. 3/26/2015 - Recommendation: Do Pass and be referred to Tax Credits.
Creates tax credit for certified historic property rehabilitation contributions.					
SB 574 EN	Passed	Not Reviewed	3	January 1, 2016	6/24/2015 - Effective date, January 1, 2016. 6/24/2015 - Chapter 498, 2015 Laws. 6/18/2015 - Governor signed.
Requires person providing restoration work on residential or small commercial structure following man-made or natural disaster to have appropriate license endorsement issued by Construction Contractors Board.					
SB 737 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/5/2015 - Referred to Business and Transportation. 2/26/2015 - Introduction and first reading. Referred to President's desk.
Requires home inspector conducting inspection of single-family dwelling in high-risk location for seismic activity and constructed before 1994 to provide potential purchaser of dwelling with certain information concerning seismic hazards and seismic retrofitting of dwellings.					
SB 775 EN	Passed	Not Reviewed	3	June 23, 2015	6/26/2015 - Effective date, June 23, 2015. 6/26/2015 - Chapter 541, 2015 Laws. 6/23/2015 - Governor signed.
Provides that evidence of measures taken or vulnerability assessments conducted before natural disaster occurs that were intended to minimize impact of natural disaster is not admissible to prove negligence or culpable conduct in connection with natural disaster.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Hazards

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 778 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/7/2015 - Public Hearing held. 3/3/2015 - Referred to Veterans and Emergency Preparedness.
Allows State Department of Geology and Mineral Industries to require use of risk mitigation methods in, or to prohibit construction of, certain facilities and structures in tsunami inundation zone.					
SB 794 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 3/3/2015 - Referred to Education, then Ways and Means. 2/26/2015 - Introduction and first reading. Referred to President's desk.
Authorizes State Treasurer to issue Article XI-M bonds in amount to produce \$300 million in net proceeds for seismic rehabilitation of school facilities.					
SB 808 A	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 4/20/2015 - Referred to Ways and Means by order of the President. 4/20/2015 - Recommendation: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)
Establishes task force to review established state and local plans and make recommendations to prepare for and respond to catastrophic consequences and mass displacement that may result from naturally occurring seismic events.					

End of Session Report
Report Date: July 14, 2015

Planning Services Division

N/A

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2831 EN	Passed	Support with amendments	2	January 1, 2016	6/16/2015 - Governor signed. 6/10/2015 - President signed. 6/8/2015 - Speaker signed.
Modifies authority to use property line adjustments in resource zones.					
HB 3212 A	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/30/2015 - Referred to Business and Transportation. 4/27/2015 - First reading. Referred to President's desk.
Makes law or rule solely for purpose of regulating previously allowed farming practice land use regulation for purposes of certain land use laws.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Natural Resources

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2983 INTRO	Failed	Not Reviewed	1		7/6/2015 - In committee upon adjournment. 4/16/2015 - Public Hearing held. 2/20/2015 - Referred to Rural Communities, Land Use, and Water.
Prohibits passage of laws restricting economic activities to protect fish habitat that do not apply equivalent restrictions on all economic activities having negative effects on fish habitat.					
HB 2984 EN	Pending	Not Reviewed	3		7/7/2015 - President signed. 7/2/2015 - Rules suspended. Third reading. Carried by Johnson. Passed. Ayes, 27; nays, 2--Kruse, Whitsett; excused, 1--Olsen. 7/2/2015 - Rules suspended. Second reading.
Requires Clackamas County to develop pilot program for forestry products grown on nonforest land in county to be commercially produced and marketed through forestry product cooperative.					
HB 3007 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/20/2015 - Referred to Agriculture and Natural Resources. 2/13/2015 - First reading. Referred to Speaker's desk.
Requires governing board of State Department of Geology and Mineral Industries to adopt by rule expedited consolidated application process time limits for proposed mining operations that make certain reports and receive certain approval from State Department of Fish and Wildlife related to sage grouse habitat mitigation.					
SB 125 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/8/2015 - Public Hearing held. 1/20/2015 - Referred to Environment and Natural Resources.
Requires State Department of Fish and Wildlife to take certain actions prior to adopting new programs or expanding existing programs.					
SB 160 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Environment and Natural Resources. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Requires confirmation by Legislative Assembly of new designation of scenic waterway for designation to become effective.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Natural Resources

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 360 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/9/2015 - Work Session held. 2/25/2015 - Public Hearing held.
Requires seller of residential real property to disclose, if known, whether property is located within one mile of land included in inventory of significant mineral and aggregate resources pursuant to statewide land use planning goal.					
SB 362 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Environment and Natural Resources. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Establishes Task Force on Mining.					

End of Session Report

Report Date: July 14, 2015

Planning Services Division

Transportation

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
HB 2281 B	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 6/24/2015 - Public Hearing held. 6/24/2015 - Referred to Sustainable Transportation.
Exempts certain persons from requirement to pay weight-mile or fuel taxes.					
HB 2287 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 4/24/2015 - Referred to Ways and Means by prior reference. 4/24/2015 - Without recommendation as to passage and be referred to Ways and Means by prior reference.
Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund.					
HB 2620 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 2/11/2015 - Public Hearing held. 1/16/2015 - Referred to Human Services and Housing.
Requires Department of Transportation, for purpose of identifying land that could be planned and zoned for residential use, to inventory department land, determine whether land is essential, useful or excessive in relation to transportation plans and report results to Legislative Assembly.					
SB 120 EN	Passed	Not Reviewed	1	June 8, 2015	6/12/2015 - Effective date, June 8, 2015. 6/12/2015 - Chapter 280, 2015 Laws. 6/8/2015 - Governor signed.
Directs Land Conservation and Development Commission to adopt or amend rules relating to transportation improvements.					
SB 177 INTRO	Failed	Watch	3		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Business and Transportation. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Requires registration of certain bicycles.					
SB 437 INTRO	Failed	Not Reviewed	2		7/6/2015 - In committee upon adjournment. 1/20/2015 - Referred to Business and Transportation. 1/12/2015 - Introduction and first reading. Referred to President's desk.
Allows governing body of local government to withdraw all or part of territory under its jurisdiction from boundaries of Tri-Met.					

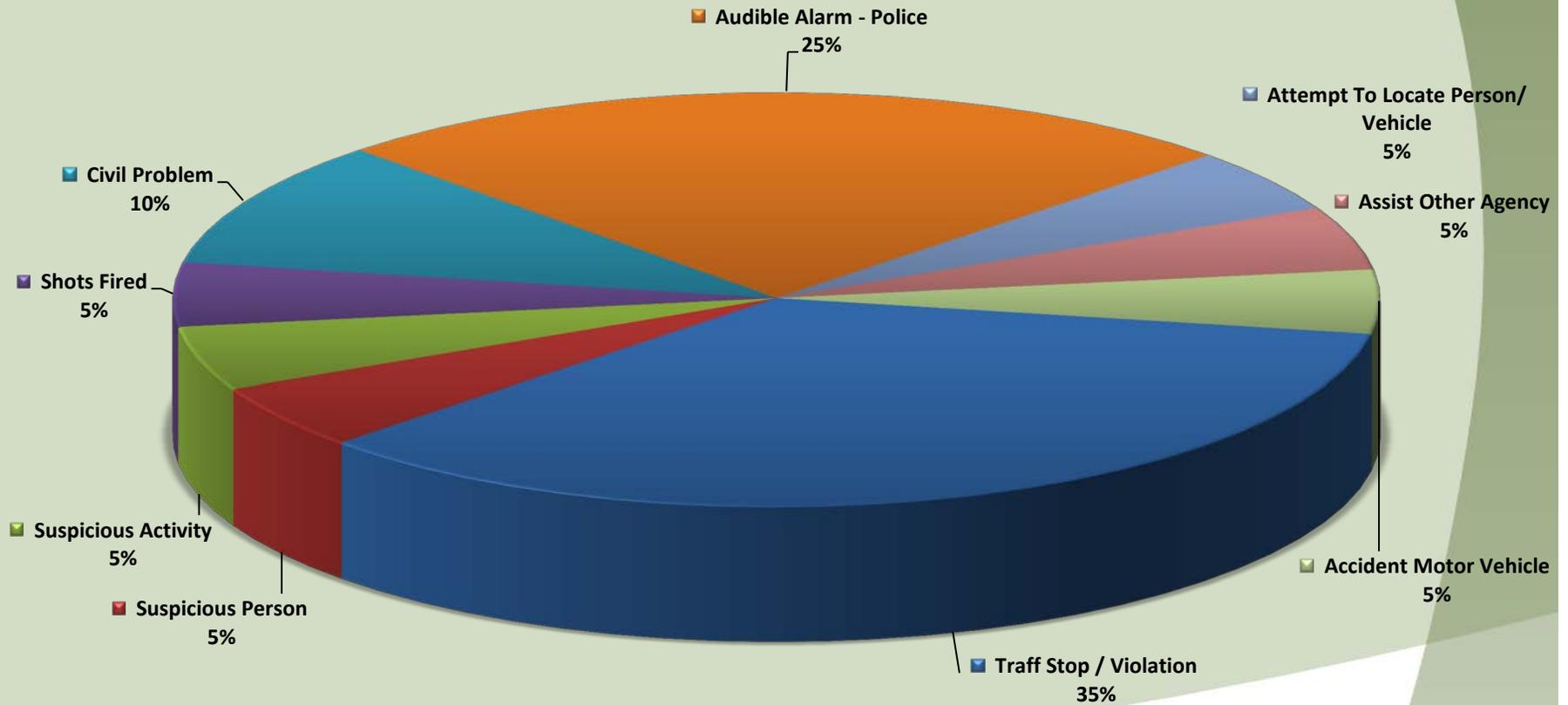
End of Session Report
Report Date: July 14, 2015

Planning Services Division

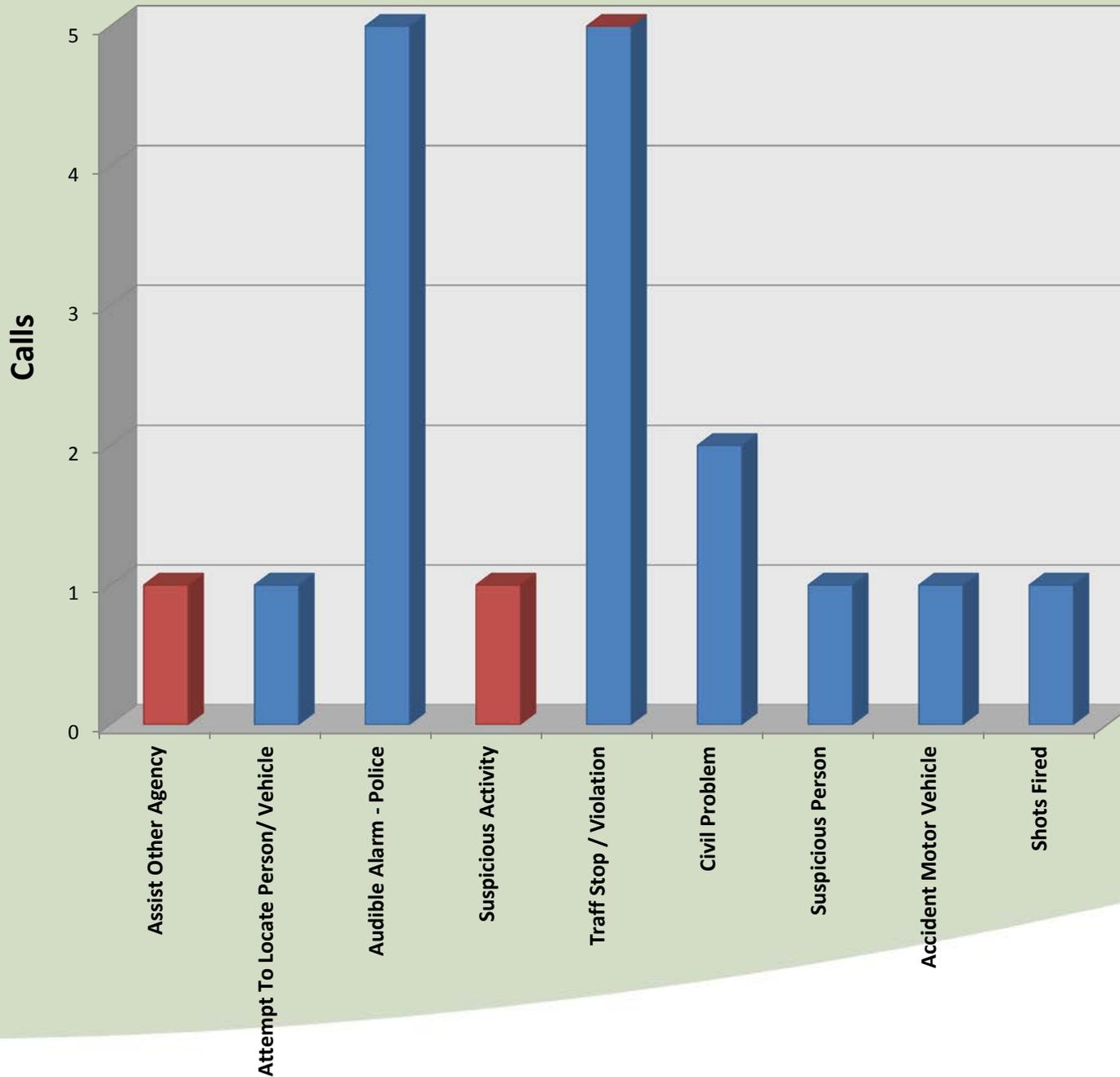
Transportation

Bill #	Status	Position	Priority	Effective Date	Last Three Actions
SB 551 INTRO	Failed	Not Reviewed	3		7/6/2015 - In committee upon adjournment. 2/4/2015 - Referred to Business and Transportation. 2/2/2015 - Introduction and first reading. Referred to President's desk.
Requires registration of bicycles.					

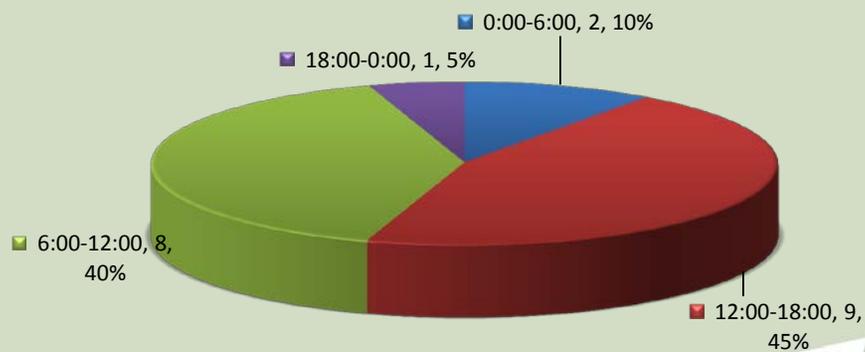
Aurora Top Calls for Service July 2015



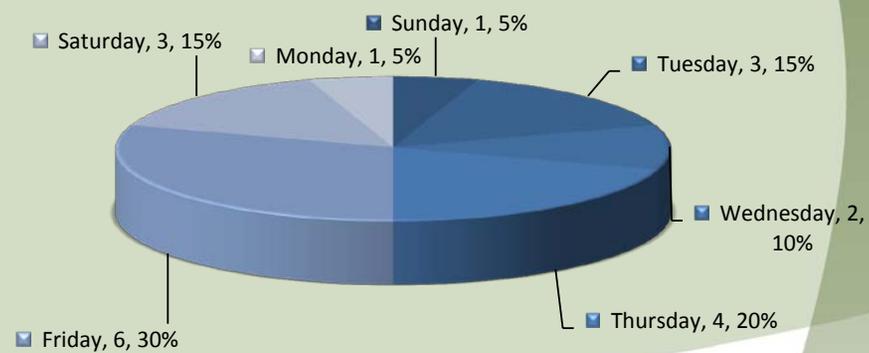
Call Type by Primary Deputy July 2015



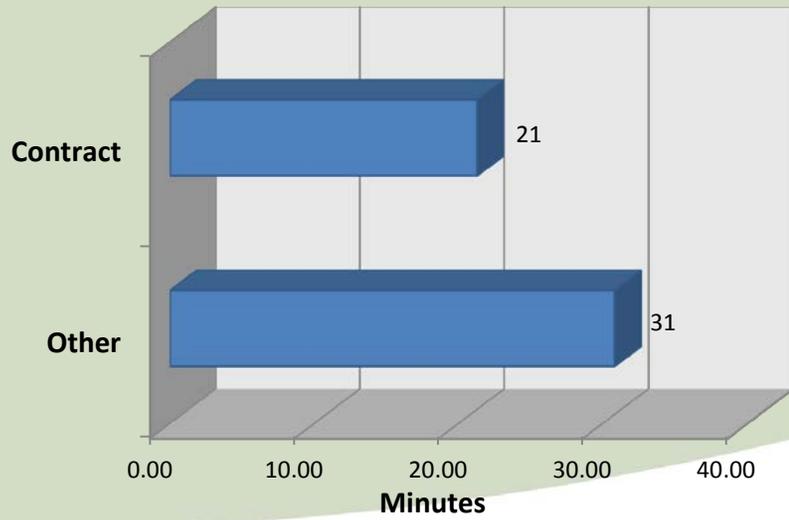
Aurora Calls for Service by Hours Range July 2015



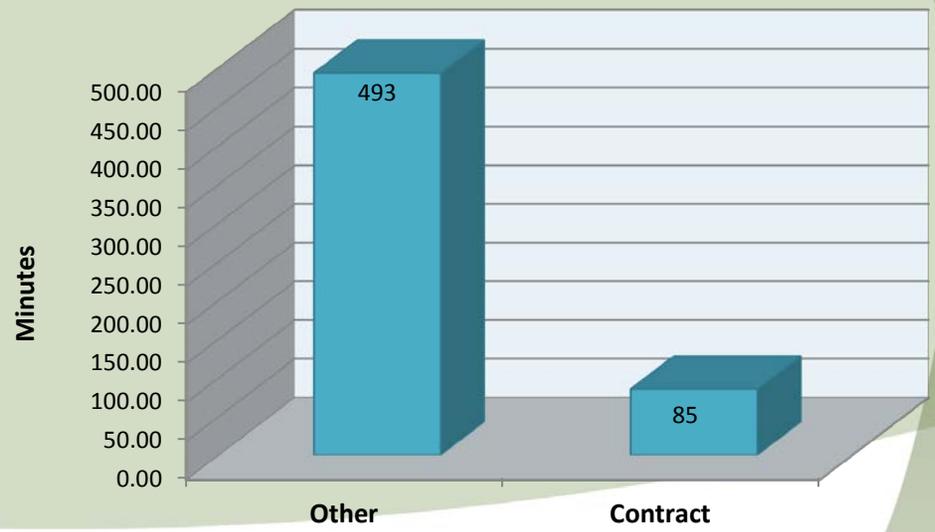
Aurora Calls for Service by Day of Week July 2015



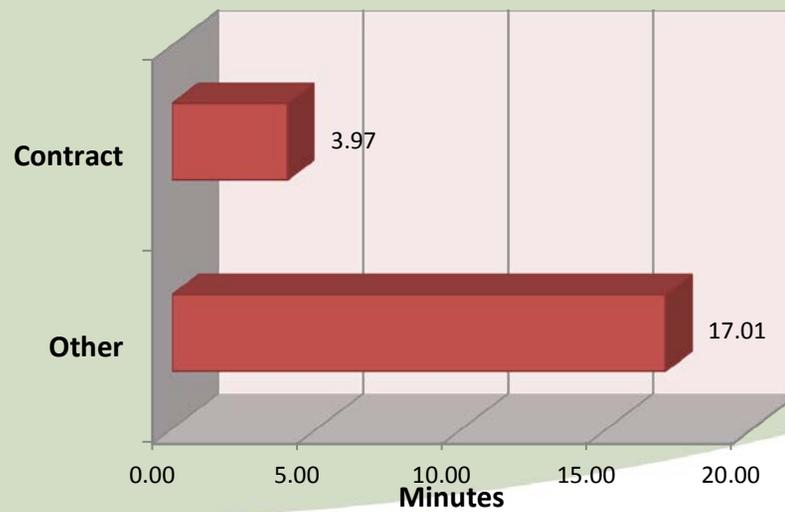
Aurora Calls Average Call Length July 2015



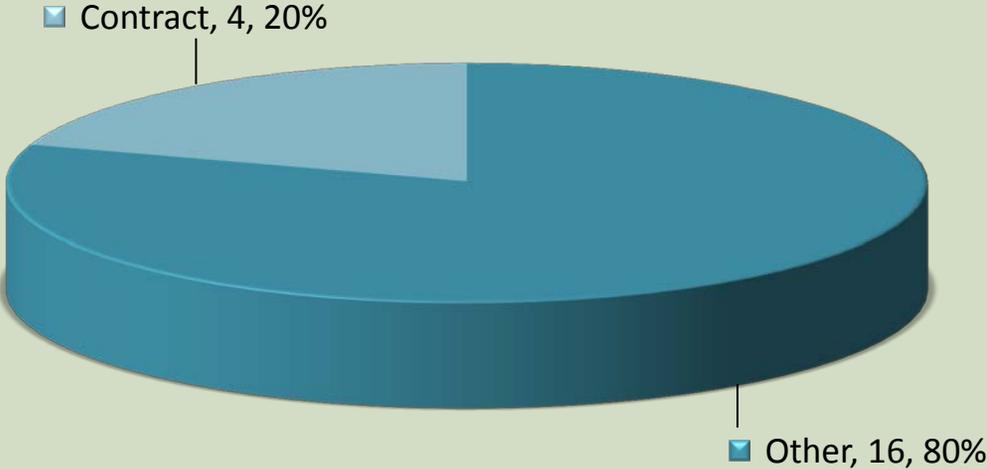
Aurora Calls Total Call Length July 2015



Aurora Calls Average Call Arrival Time July 2015



Aurora Calls by Primary Deputy July 2015



EVENTID	Combined Type	DISPATCH DATE	ARRIVAL DATE	CLEARED DATE	Arrival in Minutes	Call Length in Minutes	LOCATION	Day of Week	Time of Day	Deputy
SMS201507010007	Accident Motor Vehii	7/1/2015 0:55	7/1/2015 1:05	7/1/2015 1:05	10.03	0.00	1ST ST NE, AURORA/HIGHWAY 99E NE, AURORA	Wednesday	0:55	Other
SMS201507020022	Audible Alarm - Polic	7/2/2015 3:45	7/2/2015 4:05	7/2/2015 4:19	20.33	14.32	14625 EHLEN RD NE (MapBook:1432), AURORA	Thursday	3:45	Other
SMS201507020167	Audible Alarm - Polic	7/2/2015 17:31	7/2/2015 17:41	7/2/2015 17:41	10.63	0.00	21610 MAIN ST NE (MapBook:1432), @MAIN ST	Thursday	17:31	Other
SMS201507040116	Audible Alarm - Polic	7/4/2015 16:43	7/4/2015 17:14	7/4/2015 17:27	30.55	13.60	14665 KASEL CT NE (MapBook:1432), AURORA	Saturday	16:43	Other
SMS201507060085	Suspicious Person	7/6/2015 13:06	7/6/2015 13:32	7/6/2015 13:43	26.42	10.30	LIBERTY ST NE, AURORA/HIGHWAY 99E NE, AUR	Monday	13:06	Other
SMS201507080117	Traffic Stop / Violation	7/8/2015 15:02	7/8/2015 15:02	7/8/2015 15:20	0.00	18.42	OTTAWAY RD NE, AURORA/HIGHWAY 99E NE, A	Wednesday	15:02	Contract
SMS201507100026	Traffic Stop / Violation	7/10/2015 8:00	7/10/2015 8:00	7/10/2015 8:18	0.00	17.98	EHLEN RD NE, AURORA/MAIN ST NE, AURORA	Friday	8:00	Contract
SMS201507100051	Suspicious Activity	7/10/2015 11:50	7/10/2015 12:05	7/10/2015 12:23	15.15	17.55	14682 OTTAWAY RD NE (MapBook:1532), @US	Friday	11:50	Contract
SMS201507110045	Shots Fired	7/11/2015 10:59	7/11/2015 11:53	7/11/2015 11:53	54.17	0.00	14634 KASEL CT NE (MapBook:1432), AURORA	Saturday	10:59	Other
SMS201507170058	Traffic Stop / Violation	7/17/2015 10:54	7/17/2015 10:54	7/17/2015 11:07	0.02	13.42	EHLEN RD NE/AIRPORT RD NE(MapBook:1432)	Friday	10:54	Other
SMS201507170059	Traffic Stop / Violation	7/17/2015 11:05	7/17/2015 11:05	7/17/2015 11:13	0.00	8.77	EHLEN RD NE, AURORA/MAIN ST NE, AURORA	Friday	11:05	Other
SMS201507170060	Traffic Stop / Violation	7/17/2015 11:10	7/17/2015 11:10	7/17/2015 11:20	0.00	10.13	EHLEN RD NE, MARION COUNTY/AIRPORT RD N	Friday	11:10	Other
SMS201507190098	Audible Alarm - Polic	7/19/2015 17:48	7/19/2015 18:24	7/19/2015 18:32	35.78	7.57	14592 OTTAWAY RD NE (MapBook:1532), @WE	Sunday	17:48	Other
SMS201507210033	Civil Problem	7/21/2015 11:10	7/21/2015 11:43	7/21/2015 18:05	33.37	382.13	21200 HIGHWAY 99E NE (MapBook:1532), AURC	Tuesday	11:10	Other
SMS201507230085	Audible Alarm - Polic	7/23/2015 12:29	7/23/2015 12:33	7/23/2015 12:45	4.37	12.23	14665 KASEL CT NE (MapBook:1432), AURORA	Thursday	12:29	Other
SMS201507230091	Traffic Stop / Violation	7/23/2015 12:55	7/23/2015 12:55	7/23/2015 13:03	0.00	8.05	EHLEN RD NE, MARION COUNTY/AIRPORT RD N	Thursday	12:55	Other
SMS201507240098	Civil Problem	7/24/2015 16:07	7/24/2015 16:48	7/24/2015 16:48	40.32	0.00	21200 HIGHWAY 99E NE (MapBook:1532), AURC	Friday	16:07	Other
SMS201507250036	Traffic Stop / Violation	7/25/2015 9:18	7/25/2015 9:18	7/25/2015 9:31	0.02	12.72	EHLEN RD NE, MARION COUNTY/AIRPORT RD N	Saturday	9:18	Other
SMS201507280150	Assist Other Agency	7/28/2015 16:23	7/28/2015 16:23	7/28/2015 16:55	0.73	31.18	21687 HIGHWAY 99E NE (21687 HIGHWAY 99E	Tuesday	16:23	Contract
SMS201507280163	Attempt To Locate Pt	7/28/2015 18:29	7/28/2015 18:35	7/28/2015 18:35	6.10	0.00	21687 HIGHWAY 99E NE (MapBook:1432), @SHI	Tuesday	18:29	Other

Report from the Finance Officer
August 11, 2015

- Revenue and expense report for the fiscal year ending June 30, 2015 is included. This report shows budgeted amounts and percent of budget received/spent. This is an estimate only. Final numbers will not be known until the audit has been completed. Large discrepancies are noted.
- Continuing to work on closing out the last fiscal year.
- I have begun working with the auditors for the Fiscal Year 2014-2015 audit.
- Keeping current with payables and receivables.
- Continuing with front office duties.

Respectfully,



Mary C. Lambert

CITY OF AURORA - TREASURER'S REPORT Ending June 30, 2015

FUND	BUDGET	BALANCE @ July 1, 2014	TOTAL REVENUES	% TO DATE	BUDGET less contingency	TOTAL EXPENSES	% TO DATE	END BALANCE June 30, 2015	
10 GENERAL	689,389.00	334,354.00	403,878.96	58.59%	429,788.00	343,449.43	79.91%	394,783.52	Revenues
15 CITY HALL BUILDING increase in business license surcharge revenue	119,827.00	118,128.00	2,351.88	122.49%	119,827.00	0.00	0.00%	120,479.86	close to or at budget
25 PARK RESERVE overestimated interest revenue	1,146.00	1,136.00	6.66	66.66%	1,146.00	0.00	0.00%	1,142.66	> budget
29 PARK SDCs	27,069.00	29,164.00	2,359.33	101.48%	27,069.00	0.00	0.00%	31,523.33	< budget
30 STREET/STORM did not receive 50K in grant money	274,053.00	159,055.00	77,145.52	66.91%	168,031.00	53,700.96	31.96%	182,499.56	
35 STREET RESERVE	51,983.00	38,367.00	13,702.85	100.19%	51,983.00	0.00	0.00%	52,069.85	Expenditures
39 ST/STORM SDCs sdc charges were not increased as anticipated	22,192.00	13,840.00	8,792.55	78.00%	22,192.00	0.00	0.00%	22,632.55	close to or at budget
40 WATER OPERATING	498,000.00	216,959.00	278,188.11	98.30%	315,658.00	272,876.96	86.45%	222,270.15	< budget
42 SPW MAINTENANCE	39,717.00	31,566.00	8,144.15	98.85%	39,717.00	0.00	0.00%	39,710.15	
45 WATER RESERVE	46,681.00	26,567.00	20,142.69	103.11%	46,681.00	0.00	0.00%	46,709.69	
49 WATER SDCs budget included one 1" meter that came in as 3/4"	60,398.00	45,478.00	16,880.66	83.40%	60,398.00	0.00	0.00%	62,358.66	
50 SEWER OPERATING	436,300.00	177,718.00	277,300.63	101.09%	270,087.00	196,063.75	72.59%	258,954.88	
55 SEWER RESERVE	55,727.00	45,552.00	10,231.97	100.81%	55,727.00	0.00	0.00%	55,783.97	
57 G. O. DEBT SERVICE	319,800.00	33,176.00	298,413.75	102.02%	319,800.00	309,800.00	96.87%	21,789.75	
59 SEWER SDCs	32,778.00	28,623.00	6,239.81	100.71%	32,778.00	10,000.00	30.51%	24,862.81	
TOTALS	2,675,070.00	1,299,683.00	1,423,779.51		1,960,892.00	1,185,891.10		1,537,571.41	

* beg balances per audit

City Council
Public Works Activity Report
July/Aug 2015

Waste Water:

Most of this month has been working on new irrigation and sludge transfer station. Pipe and tanks are on site.

TMDL report is completed and will be submitted after reviewing once again to ensure correct information is listed. This report is due in September. I have been in contact with the agency.

I&I reports is due February First of each year. 2014 report mailed 1/8/2015

Flow meter calibration report is due before December 31 of each year. This is done in April 9, 2015. Cert letter will be sent this month

Water:

34 meters were replace last year, since July 1, 9 have been installed.

The Public works personnel has been instructed on the procedure for backwash. Seem to be working properly.

CCR report was put together and has been sent on the last billing cycle.

Cross connection update . 2014 Report has been filed

Streets:

Routine operation and maintenance. Clearing catch basin of debris. Graveled roads are being checked for pot holes and repaired as needed.

Park: Risk assessment bids for the Fir trees have been asked for.

Notice for Council

Water Plant repairs.8/8/15

Wastewater treatment (ongoing now)

Administration

Public Works scheduling and planning for staff.

Reviewing Budget items for 2015-2016

Respectfully: Darrel Lockard

Public works project list

Irrigation for WWTP summer discharge

Sludge tank

Stop Lines

Prep second irrigation field

Backflow is ongoing

Memo

To: City Council
From: Kelly Richardson
CC: None
Date: 8/6/2015
Re: Recorders Report Month of June and July 2015 report

Activities and ongoing projects are as follows:

- ❖ Ongoing secretarial duties for the City Council and Planning and Historic Review Board, along with attending the meetings once a month.
 - Working closely with Historic Review Board on guideline updates and changes.
 - Working with Karen Townsend on CGL grant for HRB, Received and working on logistics of the grant.
 - researching potential typists for the CGL grant
- ❖ Attending Conference Committee And Records Committee Meetings
- ❖ Records Request update
 - O pending request
- ❖ Ongoing needs of the City, discussion items.
- ❖ Updating Planning and Zoning Files and Forms/Checklists **ONGOING**
- ❖ Gather information for website updates, continued to work on this.
- ❖ Working on various punch list items requested. (most items on hold)
- ❖ Continued work almost daily on Backflow Device Status.
- ❖ Finished City Recorders and Finance Officers Job descriptions with Councilor Sallee assistance. Will move onto Public Works and Utility Worker I & II next.
- ❖ Need to schedule employee reviews this is normally done at the beginning of the year but that didn't happen so I would like to schedule now as it is the beginning of the fiscal year.

❖ Discussion of Water Shortage Declaration Code Section 13.04.130

City Recorder Report pg 2 for discussion

13.04.130 Water shortage-Declaration of an emergency.

When the mayor is informed that the city water supply has become, or is about to become, depleted to such an extent as to cause a serious water shortage in the city, the mayor shall have the authority to declare an emergency water shortage, and to direct that the following provisions be enforced:

A. When a declaration of an emergency is pronounced by the mayor, the city recorder shall make the declaration public in a manner reasonably calculated to provide actual notice to the public. This provision shall not be construed as requiring personal delivery or service of notice, or notice by mail.

B. When a declaration of emergency is pronounced, and notice has been given in accordance with this section, the use and withdrawal of city water by any person for the following purposes shall be prohibited:

1. Sprinkling, watering or irrigating shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any vegetation;

2. Washing automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment;

3. Washing sidewalks, driveways, filling station aprons, porches, and other surfaces;

4. Washing the outside of dwellings; washing the inside or outside of office buildings;

5. Washing and cleaning any business or industrial equipment and/or machinery;

6. Operating any ornamental fountain or other structure making a similar use of water;

7. Maintaining swimming and wading pools not employing a filter and reticulating system;

8. Permitting the escape of water through defective plumbing.

C. Whenever the mayor shall find the conditions which gave rise to the water prohibition in effect no longer exist, he or she may declare the prohibition terminated in whole or in part, effective immediately upon announcement.

D. The city recorder shall make or cause to be made a record of each time and date when any such declaration is announced to the public, including the notice of termination, both in whole or in part.

E. Any officer of the Aurora police department or other employee of the city may enter the premises of any person for the purpose of shutting off or reducing the flow of water being used contrary to the provisions of the prohibition. (Ord. 351 § 13, 1992)

13.04.150 Violations--Penalties.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00). Each day of a continuing violation shall constitute a separate violation. (Ord. 351 § 16, 1992)

**CITY OF AURORA CITY COUNCIL
STAFF REPORT**

FILE NUMBER: ZC-2015-01 and CPMA-2015-01
HEARING DATE: August 11, 2015

APPLICANT: City of Aurora

OWNER: Timothy & Susan Corcoran, PO Box 73, Aurora, OR 97002

REQUEST: Zone Change and Comprehensive Plan Map Amendment

SITE LOCATION: 21348 Hwy 99E, Aurora, OR 97002
Property ID R98010, Map 041.W.12BA, Tax Lot 3000

SITE SIZE: 0.166 acres

ZONING: Low Density Residential (R-1) Zone with Historic Residential (HR) Overlay

COMP PLAN DESIG: Low Density Residential with Historic District Overlay

CRITERIA: Aurora Comprehensive Plan
Chapter IX. Policies

Aurora Municipal Code (AMC)
Chapter 16.76 Procedures for Decision Making – Quasi-Judicial

ENCLOSURES: Exhibit A: Assessor Map

I. REQUEST

Applicant has requested the following two actions:

- 1) Zone change from Low Density Residential (R-1) with Historic Residential (HR) Overlay to Commercial (C) with Historic Commercial (HC) Overlay; and
- 2) Comprehensive Plan map amendment from Low Density Residential with Historic District to Commercial with Historic District

II. PROCEDURE

Procedures and standards dictating review of map amendments and zone changes are provided in AMC 16.80.30. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 16.76. The Council shall decide the applications on the record. A quasi-judicial application may be approved, approved with conditions or denied.

The decision on an amendment to the Comprehensive Plan Map must precede the decision on a proposed zone change. Plan map amendments are not subject to the one hundred twenty (120) day decision making

period prescribed by state law and such amendments may involve complex issues. The applicant requested consolidation of the plan map amendment and a zone change and waived the one hundred twenty (120) day time limit prescribed by state law for zone change and permit applications.

Notice of the August 4, 2015 Planning Commission meeting and August 11th City Council hearings was provided on July 23, 2015 to the applicant, owners of the subject property, and all owners of property within 200' of the subject property. Notice was also mailed to the Department of Land Conservation and Development and Aurora Public Works and published in the Canby Herald on July 15, 2015.

Appeals are governed by AMC 16.76.260 and 16.78.120 and 16.80.030.

III. CRITERIA AND FINDINGS

Subchapter 16.80.030 provides the criteria for amendments to the Code, Comprehensive Plan, and Maps and states quasi-judicial amendments shall be in accordance with the procedures set forth in 16.76. The City 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. Noticing requirements are summarized above. The Planning Commission makes a recommendation to the City Council for final decision. Staff and the Planning Commission found the criteria under 16.76.020 through 16.76.110 are met.

Aurora Comprehensive Plan, Chapter IX. POLICIES

J. Historic Resource Policies (Goal 5)

Objective: Protect the community's historic character and sense of identity by conserving buildings and sites of historic significance and increasing the zone of control to include more of the original colony property.

FINDINGS: Staff and the Planning Commission found the proposed rezone will maintain the historic overlay zone and, based upon input from the property owner, will conserve buildings and properties of historic significance.

K. Economic Policies (Goal 9)

2. *The City will encourage the preservation and enhancement of the community's historic character.*

FINDINGS: The proposed rezone and map amendment affects property located in the City's historic district. The zone change and map amendment will allow a dilapidated residential structure in the historic district to be refurbished and used for commercial purposes. On February 26, 2015, the Historic Review Board (HRB) heard and subsequently approved the property owners request to refurbish the roof, paint, windows, foundation, and doors of the existing structure. Based on the proposed use and the approval of the HRB, Staff and the Planning Commission found the request will encourage the preservation and enhancement of the community's historic character.

3. *The City will promote the retention and expansion of existing business activities while promoting the recruitment of new businesses.*

FINDINGS: The property abutting the subject property to the north currently houses the Aurora Family Health Clinic. The proposed rezone and map amendment will allow the health clinic to expand into the

subject property. Preliminary renderings submitted by the property owner show an expansion and remodel of the existing residential structure on the subject property for the purpose of accommodating the Aurora Family Health Clinic. Upon approval of a rezone and map amendment, the construction and change in use would be subject to Site Development Review. Staff and the Planning Commission found the request will promote retention and expansion of existing business activities.

Aurora Municipal Code (AMC)

16.76 Procedures for Decision Making – Quasi-Judicial

16.76.120 Standards for the decision. An application for quasi-judicial comprehensive plan map amendment or zone change 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; and*

FINDINGS: Applicable Comprehensive Plan policies are addressed above. Staff and the Planning Commission found the request complies with applicable Comprehensive Plan policies and this criteria is met.

- 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.*

FINDINGS: As stated above, on February 26, 2015, the HRB heard and subsequently approved the property owners request to refurbish the roof, paint, windows, foundation, and doors of the existing structure. Upon approval of the proposed rezone and map amendment, Historic District overlays will continue to apply, and any commercial development will be subject to Site Development Review and the Public Works Design Standards. Staff and the Planning Commission found the request met this criteria.

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

FINDINGS: The proposed rezone and map amendment will result in Commercial (C) zoning of the subject property with Historic Commercial Overlay (HCO) zone, which will allow the dilapidated dwelling currently on site to be refurbished and used for commercial purposes. The redevelopment of a vacant and dilapidated structure will remove a potential safety and welfare hazard. Furthermore, preliminary plans for the subject property include an expansion of the neighboring Aurora Family Health Clinic. Notice of the proposed zone change and comprehensive plan map amendment was also mailed to property owners within 200 feet and provided to Aurora Public Works. At the writing on this staff report, Staff had not received written testimony regarding the subject application. Oral testimony was not received at the Planning Commission meeting. Consequently, Staff and the Planning Commission found the request would not adversely affect the health, safety, and welfare of the community. Staff and the Planning Commission found this criteria was 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 relates to the property which is the subject of the development application; and*
- 2. Factual oral testimony or written statements from the 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: Properties to the north, south and west of the subject property are zone Commercial (C) with a Historic Commercial Overlay (HCO) zone. The property owner and Staff were able to locate documentation regarding the property zoning which conflicts with the current Residential zone shown on City maps and County assessor records. Staff believes that, at some point in the past during a map update, the City inadvertently mislabeled the subject property as Residential with a Historic Residential Overlay as previous land use applications for the subject property have identified it as Commercial with no evidence that the property was rezoned to Residential. The Planning Commission found this criteria was met.

IV. CONCLUSIONS AND RECOMMENDATIONS

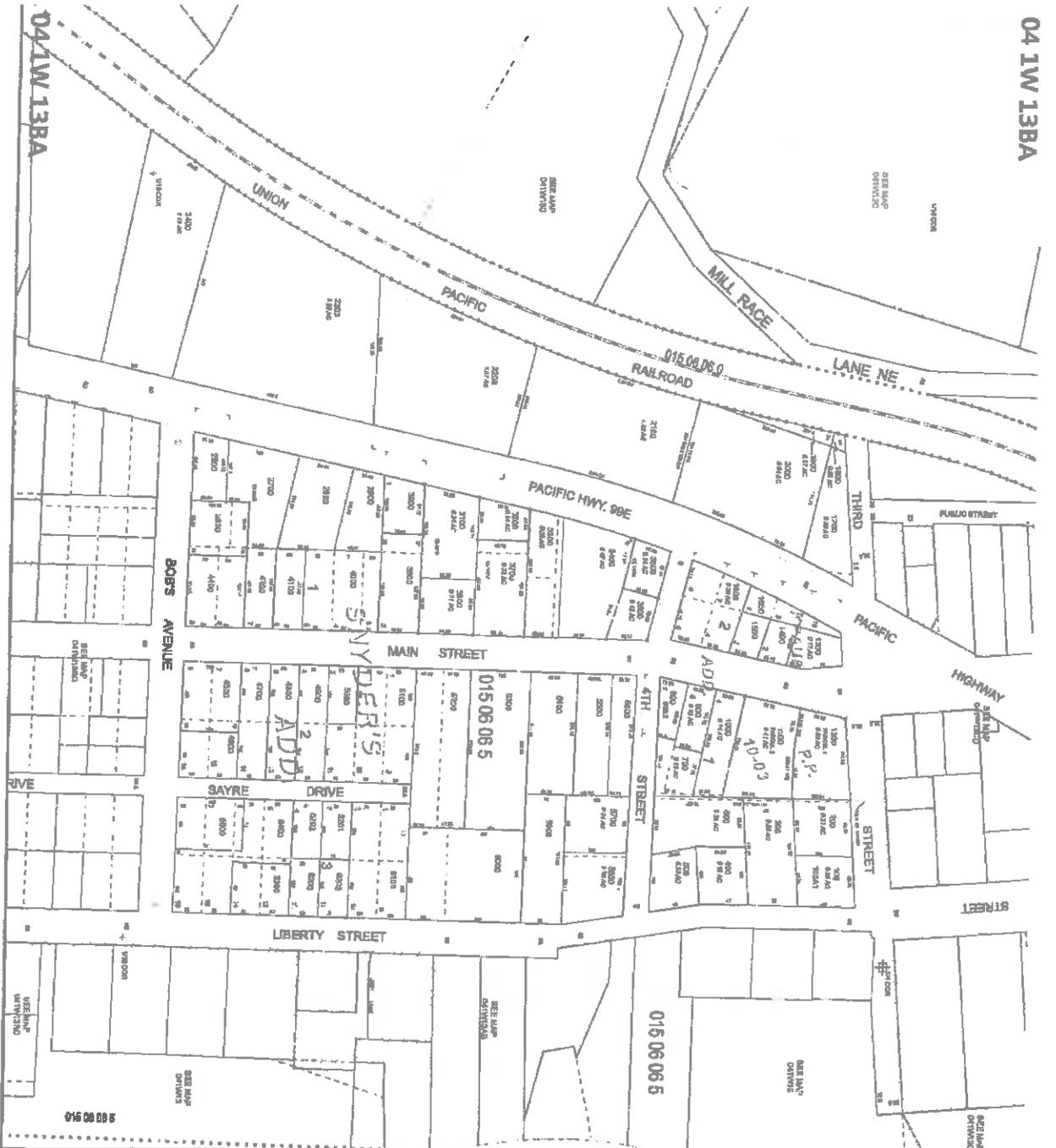
Based on the findings in the staff report, Staff and the Planning Commission recommends that the City Council **approve** the request, subject to the following conditions of approval:

- 1) Future development shall occur in accordance with plans approved by the city.
- 2) Future development shall comply with all City of Aurora and State of Oregon development, building and fire codes.

V. CITY COUNCIL OPTIONS / SAMPLE MOTIONS

- 1) Approve the request for Comprehensive Plan Map Amendment and Zone Change (File ZC-2015-01 and CPMA-2015-01) and adopt the findings and conditions contained in the Staff Report.
- 2) Approve the request for Comprehensive Plan Map Amendment and Zone Change (File ZC-2015-01 and CPMA-2015-01), with findings/conditions as amended by the City Council (stating revised findings/conditions).
- 3) Deny the request for Comprehensive Plan Map Amendment and Zone Change (File ZC-2015-01 and CPMA-2015-01), with amended findings that the request does not meet the applicable approval criteria.
- 4) Continue the hearing (to a date and time certain) if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

04 1W 13BA



04 1W 13BA
AURORA

MARION COUNTY, OREGON
NE/4 NW/4 SEC 13 T6S R1W W1M
SCALE 1" = 100'

PLAT NO.

- LINE TYPES
- Legal Boundary
- Road Right-of-Way
- Water Right-of-Way
- Power Right-of-Way
- Subdivision/Parcel Boundary
- Waterline - Solid Body
- Waterline - Dashed Body
- STANDARD TYPES
- Survey Monument
- Road Station
- DOT Corner
- Light Station
- 1/4 Section Corner
- Section Corner

CANCELLED NUMBERS

000 00 00 0

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.

100% ACCURACY, 100% SURE, 100% SERVICE. WE'VE GOT YOU COVERED.

PLAT DATE: 4/15/2015

AURORA

04 1W 13BA

Exhibit **A**

RESOLUTION NUMBER. 701

A RESOLUTION ESTABLISHING BUSINESS LICENSE AND RELATED FEES.

WHEREAS, The City of Aurora Oregon has a fee schedule established for Business license in the City of Aurora,

WHEREAS, The City of Aurora needs to update said fee schedule to reflect the current fees being charged, in relation to New Business License and Renewals along with revised delinquency fees charged.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, OREGON THAT:

Section 1, The City Council Resolution 642 is amended

Section 2: The City shall hereby charge the following Amended Business License Fees and related charges until hereafter amended by city resolution:

<u>TYPE OF BUSINESS LICENSE</u>	<u>FEE</u>
Annual (one year)	\$100.00 from \$50.00
Renewal	\$50.00
Seasonal (120 days or less)	\$30.00
Weekend (2 days)	\$20.00
One Day	\$15.00
<u>MMD</u> (Medical Marijuana Dispensary)	<u>\$5,000.00</u>

/ / / / / / / / / / / / / / /

/ / / / / / / / / / / / / / / /

/ / / / / / / / / / / / / / / /

OTHER FEES AND CHARGES

Delinquency Charge	\$15.00 from \$10.00
Reinstatement Fee	\$100.00

INTRODUCED AND ADOPTED this 11th day of August, 2015.

CITY OF AURORA, OREGON

BY: _____
Bill Graupp, MAYOR

ATTEST:

BY: _____
Kelly Richardson, CMC
City Recorder

**CITY OF AURORA CITY COUNCIL
STAFF REPORT**

FILE NUMBER: Appeal-2015-01
HEARING DATE: August 11, 2015

APPLICANT/OWNER: Michael Sills, 8415 SW Rogue Ln, Wilsonville, OR

REQUEST: Appeal of a July 8, 2015 decision of denial made by the Historic Review Board regarding the installation of vinyl windows in place of wood windows in a contributing structure.

SITE LOCATION: 21328 Highway 99E NE, Aurora, OR 97002. Map 041W13BA, Tax Lot 2800.

ZONING: Commercial (C) with Historic Commercial Overlay (HCO)

COMP PLAN DESIG: Commercial with Historic District Overlay

CRITERIA: Aurora Municipal Code (AMC), Title 17.20.100 provides the procedures and criteria for reviewing an appeal of the Historic Review Board decision. 16.76 Procedures for Decision Making – Quasi-Judicial

ENCLOSURES:

- Exhibit A: Assessor Map
- Exhibit B: July 8, 2015 HRB Notice of Decision
- Exhibit C: Appeal application materials
- Exhibit D: Resource #140, Aurora Colony Historic Resources Inventory (July 1985)
- Exhibit E: Additional Supporting Documentation

I. REQUEST

Appeal of a July 8, 2015 decision of denial made by the Historic Review Board regarding the installation of vinyl windows in place of wood windows in a contributing structure.

II. PROCEDURE

Procedures and standards dictating appeals of Historic Review Board decisions are governed by Aurora Municipal Code (AMC) 17.20.100. Submission of an appeal shall be made within the 14 day appeal period and shall include payment of required fees by any party to the decision before five p.m. on the last day of the appeal period and shall include the appellant’s specific grounds for the appeal. (17.20.100.D.3).

AMC 17.20.100.F. states, “Upon appeal, notice shall be given to parties who are entitled to notice under Sections 17.20.060 and Section 17.20.090. Notice of the August 11th appeal hearing was provided on July 31, 2015 to the appellant and Historic Review Board.

III. CRITERIA AND FINDINGS

Subchapter 17.20.100.G. provides the criteria for appeal and states: The appellate authority shall affirm, reverse or modify the decision, which is the subject of the appeal. The decision shall be made in accordance with the time provisions of Section 17.20.040; or upon the written consent of all parties to extend the one hundred twenty (120) day limit, the appellate authority may remand the matter if it is satisfied that testimony or other evidence could not have been presented or was not available at the time of the initial decision.

In deciding to remand the matter, the appellate authority shall consider and make findings and conclusions regarding:

- 1. The prejudice to parties;***
- 2. The convenience or availability of evidence at the time of the initial hearing;***
- 3. The surprise to opposing parties;***
- 4. The date notice was given to other parties as to an attempt to admit; or***
- 5. The competency, relevancy and materiality of the proposed testimony or other evidence.***

FINDINGS: The subject property, Lot 2800 of Map 041W13BA, and commonly known as 21328 Highway 99E NE, Aurora, OR 97002 is identified as Resource #140 on the Aurora Colony Historic Resources Inventory (July 1985) which is adopted by the City Council and an element of the Aurora Comprehensive Plan (See Exhibit D). Therefore, the subject property is zoned Commercial with a Historic Commercial Overlay and is subject to both Title 16-Land Development and Title 17- Historic Preservation of the Aurora Municipal Code.

Aurora Municipal Code (AMC) sections 17.40.190.A.1. states that for Contributing Structures in the Historic Commercial Overlay “Windows shall be trimmed with wood, and wood framed storm windows are permitted.” AMC 17.40.190.A.2. states that for Contributing Structures in the Historic Commercial Overlay “Window frames and sashes shall be made of wood”.

Further, AMC 17.40.020 regarding additions to Commercial Contributing Structures states:

1. Previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.
2. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure.

Staff does not find appeal meet the requirements for remand outlined above and this criteria is not met.

Subchapter 17.20.110 provides the criteria for a modification and revocation of approvals and states: The approval authority may modify or revoke any approval granted pursuant to this chapter for any of the following reasons:

- A. A material misrepresentation or mistake of fact made by the applicant in the application or in testimony and evidence submitted, whether such misrepresentation is intentional or unintentional;***
- B. A failure to comply with the terms and conditions of approval;***
- C. A material misrepresentation or mistake of fact or policy by the city in the written or oral report regarding the matter whether such misrepresentation is intentional or unintentional.***

FINDINGS: The subject property, Lot 2800 of Map 041W13BA, and commonly known as 21328 Highway 99E NE, Aurora, OR 97002 is identified as Resource #140 on the Aurora Colony Historic Resources Inventory (July 1985) (See Exhibit D). The subject property is zoned Commercial with a

historic Commercial Overlay and is subject to both Title 16-Land Development and Title 17- Historic Preservation of the Aurora Municipal Code

Aurora Municipal Code (AMC) sections 17.40.190.A.1. states that for Contributing Structures in the Historic Commercial Overlay “Windows shall be trimmed with wood, and wood framed storm windows are permitted.” AMC 17.40.190.A.2. states that for Contributing Structures in the Historic Commercial Overlay “Window frames and sashes shall be made of wood”.

Staff *does not* find appeal meet the requirements for remand outlined above and this criteria *is not met*.

In addition, the initial application stated that the type of project was, “replacement of broken and damages windows- currently a mixture of metal-vinyl-wood windows with new windows of same size and orientation. Trimmed in original wood. Paint entire building.

IV. CONCLUSIONS AND RECOMMENDATIONS

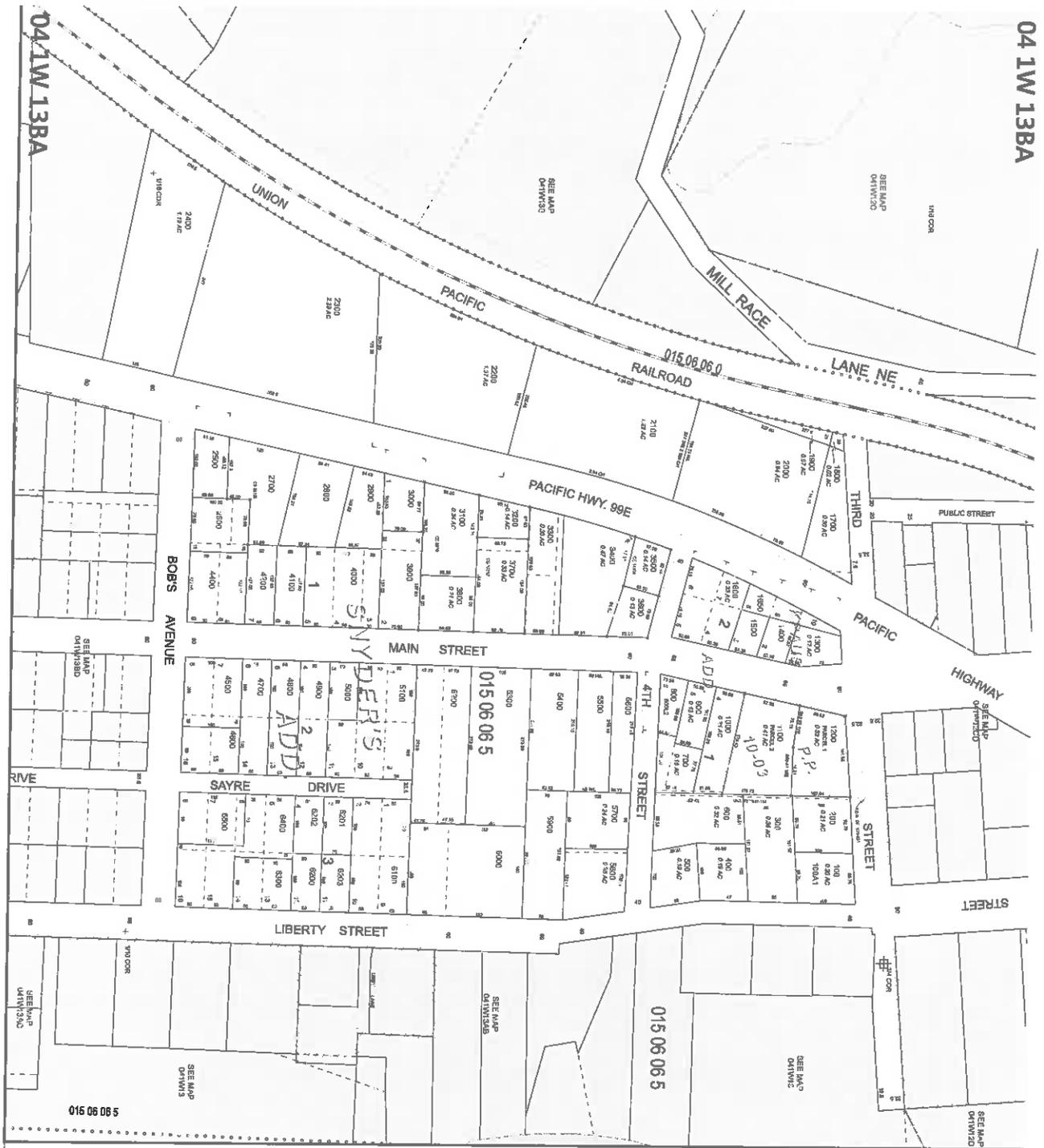
Based on the findings in the staff report, Staff recommends that the City Council **affirm** the decision of the Historic Review Board based upon the findings and conclusion in the July 8, 2015 Historic Review Board decision for the subject property.

V. CITY COUNCIL OPTIONS / SAMPLE MOTIONS

- 1) Affirm the decision of the Historic Review Board based upon the findings and conclusions in the July 8, 2015 decision of the Historic Review Board for the subject property.
- 2) Remand the matter back to the Historic Review Board, including findings and conclusions based upon the information and findings summarized under Section III above for remand by the appellant authority.
- 3) Reverse the decision of the Historic Review Board, stating the findings and conclusion in the July 8, 2015 decision of the Historic Review Board to be amended/reversed and providing amended findings and conclusions
- 4) Modify the decision of the Historic Review Board, stating the findings and conclusions in the July 8, 2015 decision of the Historic Review Board to be modified.
- 5) Continue the hearing (to a date and time certain) if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

04 1W 13BA

04 1W 13BA



04 1W 13BA
AURORA

MARION COUNTY, OREGON
NE1/4 NW1/4 SEC13 T4S R1W W.M.
SCALE: 1" = 100'

LEGEND

- LINE TYPES**
- Land Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Other Boundary
 - Waterline - Tank Body
 - Waterline - New Boundary
 - Historical Boundary
 - Escarpment
 - Railroad Centerline
 - DIC Line
 - Map Boundary
- SYMBOL TYPES**
- Survey Monument
 - Road Station
 - DIC Corner
 - 1/8th Section Cor.
 - 1/4 Section Cor.
 - Section Corner

NUMBERS

Bar Code Number
000 00 00 0

Acreage
All acres listed are the actual recording survey portion of the tract when public ROWs.

NOTES

1. Tick Mark: If a tick mark is indicated on the end of a line then the dimension goes to the tick mark. This is used when the dimension extends into public right-of-ways.

CANCELLED NUMBERS



DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

FOR ADDITIONAL INFORMATION VISIT OUR WEBSITE AT www.marioncountyor.gov

PILOT DATE: 4/15/2015
AURORA
04 1W 13BA

Exhibit **A**

NOTICE OF FINAL DECISION
APPLICATION DENIED BY THE HISTORIC REVIEW BOARD
CITY OF AURORA

Date application was heard by HRB: June 25, 2015

Date this Notice is mailed: July 8, 2015

Name of Applicant: Michael Sills

Applicant's Mailing Address: P.O. Box 309 Aurora, OR 97002

Project Description: Window Installation

Subject Property Address: 21328 Hwy 99E

Findings: As this is a contributing structure the materials proposed do not comply with the code. As Per Title 17.40.190 A Contributing Commercial Structures, Section 2 "Window frames and sashes shall be made of wood"

Recommendation: All windows that are not wood framed will need to be removed and replaced with the proper materials along with an updated application which will then go before the board for review.

The findings and conclusion on which this decision is based are contained in the minutes for the HRB meeting at which this decision was made and the audio-tape record of the HRB's meeting and deliberations. The minutes and audio-taped record are available at Aurora City Hall, 503-6789-1283, 21420 Main Street NE, Aurora, Oregon.

The Historic Review Board's decision is final on the date that this notice is mailed. Any party with standing may appeal this decision in accordance with the City of Aurora Municipal Code which provides that a written appeal, together with the required fee, shall be filed with the City Recorder within fifteen (15) calendar days of the date the Notice of Decision was mailed. The appeal fee schedule and forms are available from the City Recorder at City Hall, 21420 Main Street NE, Aurora, Oregon 97002.


Gayle Abernathy, Chair, Aurora Historic Review Board


Date of Signature

City of Aurora Building /Planning Application

(Check appropriate box)



- | | |
|---|---|
| <input type="checkbox"/> SITE DEVELOPMENT REVIEW (AMC 16.58)
<input type="checkbox"/> FLOOD PLAN DEV. PERMIT (AMC 16.18)
<input type="checkbox"/> HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)
<input type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Demolition Permit
<input type="checkbox"/> Sign Review
<input type="checkbox"/> MANUFACTURED HOME PARK (AMC 16.36)
<input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map
<input type="checkbox"/> ZONING ORDINANCE AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map | <input type="checkbox"/> CONDITIONAL USE (AMC 16.60)
<input type="checkbox"/> VARIANCE (AMC 16.64)
<input type="checkbox"/> HOME OCCUPATION (AMC 16.46)
Type I Type II
<input type="checkbox"/> NON-CONFORMING USE (AMC 16.62)
<input type="checkbox"/> LAND DIVISION
<input type="checkbox"/> Subdivision (AMC 16.72)
<input type="checkbox"/> Partition (AMC 16.70)
<input type="checkbox"/> Property Line Adjustment (AMC 16.68)
<input checked="" type="checkbox"/> APPEAL TO <u>CITY COUNCIL</u> (AMC 16.74-16.78)
<input type="checkbox"/> OTHER _____ |
|---|---|

APPLICANT GENERAL INFORMATION

Applicant MICHAEL SILLS Phone 503 582-9791
 Mailing Address 8415 SW ROGUE LN, WILSONVILLE OR 97070
 Property Owner MICHAEL SILLS Phone 503-582-9791
 Mailing Address 8415 SW ROGUE LN WILSONVILLE OR 97070
 Contact person if different than applicant NA Phone NA
 Mailing Address NA

PROPERTY DESCRIPTION

Address 21328 Hwy 99E Tax Map # _____ Tax Lot # _____
 Legal Description (attach add'l sheet if necessary) _____

Total Acres or Sq. Ft. _____ Existing Land Use _____
 Existing Zoning _____ Proposed Zoning (if applicable) _____
 Proposed use _____

ACTION REQUESTED: (use additional sheets as needed) APPEAL OF HRR DECISION PER ATTACHMENT (A)
REQUEST FOR INFORMATION ON ATTACHMENT (B) FOR HEARING

ATTACHMENTS:

- A. Plot plan of subject property- show scale, north arrow, location of all existing and proposed structures, road access to property, names of owners of each property, etc. Plot plans can be submitted on tax assessor maps which can be obtained from the tax assessor's office in the Marion County Courthouse, Salem OR.
 B. Legal description of the property as it appears on the deed (metes and bounds). This can be obtained at the Marion County Clerk's office in the Marion County Courthouse, Salem OR.

ADDITIONAL INFORMATION

In order to expedite and complete the processing of this application, the City of Aurora requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete. The submittal requirement relative to this application may be obtained from the specific sections of the Aurora Municipal Code pertaining to this application. If there are any questions as to submittal requirements, contact the City Hall prior to formal submission of the application.

In submitting this application, the applicant should be prepared to give evidence and information which will justify the request and satisfy all the required applicable criteria. The filing fee deposit must be paid at the time of submission. This fee in no way assures approval of the application and is refundable to the extent that the fee is not used to cover all actual costs of processing the application.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application. I understand that the original fee paid is only a deposit and I agree to pay all additional actual costs of processing this application, including, but not limited to, all planning, engineering, City attorney and City administration fees & costs. I understand that no final development approval shall be given and/or building permit shall be issued until all actual costs for processing this application are paid in full.

[Signature]
 Signature of Applicant
[Signature]
 Signature of Property Owner

7/20/15
 Date
7/20/15
 Date

Office Use Only: Received By: <u>RE</u>	Date: <u>7/27/15</u>	Fee Paid \$ <u>800.00</u>
Receipt # _____	Case File # _____	Planning Director Review _____
Last updated 6-14-2010		Date: _____

Exhibit C



City of Aurora
21420 Main St
Aurora, Or 97002

In response to your letter dated 11/24/14 (attached); Michael Sills is requesting a hearing before the city council as outlined in said letter. In preparation for this hearing, Mr. Sills is requesting the following information:

- Please provide the notices referenced in the 11/24/14 letter, specifically the May 29, 2014 Courtesy notice and the June 11, 2014 Violation letter as we have no record of receipt. We would assume that city would have sent the documents registered or certified mail under these threatening circumstances.
- Please provide the specific legal justification of the application of AMC 17.40.190, Section A – Contributing Structures to Mr. Sills property at 21238 Hwy 99E NE, Aurora, Oregon. Given that this property has undergone numerous additions, major modifications and changes since its construction, most of which occurred, based on the materials used, in the 1940's, 1950's, 1960's, 1970's and none of which comply with any the City of Aurora guidelines. We are again very interested to understand how this property is now being categorized as falling under AMC 17.40.190 contributing and of historic significance?
- Please provide any available information on the qualifications and/or credentials of city personnel who have designated this property at 21238 Hwy 99E NE, Aurora, Oregon, as failing under AMC 17.40.190 and of historic significance and contributing as again this is very perplexing given with all the afore mentioned modifications ..

We will look forward to establishing a hearing date and receiving the requested information.

Michael Sills
21328 Hwy 99E – Aurora, Or 97002

CC . Dennis Koho City Attorney
Bill Graupp Mayor
Gayle Abernathy Historic Review Board Chair

12/9/2014

Chapter 17.08

DEFINITIONS

Sections:

- 17.08.010** Meaning of words generally.
17.08.020 Meaning of common words.
17.08.030 Meaning of specific words and terms.

17.08.010 Meaning of words generally.

All of the terms used in this title have their commonly accepted, dictionary meaning unless they are specifically defined in this chapter or definition appears in the Oregon Revised Statute, or the context in which they are used clearly indicates to the contrary. (Ord. 416 § 8.40.010, 2002)

17.08.020 Meaning of common words.

A. All words used in the present tense include the future tense.

B. All words used in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.

C. All words used in the masculine gender include the feminine gender.

D. The word "building" includes the word "structure."

E. The phrase "used for" includes the phrases "arranged for," "designed for," "intended for," "maintained for" and "occupied for."

F. The words "land" and "property" are used interchangeably unless the context clearly indicates to the contrary.

G. The word "shall" is mandatory and the word "may" is permissive.

(Ord. 419 § 20D, 2002; Ord. 416 § 8.40.020, 2002; Ord. 473, 2013)

17.08.030 Meaning of specific words and terms.

The meaning of all specific words and terms, except as specifically defined in this title, shall be as defined in Aurora Municipal Code Title 16.

"Adaptive use" means the process of converting a building to a new use that is different from that which its design reflects. For example, converting a residential structure to offices is adaptive use. Good adaptive use projects retain the historic character while accommodating the new functions.

"Awning" means a fabric structure extending over or in front of a place, such as a storefront.

"Booth" means an open-air structure typically consisting of partial walls, counter and roof and which is portable, either as a whole or in parts.

"Canopy" means a protective exterior cover consisting of a roof, typically made of cloth, plastic or other materials that may be self-supported or using the support of another structure. Canopies may contain partial walls.

"Colony structure" means a structure built during the Aurora Colony period, from 1856 to 1883.

"Contributing structure" means a structure built before 1921 and includes all structures designated as Historic Landmarks.

"Façade" means any face of a building and its accompanying architectural features.

"Finish material" includes siding, trim, masonry and color of the exterior walls.

"Height" means the vertical distance from the highest adjoining sidewalk or ground surface within a five (5) foot horizontal

1. Horizontal lap wood siding is required and historic siding patterns shall be matched when repairing or replacing siding.

2. Siding shall be painted; unpainted and stained wood is prohibited.

3. Decorative shingle patterns are prohibited on contributing structures, unless originally used as documented in the Historic Resources Inventory.

4. The paint color of siding shall be uniform on all sides of a structure. (Ord. 473, 2013)

C. Non-contributing Structures – Commercial Overlay

1. Wood horizontal lap siding shall have a reveal not exceeding six (6) inches, with the exception of board and batten siding comprised of solid sawn wood.

2. Masonry is permitted.

3. Composite smooth surface materials are permitted.

4. Siding shall be painted; unpainted and stained wood is prohibited.

5. The paint color of siding shall be uniform on all sides of a structure. (Ord. 473, 2013)

D. Non-contributing Structures – Residential Overlay

1. Siding shall be masonry or horizontal lap siding with a reveal not exceeding six (6) inches is required, with the exception of board and batten siding comprised of solid sawn wood.

2. Siding shall be painted; unpainted and stained wood is prohibited.

3. The paint color of siding shall be uniform on all sides of a structure. (Ord. 473, 2013)

17.40.180 Facades

A. All Contributing Structures in the Historic District

1. The design of the front and side elevations shall be preserved. (Ord. 473, 2013)

17.40.190 Windows

A. Contributing Structures – Commercial Overlay

1. Windows shall be trimmed with wood, and wood framed storm windows are permitted.

2. Window frames and sashes shall be made of wood.

3. New window openings are only permitted where they are not visible from the right-of-way. New windows and window openings on rear elevations shall match the materials, style, colors, and trim of other windows on the structure.

4. Transom and clerestory windows are permitted above doors. (Ord. 473, 2013)

B. Contributing Structures – Residential Overlay

1. Windows visible from the right-of-way shall be vertically oriented.

2. Window frames and sashes shall be made of wood.

3. New window openings are only permitted where they are not visible from the right-of-way. New windows and window openings on rear elevations shall match the materials, style, colors, and trim of other windows on the structure.

4. Transom and clerestory windows are permitted above doors. (Ord. 473, 2013)

C. Non-contributing Structures – Commercial Overlay

1. Windows shall be trimmed with wood, and wood framed storm windows are permitted. Storefront windows manufactured

17.40.010 Purpose

The purpose of these design standards is to protect the historic scale, form, appearance, and integrity of the Aurora Colony National Historic District. (Ord. 473, 2013)

17.40.020 Additions to Structures

A. Contributing Structures – Commercial Overlay

1. New additions may only be placed on the rear elevation. Architectural detailing including roofing, siding, trim, doors, and windows shall match the existing structure in design and materials unless supported by evidence in the historic inventory.

2. Previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.

3. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure.

4. Additions to commercial structures are exempt from the parking requirements in Title 16. (Ord. 473, 2013)

B. Contributing Structures – Residential Overlay

1. New additions may only be placed on the rear elevation. Architectural detailing including roofing, siding, trim, doors, and windows shall be compatible with the existing structure in design and materials.

2. Previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria

as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.

3. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure. (Ord. 473, 2013)

C. Non-contributing Structures – Commercial Overlay

1. Additions to commercial structures are exempt from the parking requirements in Title 16. (Ord. 473, 2013)

D. Non-contributing Structures – Residential Overlay

N/A (Ord. 473, 2013)

17.40.030 Awnings

A. Contributing Structures – Commercial Overlay

1. Awning styles must be in character with historic buildings. Brightly colored and curvilinear patterns or shapes are prohibited. Examples of permitted awnings are included under Appendix A.

2. Backlighting of awnings is prohibited.
3. Text on awnings is limited to border areas.

4. Awnings are prohibited on residential structures that have been converted to commercial uses. (Ord. 473, 2013)

B. Contributing Structures – Residential Overlay

1. Awning styles must be in character with historic buildings. Brightly colored and curvilinear patterns or shapes are prohibited. Examples of permitted awning are included under Appendix A.

c. Upon receipt of written notice from the applicant that none of the missing information will be provided.

F. On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information and fails to respond in accordance with 17.20.030E.

(Ord. 416 § 8.36.030, 2002; Ord. 473, 2013)

17.20.040 Time period for decision making.

The city shall take final action on an application, including the resolution of all local appeals, within one hundred twenty (120) days after the application is deemed complete, except:

A. The one hundred twenty (120) day period may be extended for a reasonable period of time at the written request of the applicant;

B. The one hundred twenty (120) day period applies only to a decision wholly within the authority and control of the city.

C. If the Historic Review Board fails to approve, approve with conditions, or deny an application within seventy-five (75) days after the application is determined to be complete, the Historic Review Board shall cause notice to be given and the matter to be placed on the City Council's agenda. A public hearing shall be held by the Council and the decision shall be made by the City Council. No further action shall be taken by the Historic Review Board. (Ord. 416 § 8.36.040, 2002; Ord. 473, 2013)

17.20.050 Approval authority responsibilities.

A. The Historic Review Board shall make a public decision in the manner prescribed by

this chapter and shall have the authority to approve, approve with conditions, or deny the following:

1. Interpretations subject to Section 17.04.060;

2. Signs subject to Chapter 17.24;

3. Accessory dwelling units and structures subject to Chapter 17.28;

4. Applications for approval under this title;

5. Recommendations to City Council for amending this title;

6. Appeals of decisions by the administrative approval authority;

7. Amendments to the Aurora Design Guidelines for Historic District Properties (Appendix A);

8. Amendments to the Aurora Historic District Properties Inventory (Appendix B)

9. Amendments to the Historic Landmark Inventory.

10. Any other matter not specifically assigned to the administrative approval authority, or the City Council under this title.

B. The City Council shall make a public decision in the manner prescribed by this chapter and shall have the authority to approve, deny, or approve with conditions the following:

1. Appeals of decisions made by the Historic Review Board;

2. Matters referred to the City Council by the Historic Review Board;

3. Review of decisions of the Historic Review Board, whether on the City Council's own motion or otherwise.

4. Appeals to amendments to the Aurora Design Guidelines for Historic District Properties (Appendix A);

AURORA COLONY HISTORIC DISTRICT INVENTORY



RESOURCE #: 140
COUNTY: Marion
ADDRESS: 21328 Hwy 99E NE
(507 Hwy 99E)
Aurora, OR 97002
T4S R1W S13
ADDITION: NA
TAXLOT #: 40593-000
OWNER: Harold & Madge Johnson
ADDRESS: 21328 Hwy 99E NE
Aurora, OR 97002

THEME: 19th Century Communal Religious Colony

CLASSIFICATION: Historic Non-Contributing (Secondary Significant)

HISTORIC NAME: Unknown

YEAR BUILT: C. 1890 remdl C. 19

ORIGINAL/PRESENT USE: Residential/Residential

RECORDERS: Philip Dole & Judith Rees

DATE: January 1984

The .36-acre property is developed with a turn of the century house which faces west on Highway 99-E. The original portion of the house, which has been extensively altered over the years, appears to be Italianate in style. It is "L"-shaped with one and two-story wings, a hipped roof with wide overhanging boxed eaves, and one-over-one, double-hung, wood sash windows. The one-story front porch which is located at the intersection of the wings, has a hip roof, and porch railing and post which have been altered. Two Craftsman era additions have been built on the two-story portion of the house -- a one-story bay on the west side facing Highway 99-E, and a 14-foot by 24-foot one-story addition on the south side. It appears the original shiplap siding, visible on the porch, was covered over with shingle siding at the time of construction of the additions. A new shop and garage addition, approximately 1,500 square feet in size, is connected to the northeast corner of the house by a breezeway. The property, which is surrounded by a newer style picket fence, has two black locust trees bordering the highway and older lilacs in the backyard. The yard is used as a storage space for vehicles, tires, lumber and miscellaneous bric-a-brac. It is not currently known who constructed or originally owned the house.

Exhibit D

*

Property Data Selection Menu - -

Prop ID : R10725 (Real Estate) (605125) Owner: APCSR LLC 50% & MICHAEL C SILLS TR 50% &
 Map Tax Lot: 041W13BA02800 SILLS, MICHAEL C TRE
 Legal : ANNEXATION NO 86-445 21328 HIGHWAY 99E NE
 AURORA, OR 97002

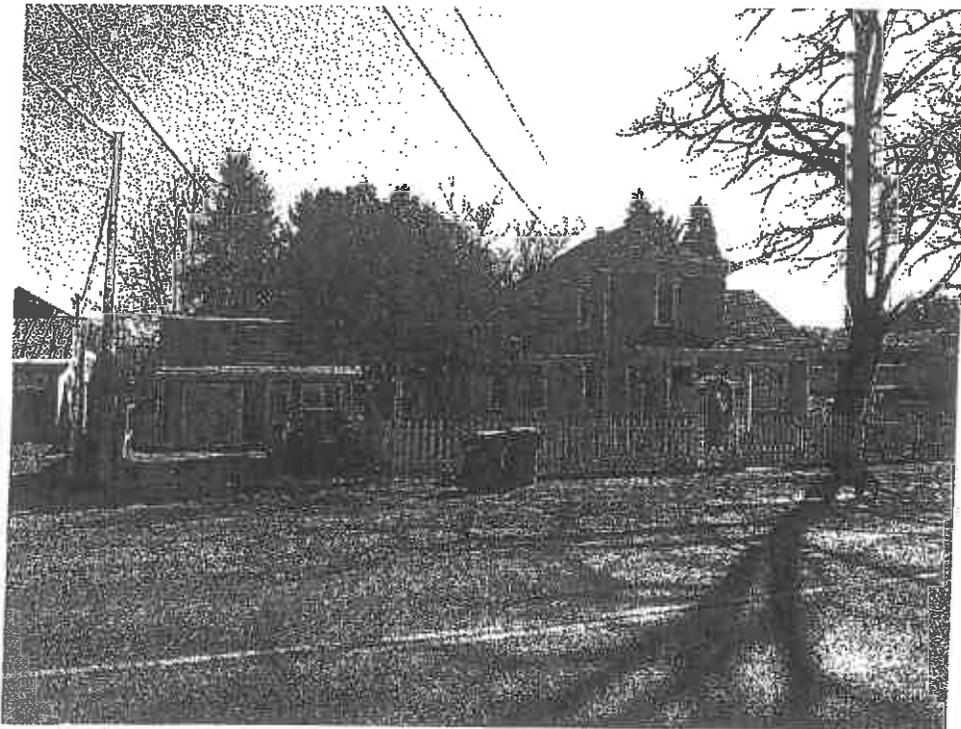
Situs : 21328 HIGHWAY 99E NE AURORA, OR 97002
Year Built : 1905; 1905
 Living Area: 1872; 1866

Name(s) :
 Area : 01506065

Sale Info :	2014 Roll Values
Deed Type : BS	RMV Land \$ 89,290 (+)
Instrument: 34620189	RMV Improvements \$ 296,210 (+)
2014 Tax Status * No Taxes Due *	RMV Total \$ 385,500 (=)
Current Levied Taxes : 2,281.20	Total Exemptions \$ 0
Special Assessments :	M5 Net Value \$ 385,500
	M50 Assd Value \$ 142,430

(AD) Alt Disp	(Y) primary	(SE) condary	(L) and/Impr
(G) en Appr	(O)wnership	(H)istory	(.) More

Enter Option from Above or <RET> to Exit:

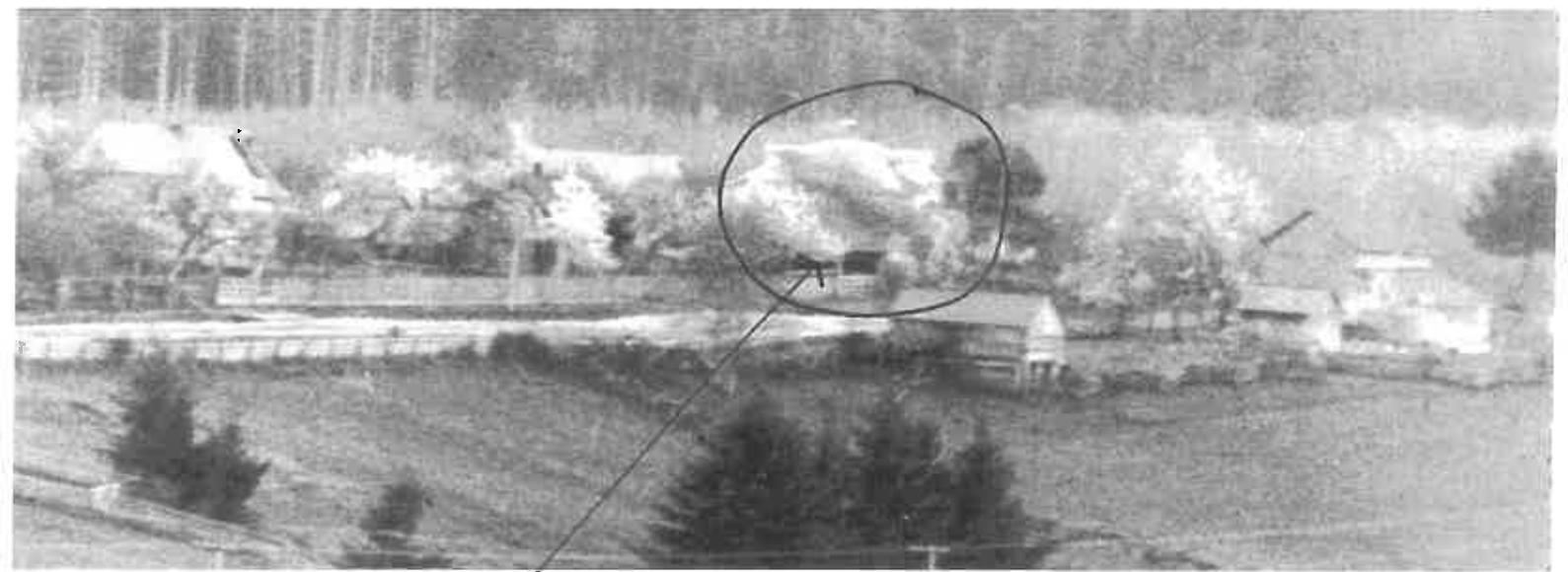


Pictures on file with Marion County tax Assesor's Office
Showing the 1905 Structure. KP

recorder

From: Rose Brodniak [BBrodniak@co.marion.or.us]
Sent: Wednesday, July 29, 2015 3:06 PM
To: recorder
Subject: photos
Attachments: 20150729150454061.pdf





1889 this picture was taken
Per Patrick Harris @ Museum

recorder

From: Patrick Harris [patrick@auroracolony.org]
Sent: Tuesday, July 28, 2015 1:47 PM
To: recorder
Subject: RE: Appeal from Sills regarding windows at 21328 Hay 99E
Attachments: AuroraMills1880s.png; 100 Wonders Aurora.jpg

Hello Kelly: I have attached two photographs. One is taken from the water tower circa 1908. The George Miller house is visible just beyond the Fred Will House. The smoke stacks or are they chimneys appear to be close to the current site of the house in question. Was there some kind of fire that destroyed much of the original? On the opposite side of the road is the Mohler House and its location appears from this view to be in line with our current location of the 21328 highway house.

Going back to the 1889 view---The George Miller House and the Mohler house are in view, and then to the south of the Miller house there appears to be a colony era house. This looks as if it might be on the site of the current store. After that you can see a house with a gable coming out the front on the second level. I wonder if the current house is a much newer rebuild—say 1910-1915—but utilizing some of the older materials. It is hard to question Phillip Dole's assessment of some of the architectural style dating to c1890. He was an architectural professor from the University of Oregon who worked on the first survey in 1984-85. So, how does the review committee deal with what appears to be old and new together?

Patrick

From: recorder [mailto:recorder@ci.aurora.or.us]
Sent: Tuesday, July 28, 2015 11:27 AM
To: Patrick Harris
Subject: FW: Appeal from Sills regarding windows at 21328 Hay 99E
Importance: High

Patrick,

Please read below. Is there any updated information regarding this property as to what year it was originally built? The old inventory put it at 1890 the Marion County tax records don't show a year built. I have an appeal in process and I am trying to gather as much information as I can. Title 17 is very clear that anything prior to 1921 is a contributing structure and has specific guidelines regarding windows.

Thank you,

Kelly A. Richardson, CMC

City Recorder

City of Aurora

21420 Main St. NE

Aurora, Oregon 97002

503-678-1283

PUBLIC RECORDS LAW DISCLOSURE

This email is a public record of the City of Aurora, Oregon and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

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GROVE, MUELLER & SWANK, P.C.

CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS
475 Cottage Street NE, Suite 200, Salem, Oregon 97301
(503) 581-7788



June 11, 2015

City Council
City of Aurora
21420 Main St. NE
Aurora, Oregon 97002

We are pleased to confirm our understanding of the services we are to provide the City of Aurora (hereafter referred to as the City) for the year ended June 30, 2015. We will audit the modified cash basis financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City as of and for the year ended June 30, 2015.

We have also been engaged to report on supplementary information, including certain schedules required by the State of Oregon, that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

- 1) Combining fund statements
- 2) Individual fund budgetary schedules
- 3) Other financial schedules

Management's discussion and analysis accompanying the financial statements is considered other information and will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that information.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with the modified cash basis of accounting and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records of the City and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to the City Council. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with the modified cash basis of accounting, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the City involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with the modified cash basis of accounting. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with the modified cash basis of accounting; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with the modified cash basis of accounting; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them.

RESPONSE:

This letter correctly sets forth the understanding of the City of Aurora.

Management Signature: _____

Title: _____

Date: _____

Governance Signature: _____

Title: _____

Date: _____

TASK ORDER NO. CE-15-1

**TO THE AGREEMENT TO FURNISH PROFESSIONAL ENGINEERING SERVICES
TO THE CITY OF AURORA, OREGON**

WASTEWATER FACILITIES PLAN UPDATE

This Task Order is issued by the **City of Aurora, Oregon** and accepted by **Ashley Engineering Design, P.C.** pursuant to the mutual promises, covenants and conditions contained in the Agreement between **Ashley Engineering Design, P.C.**, hereinafter called CONSULTANT and the **City of Aurora, Oregon**, hereinafter called CITY, to furnish Professional Engineering Services, dated June 5, 2009. All conditions of the Agreement apply to this Task Order unless specifically modified below.

This Task Order is for the preparation of a Wastewater Facilities Plan Update and will be prepared with the assistance of Keller Associates, Inc (707 13th Street, Suite 280, Salem, Oregon 97301, (503) 364-2002), hereinafter called SUBCONSULTANT. The facilities plan will address existing and future needs for the wastewater treatment.

ARTICLE 1 - SCOPE OF SERVICES

The project services provided by CONSULTANT and SUBCONSULTANT are summarized below. The SUBCONSULTANTS' Scope of Services and Fee for the project is set forth in the Agreement between CONSULTANT and SUBCONSULTANT and their associated Task Order, which by this reference are incorporated herein. Professional engineering services for the project will be performed in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances within and around the CITY.

WORK BY CONSULTANT

Overall management of the project will be performed by CONSULTANT. The Scope of Services for CONSULTANT shall consist of the following Task:

- **TASK 1 – OVERALL PROJECT MANAGEMENT.** The purpose of this Task is for the overall management of the project. CONSULTANT will administer the SUBCONSULTANT Agreement throughout the project, participate in regular communications with the CITY, plan and attend review meetings/workshops, and coordinate project submittals with CITY. CONSULTANT will also monitor and track the project budget and schedule, assist with establishing the planning criteria, coordinate the activities being performed, and review and submit monthly invoices to the CITY.

DELIVERABLES / MEETINGS

- Attend a Project Kickoff meeting.
- Attend two Technical Review Committee meetings.
- Attend one City Council Workshop.
- Prepare and submit monthly invoices.

WORK BY SUBCONSULTANT

The SUBCONSULTANT's Scope and Budget are included as **Attachment A** to this Task Order. A list of the SUBCONSULTANT'S Tasks to be performed is shown below and further described in **Attachment A**.

- Task 1: Project Management
- Task 2: Project Planning
- Task 3: Existing Wastewater Treatment Facilities
- Task 4: Need For Project
- Task 5: Alternatives Considered
- Task 6: Selection Of An Alternative
- Task 7: Proposed Project
- Task 8: Report Documentation

ARTICLE II – ASSUMPTIONS

The assumptions presented in **Attachment A** have been made part of this Task Order.

ARTICLE III – EXCLUSIONS

Any work items that have not been described and defined in the above Tasks and in **Attachment A** are not part of this Task Order. The following services are specifically excluded:

- Sewer Collection System or Airport Annexation Impacts
- Environmental, Wetlands, Noise, Archaeology, Soils/Geotechnical, Structural, Etc.
- Floodplain/Floodway Studies
- Land Use/Zoning/Planning
- Engineering Designs, Surveying, and/or Construction Services
- Easements, Legal Descriptions, and/or Right-of-way
- Financial Planning, Utility Fees/Rate Studies, and/or System Development Charges
- Computer Modeling, Water Quality, Testing, and/or Monitoring
- Permitting, City and/or Agency Fees
- Other Workshops/Public Outreach or Presentations
- Other Reports/Studies/Master Plans

ARTICLE IV – SCHEDULE

Professional engineering services will proceed upon execution of this signed Task Order. It is anticipated that the preparation of the Wastewater Facilities Plan Study will take approximately 12-18 months to complete, not including CITY and/or other agency review times.

ARTICLE V – COMPENSATION

Compensation will be on a fixed price-lump sum basis and invoiced monthly based upon a percentage of completion. CONSULTANT will apply the standard markup to the SUBCONSULTANT billings to cover the additional insurance requirements and processing of SUBCONSULTANT costs to the CITY.

FIXED PRICE-LUMP SUM COMPENSATION

- CONSULTANT project services and markup - \$ 9,600.⁰⁰
- SUBCONSULTANT (Keller Associates, Inc.) - \$ 58,900.⁰⁰
- Total Compensation - \$ 68,500.⁰⁰**

OPTIONAL TASKS

- SUBCONSULTANT Optional Task 3 (if included) per Attachment A - **\$ 1,700.⁰⁰**
- SUBCONSULTANT Optional Task 7 (if included) per Attachment A - **\$ 2,100.⁰⁰**

Any work authorized by the CITY (Mayor or appropriate staff) that is outside the Scope of Services contained herein, will be billed at the standard hourly rates for CONSULTANT shown in Table 1, and the standard hourly rates for SUBCONSULTANT. Any additional items specifically requested by the CITY such as additional prints, etc., will be over and above the fixed-price and will be invoiced in accordance with the Direct Costs and Expenses identified in Table 2.

TABLE 1

CONSULTANT’S HOURLY LABOR RATE SCHEDULE

CLASSIFICATION	RATE
Project Manager/Engineer	\$85
Project CAD Technician	\$65
Administrative Assistant - Office/Clerical	\$45
Notes:	
1. See Table 2 below for project related Direct Costs and Expenses.	
2. An additional premium of 25% will be added to the above rates for Expert Witness and Testimony Services.	
3. These hourly rates are effective through December 31, 2015. A new labor rate schedule will be negotiated for any additional work performed in 2016.	

TABLE 2

CONSULTANT’S DIRECT COSTS AND EXPENSES

DESCRIPTION	COST
Additional Printing, Mylars, Reproduction/Copying, etc.	At cost plus 10 percent
Agency Fees – Applications, Permits, Reviews, etc.	At cost
Postage and Freight	At cost
Miscellaneous Project Expenses	At cost
Additional Outside Services, Subconsultants, etc.	At cost plus 10 percent

ARTICLE VI – OTHER PROVISIONS

The period of services for this Task Order will be from the date this Task Order is executed by the CITY until project completion, or until terminated by the CONSULTANT or CITY under the provisions of the Agreement.

If the performance of services hereunder requires CONSULTANT and SUBCONSULTANT to rely on information provided by other parties, CONSULTANT and SUBCONSULTANT shall not be liable to independently verify the validity, completeness, or accuracy of such information unless otherwise expressly engaged to do so in writing by the CITY as Additional Services. Compensation for performing any Additional Services will be pursuant to a mutually agreed upon Addendum to this Task Order.

All documents prepared or furnished by CONSULTANT and SUBCONSULTANT are instruments of service, and CONSULTANT and SUBCONSULTANT shall retain ownership including the copyright and the right of reuse in such documents. CITY shall have a limited license to use the documents, agrees to obtain prior written agreement for any reuse or modifications of the instruments of service, and understands that any unauthorized use of the instruments of service shall be at the CITY’s sole risk and without liability to the CONSULTANT and SUBCONSULTANT.

All other terms and conditions of the Agreement between CONSULTANT and CITY apply to this Task Order.

ARTICLE VII – AUTHORIZATION

IN WITNESS WHEREOF, duly authorized representatives of the parties have executed this Task Order with the effective date, the year and day last written below.

CONSULTANT

CITY

Ashley Engineering Design, P.C.

City of Aurora, Oregon

By: _____
John Ashley, P.E., President
(OR60132PE)

By: _____
Mayor

Date: _____

Date: _____

ATTACHMENT A
for
Wastewater Facilities Planning Study
City of Aurora
Consultant Project No.: 215066

Scope and Budget

Project Description

This Wastewater Facilities Plan Update is funded by City of Aurora funds. The facilities plan will address existing and future needs for the wastewater treatment and disposal systems. The collection system will not be included in this facilities plan, but will be evaluated later under a separate contract. The plan will look at a 20-year timeframe and address the regulatory requirements for facilities planning studies, following the “Guidelines for Preparing Wastewater Planning Documents and Environmental Reports for Public Utilities” dated May 2013.

The primary drivers for completing the Wastewater Facilities Plan are to evaluate the existing treatment process and make recommendations for disposal options.

The following engineering services will be provided by Keller Associates, Inc. (Consultant) to John Ashley (Client), City Engineer for the City of Aurora (Owner).

1.0 Task 1 – Project Management

CONSULTANT Services

1. CONSULTANT and CLIENT/OWNER staff will meet to initiate the project. The objectives of this kickoff meeting will include reviewing the project constraints (scope, budget, and schedule), review available information, resources, planning criteria, processes, and OWNER objectives/goals. Data needs and coordination efforts will also be reviewed. It is anticipated that a field visit will be coordinated with this meeting. Kickoff meeting will include Oregon DEQ, refer to page 6 of the above mentioned 2013 guidelines.
2. Prepare for and attend two additional Technical Review Committee (TRC) meetings. TRC meetings will involve representatives from CONSULTANT, City staff, and other stakeholders that the City chooses to involve in the planning effort. The CONSULTANT will coordinate these meetings through the City’s Engineer and Public Works Superintendent. The purpose of these meetings will be to review preliminary findings, improvement alternatives, and draft facilities planning recommendations.
3. Prepare a request for information and review data provided by the City. Provide subsequent requests for information (if needed) to clarify data and complete analysis.
4. Prepare for and attend one city council workshop.
5. Prepare and submit monthly invoices.
6. Prepare and submit monthly progress reports to track progress and inform the City of items needed to keep the project on schedule.

OWNER Responsibilities

1. Provide information in request for information. All data should be provided within 30 days of the first request for information.
2. City to invite stakeholders to the TRC meetings.
3. Provide facilities to meet in for TRC and public meetings.

Assumptions

1. This scope does not include any public outreach efforts for the consultant.

Deliverables

1. Requests for information.
2. Meeting agendas and meeting minutes.
3. Monthly invoices.
4. Monthly progress reports.
5. Council workshop materials.

2.0 Task 2 – Project Planning

CONSULTANT Services

1. Location - Develop figures to establish the project planning area. The figures will include legal, natural boundaries, and a topographical map of the service area.
2. Environmental Resources Present - Develop figures and narrative to describe environmental resources present in the project planning area (i.e. wetlands inventory, FEMA flood mapping).
3. Population Trends – Document U.S. Census or other population data (Portland State) for the previous 20 years and document population projections for the 20 year project planning period.
4. Community Engagement – Summarize how the community was engaged for the planning process.

OWNER Responsibilities

1. Provide the documents covered in the request for information.
2. Provide the following documents:
 - a. Current water master plan and water management and conservation plan.
 - b. Previous wastewater facilities planning study (1996).
 - c. Current system development charge (SDC) and rate studies, and any economic studies.
 - d. Urban Growth Boundary (UGB) Documents.
 - e. Existing CAD / GIS electronic files for city utilities and planning documents.
 - f. Other pertinent planning documents.
3. Provide input on growth projections and the distribution and phasing of new residential and non-residential growth.

Assumptions

1. No field observations will be completed, including but not limited to wetland delineation (investigation), biological assessment, and/or cultural resource survey.
2. The environmental work performed under this task does not constitute an environmental review nor does it include an Environmental Information Document (EID).
3. The study area will coincide with the current Urban Growth Boundary.
4. This study will not evaluate the potential affects to the sanitary sewer system if the airport is annexed.

Deliverables

1. Draft and final write-ups documenting project planning per ODEQ WWFPS recommended outline.

3.0 Task 3 – Existing Wastewater Treatment Facilities

CONSULTANT Services

1. Complete a site tour of the effluent pump station and the treatment facility to review conditions of existing assets, interview City staff, and document observed/known problems. Complete pump tests at effluent pumping facility to evaluate current pump performance.
2. (Optional) Complete a site tour of the influent pump station review conditions of existing assets, interview City staff, and document observed/known problems. Complete pump tests at influent pumping facility to evaluate current pump performance.
3. Review pump run time data and flow meter records to assess existing capacity limitations (if any).
4. Location - Develop map and schematic process layout of the existing treatment plant and influent/effluent lift stations. The figures will include legal, natural boundaries, and a topographical map of the service area.
5. History - Document wastewater treatment plant history and system description to reflect current flow and water quality data, recent discharge monitoring records (DMRs), plant improvements that have been completed since the previous planning study, current condition of plant equipment and facilities, and current operation practices.
6. Conditions of Existing Facilities – Document present conditions; suitability for continued use; adequacy of current facilities and their treatment, storage, and disposal capabilities. Document capacities of each component. Document regulatory requirements including anticipated NPDES permit requirements for the City as well as address changes in land application and reuse regulations. Review and document potential impacts of the Pudding River TMDL. Summarize overall current energy consumption.
7. Financial Status of any Existing Facilities – Document current rate schedules, annual O&M costs, other capital improvement programs, and table of users by monthly usage categories for the previous fiscal year. Document existing debts and required reserve accounts.
8. Water/Energy/Waste Audits – Document any water, energy, and/or waste audits previously conducted and the outcomes.

OWNER Responsibilities

1. Provide access to the facilities and available documents.

2. Provide electronic (excel) copies of DMRs for previous 5 years. Provide available SCADA data at the plant and lift stations.
3. Provide recorded pump run times on a daily basis in electronic (excel) format.
4. Provide any water, energy, and/or waste audits previously conducted.
5. The City will provide current rates and summary of revenue and operation and maintenance data.

Assumptions

1. Existing CAD maps or as-builts will provide all data necessary to evaluate treatment process. No additional field work or surveying will be required.

Deliverables

1. Draft and final write-up on existing wastewater treatment facilities per ODEQ WWFPS recommended outline.

4.0 Task 4 – Need for Project

CONSULTANT Services

1. Health Sanitation and Security – Document concerns and include relevant regulations and correspondence from/to federal and state regulatory agencies.
2. Aging Infrastructure – Summarize concerns and highlight those with the potential for the greatest impact. Document inflow and infiltration, treatment or storage needs, management adequacy, inefficient designs, and other issues. Summarize any safety concerns.
3. Reasonable Growth - Determine system flows from influent flow data at the treatment plant and available lift station metering/pump run-time data. Review NOAA precipitation records to determine 5-year and 10-year design storms. Analyze the existing wastewater composition. Summarize influent flow and water quality data and provide the data in an appendix to the facility plan. Document the reasonable growth capacity that is necessary to meet needs during the planning period.

OWNER Responsibilities

1. Provide known correspondence from federal and state regulatory agencies regarding violations or concerns related to wastewater treatment and disposal.
2. Complete any additional water quality testing that may be requested by the Consultant.

Assumptions

1. Without the ability to perform continuous flow monitoring, peak instantaneous (peak hour) flows will be determined by the CONSULTANT using peaking factors.
2. Inflow and infiltration will be summarized based on flow patterns relative to historic daily rainfall totals as recorded on the DMR's.

Deliverables

1. Draft and final write-ups on need for project per ODEQ WWFPS recommended outline.
2. Analysis of flow data consistent with ODEQ guidelines.

5.0 Task 5 – Alternatives Considered

CONSULTANT Services

1. Develop evaluation criteria.
2. Existing and future conditions will be measured against the established evaluation criteria.
3. Summarize any special requirements (if any) established in the City's land use and comprehensive plans.
4. Develop planning level design criteria for the wastewater treatment plant based on projected flows, loads, and permit requirements. Design criteria will include the design flow (annual average, maximum month, and instantaneous peak), influent BOD, TSS, and nitrogen concentrations and loads, summer and winter temperatures, influent alkalinity, effluent BOD and TSS concentrations and loads, effluent ammonia concentrations, BOD and TSS removal efficiency, effluent pH range, effluent E. coli and total coliform requirements, and effluent total chlorine residual. Consideration will be given to seasonal treatment requirements for winter discharge to the Pudding River and summer land application.
5. Evaluate process options to improve treatment to meet the planning criteria established for this study.
6. Evaluate disinfection and disposal options.
7. City staff report that a reuse plan is currently being developed by the DEQ. This task will document the DEQ's progress and anticipated results of the reuse plan.
8. Develop alternatives and summarize including environmental impacts, land requirements, potential construction problems, and sustainability considerations (i.e. water and energy efficiency, green infrastructure).
9. Establish cost estimating methodology to reflect both local and current conditions.
10. Prepare planning level capital and operating and maintenance (O&M) cost estimates for each option. Develop annual costs for each viable alternative.

OWNER Responsibilities

1. Provide input on evaluation and design criteria.
2. Provide input on improvement alternatives.

Assumptions

1. No mixing zone analysis will be provided.
2. The reuse plan is not included in this scope of work, as well as analysis for required acreage, how to obtain the land, analysis of soil and groundwater conditions, analysis of sprinkler distribution system and irrigation pump station. These services can be completed as additional services.
3. Evaluation of alternatives will be limited to two viable options identified with City input.

Deliverables

1. Draft and final write-ups on alternatives considered, incorporated per ODEQ WWFPS recommended outline.

6.0 Task 6 – Selection of an Alternative

CONSULTANT Services

1. Perform life cycle cost analysis on the technically feasible alternatives
2. Rank each treatment option for its treatment performance. Assist the City in identifying the apparent best alternative.
3. The ranking will include consideration for both life cycle cost s and non-monetary factors (i.e. triple bottom line analysis: financial, social, and environmental).

OWNER Responsibilities

1. Provide input on ranking criteria and process.

Assumptions

N/A

Deliverables

1. Draft and final write-ups of selection of an alternative, incorporated per ODEQ WWFPS recommended outline.

7.0 Task 7 – Proposed Project

CONSULTANT Services

1. Provide recommendation for which alternative should be implemented.
2. Develop a more detailed description of recommended alternative including project schedule, permit requirements, sustainability considerations (if applicable), engineer's opinion of probable cost, and effects on annual operating budget.
3. Develop schematic for layout of recommended treatment process.
4. Develop capital improvement plan outlining recommended improvements.
5. Organize improvements by priority, and tied to population growth and the corresponding year.
6. The Consultant will estimate the annualized cost to fund the treatment facility CIP and provide a 6-year CIP to be used by the City's financial consultant in evaluating rate impacts.
7. Where identified capital improvements are anticipated to increase the City's operations and maintenance costs, the Consultant will estimate the additional annual cost for these improvements.
8. The Consultant will estimate the System Development Charge (SDC) eligibility for each identified capital improvement.
9. (Optional) Provide separate summary sheets for each capital improvement.

OWNER Responsibilities

1. The City will utilize a third party financial consultant to update their user rate and SDC analysis using data provided by the Consultant.
2. Provide copies of recent bids. Also review cost assumptions prepared by Consultant.

Assumptions

1. Consultant will not provide a full user rate and SDC study. Consultant will provide the capital improvement plan that will be used by the City's financial consultant to complete a user rate study and SDC study. The City's financial consultant will be responsible for making final recommendations for potential financing of improvements.

Deliverables

1. Capital improvement plan (tabular format, organized by priority).
2. (Optional) Separate summary sheets for each capital improvement.
3. Estimate of SDC eligibility for each capital improvement.

8.0 Task 8 – Report Documentation

CONSULTANT Services

1. Prepare a draft report for council, stakeholder, and agency review.
2. Update report to reflect City review comments.
3. Respond to agency comments.
4. Prepare a final report in accordance with the requirements of Oregon Department of Environmental Quality to be adopted by the City.

OWNER Responsibilities

1. Pay for any agency review fees that may be required.

Assumptions

N/A

Deliverables

1. Three (3) draft copies of the report.
2. Three (3) final copies of the report.
3. One electronic copy (PDF) of the final report.

BUDGET

The CONSULTANT will be compensated as summarized in the table below for all tasks described in tasks 1-8 of this attachment. The following table summarizes how the budget amounts were determined. The optional items will be excluded from the scope and budget unless the written approval provided.

Task	Amount
Task 1: Project Management	\$7,800
Task 2: Project Planning	\$2,300
Task 3: Existing Wastewater Treatment Facilities	\$11,700
Optional Task Addition	\$1,700
Task 4: Need for Project	\$2,100
Task 5: Alternatives Considered	\$19,900
Task 6: Selection of an Alternative	\$1,800
Task 7: Proposed Project	\$6,400
Optional Task Addition	\$2,100
Task 8: Report Documentation	\$6,900
Total Consultant Budget	\$58,900
Optional Tasks Total	\$3,800
Total Consultant Budget Plus Optional Tasks	\$62,700