

**AGENDA**  
**Aurora City Council Meeting**  
Tuesday, November 10, 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 – October, 2015
- b) Planning Commission – October, 2015
- c) Historic Review Board Meeting Minutes – September, 2015

**4. CORRESPONDENCE - NA**

**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. PUBLIC HEARING**

- a) Discussion and or Action on Legislative Amendment (LA-15-02) including changes in code sections; 16.04 Definitions, 16.14 Commercial Accessory Structures, 16.16 Industrial, 16.36 Manufactured Home Regulations, 16.42 Parking.

**7. 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

**8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- a) Discussion and or Action on Ordinance Number 480 to Amend The Aurora Municipal Code Regarding Various Sections. First Reading.

**9. NEW BUSINESS**

- a) Discussion and or Action on Proposal for Living Color Landscape to include Highway 99E Planter Strips.
- b) Discussion and or Action or Presentation of Information from the Pudding River Water Council.

**10. OLD BUSINESS**

- a) NA

**11. ADJOURN**

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, October 13, 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  
Darrel Lockard, Public Works Superintendent  
Dale Huitt, Marion County

**STAFF ABSENT** Dennis Koho, City Attorney  
Mary Lambert, Finance Officer

**VISITORS PRESENT:** Bryon Schriever, Aurora  
Joseph Schaefer, Aurora

---

**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Mayor Bill Graupp at 7:00 pm

**2. CITY RECORDER DOES ROLL CALL**

Mayor Graupp- Present  
Councilor Sahlin - Present  
Councilor Sallee-Present  
Councilor Southard-Present  
Councilor Vlcek - Present

**3. CONSENT AGENDA**

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

Motion to approve the consent agenda as presented was made by Councilor Southard and is seconded by Councilor Sallee. Motion approved by all.

**4. CORRESPONDENCE - NA**

**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.

Byron Schriever, Aurora came in to update the council on his water filter he stated this time it has been 6 months filter was brown in color and Public Works Super Lockard stated they would begin using charcoal again and see if that clears it up any.

Joseph Schaefer, Aurora wanted to commend everyone for doing their part as we made it through a difficult water season without having to sanction a shortage.

## 6. REPORTS

### a) Mayor Bill Graupp

- Mayor Graupp briefly explains the lock down process and forms that need filled out for the North Marion Schools District.

No discussion.

**ACTION ITEM: NA**

### b) Marion County Deputy

- Deputy report is routine nothing major to report except we did have one business that had been broken into. Councilor Sallee again asks about the speed trailer and asks if it could be place on Liberty Street. Officer Huitt states that maybe 25 is still too high for that street we may need to look into it.

Council had no discussion at this time.

**ACTION ITEM: NA**

### c) Finance Officer , absent

- Finance officer report as attached. Mayor Graupp reminds council to fill out the audit questionnaire and get it back in.

Council had no discussion.

**ACTION ITEM: NA**

### d) Public Works

- Public Works report as attached and hopefully the new format addresses many of the councils questions and concerns. I am currently working with Kelly and Mayor Graupp to gather a list of essential tests and there due dates which I hope to have by the end of the year. Lockard reports that the leak at the park has been fixed; Councilor Sallee asks if there are any more leaks and Lockard states none known at this time. The DEQ paperwork for the recent spill has been finished and all requirements satisfied. Councilor Vleck asks how the Canby Herald found out about the situation and Lockard states that the reporter read our minutes posted online and he called DEQ for more information. Councilor Sallee asks if the TMDL report has been finished, Lockard no not quite yet it has been extended until January 2016. The reason I sent all of you the letter regarding street sweeping they would highly recommend that we get on some type of plan for that. There is a brief discussion regarding funding this would cost around

6400.00 a year for every other month. Council suggests maybe looking into a couple times a year during the worst of the winter months to clean up the leaves and debris. Lockard will look into this. It still could be for 6 times a year but more geared towards when it is needed.

**ACTION ITEM: Lockard to look into revising street sweeping proposal.**

e) Parks Committee

- Park report Lockard informs council that when we repaired the leak we put in for future hose bib. The canopy of trees will be trimmed in the next two weeks. The hazardous trees will again be done this next week.

Council discussed, NA

**ACTION ITEM: NA**

f) City Recorder

- Recorder report as attached mostly routine however Richardson informs council that a letter did go out to the property on 99E and they responded stating the structure was not a hazard in their opinion and requests we withdraw our letter.

Council discusses the letter from the Renues and decides to have City Attorney Koho continue to move forward.

**ACTION ITEM: Koho to move forward.**

Lockard is excused to go home at this time at Councilor Southards request.

g) City Attorney, absent

- City Attorney report Mayor Graupp informs the council that the Eddy property sale fell through the purchaser was not aware of the city demands and didn't want to continue. We still have our court date set for December 1 so everything is continuing to move forward on the foreclosure. The process will take approximately another six months following the court date. I have also asked Koho to work with the developers regarding the Orchard view estates so it is being addressed as well. We have found that the CCR's were done however the process was not completed. Councilor Vlcek states that as the process moves forward I may need to declare a conflict because my daughter owns one of the properties in Orchard view.

Council discussion NA

**ACTION ITEM: Follow up with planning.**

## **7. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- a) Resolution Number 703 A Resolution to Renew the Contract with SEDCOR Enterprise Zone Manager and setting an application fee.

Motion to approve Resolution Number 703 and renew contract with SEDCOR and establish a fee is made by Councilor Sahlin and is seconded by Councilor Vlcek. Ayes 4 Nays 1 Councilor Vlcek. Motion Passes.

**8. NEW BUSINESS**

- a) NA

**9. OLD BUSINESS**

- a) Discussion on EOP overview, Council would like to have City Recorder Richardson look into the process for updating the plan and making sure it is accurate.

Councilor Sallee asks where we are on filling or open positions and it is stated that we are still in the process of filling the vacant utility worker position but were close.

There is a brief discussion regarding the upcoming code revisions and clarification on previous intent and Councilor Sahlin states that the intent was not to be the style police for accessory structures. Anything less than 200 square feet didn't need a permit anything over did. Chair Schaefer asks Councilor Sahlin to attend the Planning Commission meeting in November to supply the historical data for the hearing.

**Action Item, place living color contract on the November agenda.**

**10. ADJOURN,**

Mayor Graupp adjourned the October 13, 2015 Council Meeting at 8:27 PM.

Let the record show that City Recorder Richardson states that at some point during the meeting the recorder battery went dead.

---

Bill Graupp, Mayor

ATTEST:

---

Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, October 6, 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:**

**VISITORS PRESENT:**    Kathy Kaatz, Aurora  
                                      Bill Graupp, Aurora

---

**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Chairman Schaefer at 7:00 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 - Present  
Commissioner Ensign - Present

**3. CONSENT AGENDA**

- a) Planning Commission Minutes – September, 2015
- b) City Council Meeting Minutes – August, 2015
- c) Historic Review Board Minutes – August, 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.

**4. CORRESPONDENCE –**

- a) NA

**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.

NO one spoke at this time.

## **NEW BUSINESS**

- a) Discussion and or Action on Orchard View Storm Water Tract. Chair Schaefer gives the background information to the Commission. This is a storm tract of land in the Orchard View subdivision which consists of 39 lots on the South end of Orchard Street. This tract of land is supposed to be maintained by the homeowners according to the CCR's. The property apparently is still owned by the contractor because things were not filed properly. Currently a neighboring property uses and maintains a portion of the tract and has contacted the city regarding the lack of maintenance and would like to discuss some various options with the city. The property owners of lot 8 the Kaatz's would like to purchase the land since they have been maintaining it since 2011 and add it to their lot as part of their yard. General discussion back and forth between members one thing Chair Schaefer points out is the city has an access easement that needs to be maintained whatever the decision for maintenance of the storm runoff pond and ultimately the Council will decide. Wakeley (City Planner) states that it would be a buildable piece of land however that doesn't appear to be the use proposed here.

Mayor Graupp is in attendance and informs the group that the storm water pond is not large enough to allow additional structures to be built and would like to see the CCR's formed and the tract be maintained by the homeowners as was the original intention.

**Action; City Recorder Richardson is asked to invite all of the lot owners to the November meeting to discuss possible options.**

- b) Discussion and or Action on UGB Stream lining Rules, no action just wanted to discuss this with everyone. City Planner Wakeley whom works for Council of Governments is concerned that the numbers they are using are to low the projection is off according to the league. The State says 5 employees an acre and currently we are just looking into the projections to make sure there accurate. The upshot to this is the lower the number the better for the smaller communities it would be saying we need more land. Recently Legislature passed a law regarding simpler rules. The COG felt if the rules were followed there would be less appeals filed. If Aurora grows this would likely be the policy to follow so please look it over.
- c) Discussion and or Action on Proposed Text for Code Update, There is a lengthy discussion regarding the various code changes which will be presented at the November meeting regarding recreational marijuana, shipping containers in the commercial zone and recreational vehicles. Various options were considered and City Planner Wakeley will work on the text for our next meeting.

## **6. OLD BUSINESS**

- a) Discussion and or Action on Airport Growth, Commissioner Ensign wanted this on the agenda as a new member he wanted to learn some of the history regarding the airport. He is very excited as a new member and is interested in increasing our UGB . Chair Scheafer explains that it is not for lack of interest however it is a very costly endeavor. There was a buildable land study done in 2009 as part of the comp plan update and based on those

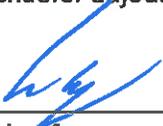
numbers there was no justification for it. These types of studies are done about every 10 years or so. Other avenues could be a industry specific EOA however again very costly. no decision were made just discussion.

**7. COMMISSION/DISCUSSION**

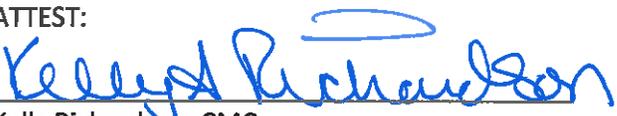
- a) City Planning Activity (in your packets) Status of Development Projects within the City. City Planner Wakeley reads her report as attached. Most of the discussion happened earlier in the meeting.

**8. ADJOURN**

Chair Schaefer adjourned the October 6, 2015 Aurora Planning Commission Meeting at 8:31 P.M.

  
\_\_\_\_\_  
Chair Schaefer

ATTEST:

  
\_\_\_\_\_  
Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora Historic Review Board Meeting**  
Thursday, September 24, 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:** Mr. Mason, Christ Lutheran  
Craig Johnson, Christ Lutheran  
Judi Aus, Canby  
Lance Lyons, Aurora  
Not sure left message, Aurora  
Richard Rothweiler, Architect

**1. CALL TO ORDER OF THE HISTORIC REVIEW BOARD MEETING**

The meeting of September 24, 2015 was called to order by Vice Chair Townsend at 7:00 pm

**2. CITY RECORDER DOES ROLL CALL**

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

**3. CONSENT AGENDA**

- a) Historic Review Board Meeting Minutes – August, 2015, Under Old Business #7 the first bullet should say prospective and home improvement businesses there.
- b) City Council Minutes – August, 2015
- c) Planning Commission – August, 2015

A motion to approve the Historic Review Board minutes of September 24, 2015 as amended was made by Member Berard and is seconded by Member Frochen. Passed by all.

Consensus of the group due to the holiday season the November meeting will be on the third Thursday of the month along with the December meeting. 11/19/15 and 12/17/15.  
Member Berard will not be at the October, 2015 meeting.

**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.

There were no visitors that spoke during this time.

## 6. NEW BUSINESS

a) NA

## 7. OLD BUSINESS

a) Discussion and or Action Christ Lutheran Church height variance and design changes. As presented by the Christ Lutheran Church the revised plans show a 48 Ft tower with approximately an 8-10 ft cross on top of that. The board is initially surprised by that and state basically you went back to your original design that we had earlier disapproved of due to the height issues. The applicants Christ Lutheran and the Architect Richard Rothweiler at this point state that they had gone back to more of the original old church look. The Architect felt this was more in keeping with the original 1900 church and accommodated the large bell better with more access to it. The board asks the dimensions at this point none were given at this point.

Member Townsend at this point points out her major concerns which is proportion to the other historic buildings on that same block what you are proposing is very large and will dominate the block. The Architect disagrees with Townsend's perspective he feels as though there is enough space between the buildings and that the block will allow for this building. I (Architect) does think it will be seen which is a good thing for the town and it will be a draw not a detriment. Townsend disagrees and feels that there are things that can be adjusted to the design which would allow the shorter tower as previously approved.

Other members of the board feel as though it would be a great addition to the area and don't think it will dominate the block Member Berard even goes on to say is it not our duty to promote and support growth which is what this is. Townsend goes on to say it is also our job to protect the colony history this is what sets us apart and makes our district what it is today. I really do think the proportions are all out of whack.

Townsend again makes a few suggestions on how to scale it down and make it more visually pleasing. She asks the architect what the bare minimum height they would need to accommodate the bell he states 7feet at bare minimum however it would be very tight and cumbersome. Other members like the design and they all think it matches the period they do not live across the street so it's hard to envision what that would be like. This discussion goes back and forth eventually they come to a vote.

Member Townsend motions to approve the variance with the minimum amount of height needed 7 feet and to allow a smaller cross on top there is no second motion fails.

Member Berard makes a motion to approve the height variance as presented and allow the height increase and is seconded by Member Frochen. 3 ayes to 1 nay motion passes.

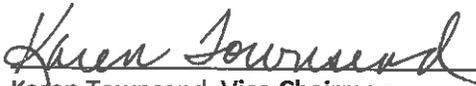
After the conclusion of the matter the Architect sympathizes with member Townsend and states he will try to minimize the height were he can including the cross.

- b) Discussion and or Action on Historic Inventory, This is need as quickly as possible so City Recorder Richardson will contact the contractor on the project to make sure it gets done.
- c) Discussion and or Action regarding the Design Guidelines, This is discussed at length between the different members many items are listed and discussed as changes. The entire group agree that they will each month go over the changes and then submit them to the contractor for final document and then approval. They will work on these changes on their time and bring them back to the group each month.

**Action: None**

## **8. ADJOURN**

**Vice Chairman Townsend adjourned the meeting of September 24, 2015 at 8:34 pm.**

  
Karen Townsend, Vice Chairman

ATTEST:

  
Kelly Richardson, CMC  
City Recorder

# Memorandum

## MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

105 HIGH STREET S. E. SALEM, OREGON 97301-3667

TELEPHONE: (503)588-6177

FAX: (503)588-6094

TO: Aurora City Council  
FROM: Renata Wakeley, City Planner  
RE: Legislative Amendment 2015-02 (LA-15-02)  
DATE: November 10, 2015

### REQUESTED ACTION

The City Council's options for taking action on Legislative Amendment 15-02 include the following:

- A. Adopt the findings in the staff report and adopt Legislative Amendment 15-02:
  1. As presented by staff and the Planning Commission; or
  2. As amended by the City Council (stating revisions).
- B. Take no action on Legislative Amendment 15-02.
- C. Continue the public hearing:
  1. To a time certain, or
  2. Indefinitely.

### BACKGROUND

In 2013, House Bill 3460 created a medical marijuana registration system and allowed medical marijuana facilities (MMFs) to be located in certain zones, including commercial, industrial, and mixed use. In 2015, House Bill 3400 further clarified marijuana regulations, expanded permissions for recreational marijuana, and also allowed jurisdictions to adopt reasonable time place, and manner restrictions on both. The Planning Commission reviewed and discussed several options for this new legislation in September and October 2015. At the same time, the Planning Commission received feedback from interested parties regarding recreational vehicles and accessory buildings and LA-15-02 includes proposed amendments to clarify the text on these items.

The Aurora Planning Commission held a public hearing on November 3<sup>rd</sup>, 2015. The following sections of the Aurora Municipal Code (AMC) are proposed by staff and the Planning Commission for amendment:

- 16.04 Definitions
- 16.14 Commercial

- 16.16 Industrial
- 16.36 Manufactured Home Regulations
- 16.42 Off-Street Parking and Loading Requirements

Legislative Amendment 15-02 includes the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~strikethrough~~ format for review purposes (see Exhibit A).

The purpose of the proposed amendment is to create “reasonable regulations” as allowed by House Bill 3460 and 3400 for time, place and manner restrictions for marijuana associated retailers, processors, and growers. By addressing marijuana sales, production, and processing, the City seeks to further clarify where these uses are permitted and mitigate potential conflicts with surrounding uses. The proposed amendments also seek to add clarity and certainty to the Aurora Municipal Code – Title 16.

#### FINDING OF FACT

The Aurora Planning Commission, after careful consideration of the testimony and evidence in the record, adopted the following Findings of Fact and Conclusions:

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on October 13, 2015, which was 21-days prior to the first evidentiary hearing and 28-days prior to the City Council hearing on November 10, 2015.
2. Amendments to the Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Legislative Amendments shall be made in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.
3. AMC 16.74.030 outlines notice requirements. At least ten days prior to the first public hearing, the City shall publish notice in a newspaper of general circulation. The notice of the planning commission and city council hearings was published in the Canby Herald on October 28, 2015, at least 10 days prior to the scheduled November 10, 2015 City Council hearing.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the Planning Commission and the decision by the City Council.
5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission reviewed the proposed legislative amendments at a November 3, 2015 public hearing and made a unanimous recommendation for City Council approval of LA-15-02.

## STANDARDS FOR THE DECISION AND FINDINGS

*16.74.060 provides the standards for a Legislative Amendment decision as follows:*

*A. The recommendation by the Planning Commission and the decision by the Council shall be based on consideration of the following factors:*

- 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;*

**FINDINGS: Goal 1, Citizen Involvement:** A public hearing on the proposed amendments was held by the Planning Commission on November 3, 2015 and the City Council hearing is scheduled for November 10, 2015. Notice was posted at City Hall and published in the Canby Herald. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff and the Planning Commission found Goal 1 is met.

**Goal 2, Land Use Planning:** The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged AMC for process. Goal 2 generally supports clear and thorough local procedures. Staff and the Planning Commission found Goal 2 is met.

**Goal 3, Agricultural Lands and Goal 4, Forest lands** are found not to be applicable.

**Goal 5, Open Spaces, Natural Resources, and Historic Areas:** The proposed amendments do not affect regulations within the Aurora Historic District nor does it affect open spaces or natural resources. Staff and the Planning Commission found Goal 5 does not apply.

**Goal 6, Air, Water and Land Resource Quality:** Goal 6 is not applicable. The proposal does not address Goal 6 resources.

**Goal 7, Natural Hazards:** Goal 7 is not applicable. The proposal does not address Goal 7 resources.

**Goal 8, Recreational Needs:** Goal 8 is not applicable. The proposal does not address Goal 8 resources.

**Goal 9, Economic Development:** The draft code amendments respond to a need/revision identified by Senate Bills 3460/3400 to address permitted uses on commercial and industrial lands. The proposed code amendments are not found to deter employment or business opportunities but rather to allow for greater economic uses on commercial and industrial properties while also protecting the intent of these zones and permissible locations as well as the intent of the Aurora Historic District.

The Planning Commission has determined which uses under the Senate Bills are best suited in which zoning locations to match the purpose and intent of the zone. The code update also

addressed design standards for storage units in the commercial zone to protect design standards of the primary structures in the zone. Staff and the Planning Commission found Goal 9 is met.

Goal 10, Housing: The draft code amendments address storage of recreational vehicles on residentially zoned lands and within public rights-of-way not intended to accommodate housing. Staff finds Goal 10 is not applicable. The proposal does not address Goal 10 issues.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable as the code amendments address permitted uses under State law on properties already zoned for commercial and industrial development. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues as the proposed code amendments apply to existing commercial and industrial sites within the City limits and permissible uses within these zones.

ORS 197 does not include specific notice requirements for legislative processes but the City met all notice requirements under AMC for Legislative Amendments. ORS 227.186, more commonly known as Measure 56 notice, does not apply as the proposed amendments do not reduce permissible uses of properties in the affected zones.

*2. Any federal or state statutes or rules found applicable;*

FINDINGS: Staff and the Planning Commission found the adoption actions are consistent with Oregon Revised Statute 197.610(1) for notice to the Department of Land Conservation and Development. Measure 56 notice was not required as the proposed amendments do not reduce permissible uses on commercial lands.

The addition of specific definitions for marijuana grow sites, processing sites and retail sites under AMC 16.04 ensures compliance with recently adopted legislation at the State level. Above the State-imposed and regulated standards for said facilities, jurisdictions are permitted to adopt reasonable time, place and manner restrictions to meet the intent of their development code and comprehensive plans. Proposed amendments to address these new regulations and to further clarify the locations of specific facilities are found by staff to be reasonable and address the intent and purpose of the specific zoning codes, as outlined under each zoning code chapter.

Staff and the Planning Commission found this criterion is met.

*3. The applicable comprehensive plan policies and map; and*

The applicable Aurora Comprehensive Plan Goals align with the Statewide Planning Goals and associated policies as outlined under FINDINGS, subsection A.1 above. Staff and the Planning Commission found this criteria is met.

*4. The applicable provisions of the implementing ordinances.*

FINDINGS: The draft code amendments respond to a need/revision identified by Senate Bill 3460/3400 to potential permitted uses on commercial and industrial lands. The proposed code amendments are not found to deter employment or business opportunities but rather to clarify locations of permitted specific uses, allow for greater economic uses of commercial and industrial properties, and maintain design standards while also protecting the intent of the zones and the Aurora Historic District.

Staff finds the proposed code amendments can be established in compliance with the development requirements of the Aurora Municipal Code while maintaining the stated intent of the underlying zones.

*B. Consideration may also be given to proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.*

FINDINGS: Staff or the Planning Commission did not find a change in circumstance, mistake or inconsistency in the comprehensive plan or implementing ordinances. Rather, the proposed code amendments are a result of Senate Bill 13460/3400531 and the City's need to refine and clarify permitted locations and uses within the City of Aurora, adopt "reasonable regulations" for their review, as well as further clarify storage of recreational vehicles and design standards for accessory structure. Staff and the Planning Commission found this criterion is met.

EXHIBIT A Aurora Municipal Code (AMC) section 16.04- Definitions  
Aurora Municipal Code (AMC) section 16.14- Commercial zone  
Aurora Municipal Code (AMC) section 16.16- Industrial zone  
Aurora Municipal Code (AMC) section 16.36- Manufactured Home Regulation  
Aurora Municipal Code (AMC) section 16.42- Off-Street Parking and Loading

## Chapter 16.04

### DEFINITIONS

#### Sections:

- 16.04.010** Meaning of words generally.
- 16.04.020** Meaning of common words.
- 16.04.030** Meaning of specific words and terms.

#### **16.04.010** 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.

#### **16.04.020** 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 "shall" is mandatory and the word "may" is permissive.

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

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

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

H. The term "this ordinance" shall be deemed to include the text, the accompanying zoning map and all amendments made hereafter to either.

#### **16.04.030** Meaning of specific words and terms.

(Also see Chapters 16.18, 16.36, 16.44 and 16.50).

As used in this title:

"Abut/abutting" and "adjacent/adjoining or contiguous lots" means two or more lots  
....

**(Some pages excluded for brevity)**

"Lot Line, Side". "Side lot line"—means any lot boundary not a front or rear property line.

"Lot of record" means a legally created lot meeting all applicable regulations in effect at the time of creation.

"Lot, through or double-frontage lot" means an interior lot having frontage on two parallel streets (see Illustration 4, Appendix A set out at the end of this title).

"Lot width" means the average horizontal distance between the side lot lines.

"Major impact utility" means services and utilities which have a substantial visual impact on an area. Typical uses are electrical and gas distribution substations, radio microwave, telecommunications towers, telephone transmitters and cable television receivers and transmitters.

"Manufactured home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.

"Manufactured home park" means any place where four or more manufactured homes are located on a lot tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

"Marijuana grow site" includes the manufacture, planting, cultivating, growing, trimming, or harvesting marijuana or drying marijuana leaves or flowers, registered with the State of Oregon.

"Marijuana processing site" includes the processing, compounding or converting of marijuana into products, concentrates or extracts, and registered with the State of Oregon.

"Medical marijuana dispensary and commercial marijuana retail stores" means a

facility that dispenses ~~medical~~ marijuana, ~~validly~~ registered with the State of Oregon and authorized according to the State of Oregon Health Authority (OHA) or Oregon Liquor Control Commission (OLCC), as applicable, to transfer usable marijuana and immature plants to and from ~~registry identified~~ cardholders, retail customers, and or persons licensed by the State to purchase, grow, or process marijuana, responsible for a medical marijuana grow site.

"Mining and/or quarrying" means premises from which any rock, sand, gravel, topsoil, clay, mud, peat or mineral is removed or excavated for sale, as an industrial or commercial operation, and exclusive of excavating and grading for street and roads and the process of grading a lot preparatory to the construction of a building for which a permit has been issued by a public agency.

"Minor impact utility" means services which have minimal off-site visual impact.

"Mobile storage unit" means a portable storage container that may be transported by truck and/or trailer that is used as an accessory structure. Mobile storage units may include railroad cars, tractor trailer units and/or shipping containers.

"Modular home" means a structure constructed in accordance with federal requirements for modular construction including compliance with Oregon Structural Specialty Codes.

"Net acres" means the total amount of land which can be used for development.

"Nonconforming lot" means a lot which was lawful in terms of size, area, dimensions or location, prior to the adoption, revision or amendment of the zoning ordinance, but which now fails to conform to the requirements of the zoning district.

"Nonconforming sign" means any sign lawfully existing on the effective date of an ordinance, or amendment thereto, which renders such sign nonconforming because it

does not conform to all the standards and regulations.

"Nonconforming structure" means a structure the size, dimensions or location of which were lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails to meet the present requirements of the zoning district.

"Nonconforming use" means an activity lawfully existing prior to the effective date of the ordinance codified in this title, or any amendment thereto, but which fails to meet the current standards and requirements of the zone. (Note: In the case of nonconformance, the key phrase is "...lawfully existing prior to the effective date of the ordinance codified in this title or any amendment..." which make the use or the lot, sign or structure nonconforming. These are frequently referred to as being "grandfathered in," meaning that they are allowed to remain under the conditions set by said ordinance (see Chapter 16.62).

"Non-remonstrance Agreement" means a written agreement executed by a property owner or a property owner's predecessor in title that waives the right of a property owner to file a remonstrance and thereby potentially delay the formation of a Local Improvement District (LID). Such agreements are typically entered into as a condition of development or improvement that impacts or connects to a substandard

"Occupancy permit" means a required permit allowing occupancy of a building after it has been determined that all requirements are met.

"On-the-record" means an appeal procedure in which the decision is based on the record established at the initial hearing. New information may be added only under certain limited circumstances.

"Open space" means an area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use, or for the use of owners and occupants of land adjoining or neighboring such open space.

"Owner" means any person, agent, firm or corporation having a legal or equitable interest in the property.

Owner, Contract Purchaser Deemed. A person or persons purchasing property under contract, for the purposes of this title shall be deemed to be the owner or owners of the property covered by the contract. The planning commission or the council may require satisfactory evidence of such contract of purchase.

"Parcel" means a unit of land that is created by partitioning land.

"Park and recreation facility" means any land set apart and devoted to the purposes of pleasure, recreation, ornament, light and air for the general public.

"Parking space" means an area within a private or public parking area, building or structure meeting the specific dimensional requirements and designated as parking for one vehicle.

"Partitioning land" means division of an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. Partitioning does not include divisions of land resulting from lien foreclosures nor the adjustment of a property line by the relocation of a common boundary when no new parcel is thereby created.

"Permit" means an official document or certificate, issued by the city or its designated official, authorizing performance of a specified activity.

"Permitted use" means a use which is allowed outright, but is subject to all applicable provisions of this title.

"Person" means an individual, corporation, governmental agency, official advisory committee of the city, business trust, estate, trust, partnership, association, two or more people having a joint or common interest or any other legal entity.

"Planning director" means the person designated by the city council as responsible for planning activities for the city.

"Plat" includes a final subdivision plat, replat, or partition plat.

"Partition Plat, final" includes a final map and other writing containing all descriptions,

locations, specifications, provisions and information concerning a partition.

“Patio” means an unenclosed, uncovered recreation area adjoining a building and adapted especially for outdoor dining and living.

“Porch” means a covered, enclosed or unenclosed, entrance to a vestibule or doorway.

"Potential future flooding" means condition that exists when a property elevation is at or below the established one hundred (100) year flood plain.

"Preservation" means the identification, study, protection, restoration, rehabilitation or enhancement of cultural resources.

"Principal building" means the principal structure on a lot built for the support, shelter, protection or enclosure of any persons, animals or property of any kind, excluding an accessory building. The principal building shall conform to the stated uses within the zoning district and all other restrictions of this title.

"Professional office" means the office of a member of a recognized profession maintained for the conduct of that profession.

"Property line" means the division line between two units of land.

"Property line adjustment" means the relocation of a common property line between two abutting properties which does not result in the creation of an additional lot, or the creation of a substandard lot.

"Public support facilities" include services, buildings, and structures necessary to support uses allowed outright in the underlying zone and operated by a governmental agency or public utility. Such facilities may include, but not be limited to, fire stations, libraries, electrical substations, water and sewer distribution facilities and storage, power lines and poles, phone booths, fire hydrants, as well as bus stops, benches and mailboxes which are necessary to support principal development. Such facilities shall not include commercial plants.

"Quasi-judicial amendment" means a change to the text of this title, the

comprehensive plan text, the city plan map or the city zoning map that is specific in nature or involves only a small number of properties or owners. If there are questions as to whether a specific request for a land use review is quasi-judicial or legislative, the decision will be made by the city attorney. The decision will be based on current law and legal precedent.

“Replat” means the act of replatting the lots, parcels, and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision partition plat or to increase or decrease the number of lots in the subdivision.

"Receipt" means an acknowledgment of submittal.

"Recreational vehicle" means a vacation trailer or other unit with or without motor power which is designed for human occupancy and to be used temporarily for recreational purposes and is identified as a recreational vehicle by the manufacturer.

"Recreational vehicle park" means any property developed for the purpose of parking or storing recreational vehicles on a temporary or transient bases, wherein two or more of such units are placed within five hundred (500) feet of each other on any lot, tract or parcel of land under one ownership.

“Remonstrance Agreement” means a formal written objection to formation of a Local Improvement District (LID) filed by an owner of property within the proposed LID pursuant to ORS 223.117 that can, in conjunction with other formal written objections from two-thirds or more of the affected property owners, delay formation of an LID.

"Remodel" means an internal or external modification to an existing building or structure which does not increase the site coverage.

"Residence" means a structure designed for occupancy as living quarters for one or more persons.

"Residential care facility" means any facility licensed or registered by or under the authority of the Department of Human Resources as defined in ORS 443.400 to 443.460 or licensed by the Children’s

Services Division which provides residential care for six to fifteen (15) individuals who need not be related, excluding required staff persons.

"Residential care home" means any home licensed by or under the authority of the Department of Human Resources as defined in ORS 443.400, a residential home registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.505 to 443.825 which provides residential care for five or fewer individuals who need not be related, excluding required staff persons.

"Reserve strip" means a strip of property usually one foot in width overlaying a dedicated street which is reserved to the city for control of access until such time as additional right-of-way is accepted by the city for continuation or widening of the street.

"Residential use" means a structure used for human habitation by one or more persons.

"Right-of-way" means a strip of land occupied or intended to be occupied by a street, crosswalk, pedestrian and bike paths, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or other special use. The usage of the term "right-of-way for land division purposes" means that every right-of-way hereafter established and shown on a plat or map is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

"Roadway" means the portion of the street right-of-way developed for vehicular traffic.

"School" means any public, elementary, junior high, high school, college, or comparable private school.

"Screening" means a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

"Setback" means the minimum allowable distance between the property line and any structural projection. If there is an access

easement or private street on the lot or parcel, "setback" shall mean the minimum allowable distance between the access easement or property street and any structural projection. Structural projections include fireplaces, covered porches, balconies, canopies and similar features. Cornices, eaves, belt courses, sills or similar architectural features may extend or project into a required setback not more than twenty-four (24) inches.

"SHPO" means the State Historic Preservation Officer.

"Sign" means any lettered or pictorial device designed to inform or attract attention, and which shall comply with Chapter 16.44.

"SSC" means Structural Specialty Code.

"Steep slope" means a slope with a gradient of twenty-five (25) percent or greater (see "Grade").

**(Some pages excluded for brevity)**

## Chapter 16.14

### C COMMERCIAL ZONE

#### Sections:

- 16.14.010 Purpose.
- 16.14.020 Permitted uses.
- 16.14.030 Conditional uses.
- 16.14.040 Development standards.
- 16.14.050 Open inventory display.

#### 16.14.010 Purpose.

The commercial zone (C) is intended to provide areas for retail and service commercial uses. (Ord. 415 § 7.60.010, 2002)

#### 16.14.020 Permitted uses.

In the commercial zone, except as specifically stated in Section 16.14.050 activities shall be conducted within an enclosed building or structure and are subject to site development review, Chapter 16.58. Only the following uses and their accessory uses are permitted outright:

1. Auction house, auditorium, exhibit hall, community building, club, lodge hall, fraternal organization or church;
2. Bed and breakfast inn, hotel or motel;
3. Bicycle sales or repair;
4. Cultural exhibits and library services;
5. Day care facility licensed by state;
6. Dwelling units located on the second floor of the commercial structure;
7. Eating and drinking establishments;
8. Financial, insurance and real estate offices;
9. General retail and convenience sales, except adult bookstores;
10. Indoor and outdoor recreation and entertainment facilities, except adult entertainment or adult motion picture theaters;
11. Laundry or dry cleaning establishments;
12. Medical or dental services including labs;
13. Mini storage, with or without a caretaker dwelling;
14. Minor impact utilities;
15. Motor vehicle, farm implement, boat or trailer rental, sales or services including body repairs when repairs are conducted wholly within an enclosed structure;
16. Mortuary, funeral home, crematorium or taxidermy;
17. Nurseries, greenhouses, and landscaping supplies not requiring outside storage for items other than plant materials including wholesale or retail, excluding uses related to medical or recreational marijuana;
18. Parking structure or lot or storage garage;
19. Printing or publishing plant;
20. Professional and administrative offices;
21. Public safety and support facilities;

22. Public transportation passenger terminal or taxi stand;
23. Repair services for household and personal items, excluding motorized vehicles;
24. Sales, grooming and veterinary offices or animal hospitals without outside pens or noise beyond property line;
25. Schools;
26. Service station, retail vehicle fuel sales or car wash when not located adjacent to a residential zone.
27. Single-family residence, provided it is an accessory use and cannot be sold separately;
28. Studios, including art, photography, dance, and music. (Ord. 415 § 7.60.020, 2002)

#### 16.14.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 16.60, other relevant sections of this title and any conditions imposed by the planning commission:

A. Adult bookstore, adult entertainment or adult motion picture theaters, provided no sales area or activity is ever visible from the building exterior, all building setbacks shall be a minimum of thirty-five (35) feet from any property line and shall be screened and buffered in accordance with Section 16.38.040. In addition, location shall be at least one thousand five hundred (1,500) feet, measured in a straight line, from any of the following:

1. Residential district,
2. Public or private nursery, preschool, elementary, junior, middle or high school,
3. Day care facility, nursery school, convalescent home, home for the aged, resident care facility or hospital,
4. Public library,
5. Community recreation,
6. Church,
7. Historic district or historic structure;

B. Home occupations (Type II) subject to Chapter 16.46;

C. Major impact utilities, including telecommunications facilities subject to Chapter 16.50, provided that a ten (10) foot perimeter setback containing both externally visible landscaping meeting buffering standards and solid screening surrounds the property;

D. Retail or wholesale business with not more than fifty (50) percent of the floor area used for the manufacturing, processing or compounding of products in a manner which is clearly associated with the retail business conducted on the premises, excluding products related to medical or recreational marijuana; (Ord. 478, 2015)

E. On lots that do not abut a residential zone, retail or wholesale business with not more than seventy-five (75) percent of the floor area used for the manufacturing, processing or compounding of products in a manner which is clearly associated with the retail business conducted on the premises; (Ord. 478, 2015)

F. Wholesaling, storage and distribution. (Ord. 415 § 7.60.030, 2002)

G. Medical marijuana dispensaries (MMD) and commercial marijuana retail stores, subject to the following standards:

1. Buffers which shall only be measured at the initial land use application and not subsequent annual renewals:

- a. Elementary, middle or high school, public or private: 1000 feet

- b. Day care: 1000 feet
  - c. Other marijuana businesses: 1000 feet
  - d. May not be adjacent to a residential zone, a public park, or a church.
2. The use must be located within a permanent, enclosed structure.
  3. The use may not be allowed as a home occupation.
  4. Applicant and all employees must pass a criminal background check.
  5. The term of a conditional use approval may not exceed one year.
  6. Waste materials containing any amount of marijuana or by products must be locked in a secure container on-site.
  7. Hours of operation are limited to 10 am to 5 pm.
  8. Drive through windows are prohibited.

#### 16.14.040 Development standards.

A. There is no minimum size for lots or parcels served by municipal sewer. Minimum lot sizes for lots or parcels without municipal sewer shall be as determined by the county sanitarian.

B. There is no minimum lot width or depth.

C. Unless otherwise specified, the minimum setback requirements are as follows:

1. There is no minimum front yard setback except as required for buffering of off street parking in accordance with Section 16.38.050;

2. On corner lots and the rear of through lots the minimum setback for the side facing the street shall be ten (10) feet;

3. No side or rear yard setback shall be required except twenty (20) feet screened and buffered in accordance with Chapter 16.38 shall be required where abutting a residential zoning district;

D. No building shall exceed forty-five (45) feet in height. Within one hundred (100) feet of a residential zone, no building shall exceed thirty-five (35) feet in height. All buildings greater than thirty-five (35) feet in height are subject to Chapter 16.24.

E. Parking shall be in accordance with Chapter 16.42.

F. Landscaping shall be in accordance with Chapter 16.38.

G. Doors and windows may not be covered with security grates.

H. All properties located outside the designated historic commercial overlay and the historic residential overlay and adjacent to Highway 99 or Ehlen Road shall be collectively referenced as "gateway properties." The standards of Chapter 16.56 shall apply to all aspects of the site including, but not limited to, structural facade, yard and landscaping that are immediately adjacent to and visible from Highway 99 or Ehlen Road.

I. Additional requirements shall include any applicable section of this title. (Ord. 415 § 7.60.040, 2002)

J. All building additions and accessory structures shall be consistent in appearance with adjacent structures with regard to materials, setbacks, rooflines, height and overall proportions.

K. Mobile storage units shall not be used for storage or other uses unless they are modified with doors, siding and rooflines consistent in appearance with adjacent structures.

#### 16.14.050 Open inventory display.

A. All business, service, repair, processing, storage or merchandise displays shall be conducted wholly within an enclosed building except for the following:

1. Off-street parking or loading;

2. Drive-through windows;

3. Display, for resale purposes, of large on road vehicles which could not be reasonably displayed wholly within a building; specifically automobiles, boats, logging equipment, farm machinery, heavy machinery and trucks. Such displays shall be limited to a maximum of five vehicles which shall be movable at all times and cannot be deemed as discarded or dismantled. All vehicles displayed for sale must be located on a paved surface;

4. Displays for resale purposes of small merchandise which shall be removed to the interior of the business after business hours;

5. Display, for resale purposes, of live trees, shrubs and other plants.

6. Outdoor seating in relation to permitted eating or drinking establishment subject to 16.34.060.D.

B. All open inventory displays shall be maintained, kept clean, and be situated in conformance with all applicable city ordinances. (Ord. 464, 2011; Ord. 415 § 7.60.050, 2002)

## Chapter 16.16

### I INDUSTRIAL ZONE

#### Sections:

- 16.16.010 Purpose.
- 16.16.020 Permitted uses.
- 16.16.030 Conditional uses.
- 16.16.040 Development standards.

#### 16.16.010 Purpose.

The land designated as industrial is the only area capable of accommodating anticipated economic development activities that are non-retail in nature. With its excellent transportation access, this area provides the opportunity for land-intensive commercial business, such as lumber yards or equipment sales and service, as well as manufacturing. (Ord. 415 § 7.65.010, 2002)

#### 16.16.020 Permitted uses.

In the I zone, all uses are subject to site development review, Chapter 16.58. Only the following uses and their accessory uses are permitted:

- A. Agricultural supplies;
- B. Nurseries, greenhouses, and landscaping supplies requiring outside storage including wholesale or retail;
- C. Cabinet or carpentry shop;
- D. Research services;
- E. Retail facilities on sites greater than one hundred thousand (100,000) square feet;
- F. Manufacturing of finished products excluding all processes involving the refining or rendering of fats or oils;
- G. Manufacturing of components for use in finished products excluding all processes involving the refining or rendering of fats or oils;
- H. Packaging of previously processed materials;
- I. Participation sports and recreation: indoor and outdoors;
- J. Processing and packing of food products excluding all processes involving the refining or rendering of fats or oils;
- K. Processing of previously processed materials for use in components or finished products excluding all processes involving the refining or rendering of fats or oils;
- L. Processing of materials for use in any construction or building trades;
- M. Public support facilities;
- N. Tire retreading or vulcanizing;
- O. Major impact utilities including telecommunications facilities subject to Chapter 16.50;
- P. Warehouse and wholesale distribution and sales;
- Q. Welding, sheet metal or machine shop;
- R. Eating or drinking establishments;

- S. Parking structure or lot or storage garage;
- T. Printing or publishing plant;
- U. Veterinary office or animal hospital;
- V. Service station, car wash, motor vehicle, farm implement, boat or trailer rental, sales or services including body repairs;
- W. Machinery repair;
- X. Transportation terminals and storage yards;
- Y. Participation sports and recreation, indoor and outdoor. (Ord. 415 § 7.65.020, 2002)

16.16.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 16.60, other relevant sections of this title and any conditions imposed by the planning commission:

- A. Child day care facility, licensed by the state;
- B. Junkyard or wrecking yard screened from adjacent streets;
- C. Commercial amusement facilities including bowling alleys, video arcades, and movie theaters other than adult motion picture theaters;
- D. Home occupations (Type II) subject to Chapter 16.46;
- E. Recycle stations, provided that a ten (10) foot perimeter setback containing both externally visible landscaping meeting buffering standards and solid screening surrounds the property, all operations are conducted entirely within buildings, and all building setbacks shall be a minimum of thirty (30) feet from any property line. (Ord. 415 § 7.65.030, 2002)

F. Marijuana grow site and/or marijuana processing site subject to the following standards:

1. Buffers which shall only be measured at the initial land use application and not subsequent annual renewals:

- a. Elementary, middle or high school, public or private: 1000 feet
- b. Day care: 1000 feet
- c. Other marijuana businesses: 1000 feet
- d. May not be adjacent to a residential zone, a public park, or a church.

2. The use must be located within a permanent, enclosed structure.

3. The use may not be allowed as a home occupation.

4. Applicant and all employees must pass a criminal background check.

5. The term of a conditional use approval may not exceed one year.

6. Waste materials containing any amount of marijuana or by products must be locked in a secure container on-site.

7. Hours of operation are limited to 10 am to 5 pm.

8. Drive through windows are prohibited.

16.16.040 Development standards.

A. There is no minimum size for lots or parcels served by municipal sewer. Minimum sizes for lots or parcels without municipal sewer shall be as determined by the county sanitarian.

B. There is no minimum lot width or depth.

C. Unless otherwise specified, the minimum setback requirements are as follows:

1. There is no minimum front yard setback except as required for buffering of off street parking in accordance with Section 16.38.050.

2. On corner lots, the minimum setback for the side facing the street shall be ten (10) feet.

3. No additional side or rear yard setback shall be required except fifty (50) feet screened and buffered in accordance with Chapter 16.38 shall be required where abutting a residential zoning district.

D. No building shall exceed fifty (50) feet in height. Within one hundred (100) feet of a residential zone, no building shall exceed thirty-five (35) feet in height. All buildings greater than thirty-five (35) feet in height are subject to Chapter 16.24.

E. Landscaping shall be in accordance with Chapter 16.38. All outside storage areas require buffering and screening as defined in Chapter 16.38.

F. Parking shall be in accordance with Chapter 16.42.

G. All properties located outside the designated historic commercial overlay and the historic residential overlay and adjacent to Highway 99 or Ehlen Road shall be collectively referenced as "gateway properties." The standards of Chapter 16.56 shall apply to all aspects of the site including, but not limited to, structural facade, yard and landscaping that are immediately adjacent to and visible from Highway 99 or Ehlen Road.

H. Additional requirements shall include any applicable section of this title. (Ord. 415 § 7.65.040, 2002)

## Chapter 16.36

### MANUFACTURED HOME REGULATIONS

#### Sections:

- 16.36.010 Purpose.**
- 16.36.020 Definitions.**
- 16.36.030 Manufactured homes outside manufactured home parks.**
- 16.36.040 Manufactured home park standards.**
- 16.36.050 Occupying recreational vehicles.**

#### **16.36.010 Purpose.**

The purpose of this chapter is to establish criteria for the placement of manufactured homes in manufactured home parks or on individual building lots within the city, to provide standards for development of recreational vehicle parks and allow the temporary use of a manufactured home under certain circumstances.

(Ord. 415 § 7.94.010, 2002)

#### **16.36.020 Definitions.**

As used in this chapter:

"Anchoring system" means an approved system of straps, tables, turnbuckles, chains, ties, or other approved materials used to secure a manufactured home.

"Approved" means acceptable to the city and meeting all current federal, state, or local building and installation codes.

"Driveway" means a private road giving access from access way to a manufactured home space.

"Foundation siding/skirting" means a type of wainscoting constructed of fire and weather resistant material, such as aluminum, treated pressed wood or other approved materials, enclosing the entire under carriage of the manufactured home in a fashion consistent with adjoining areas.

"Manufactured Housing Construction and Safety Standards Code" means Code VI of the Housing and Community Development Act (42 U.S.C. 5401 et sequential), as amended (previously known as the Federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder (including information supplied by the home manufacturer, which has been stamped and approved by a Design Approval Primary Inspection Agency, an agent of the U.S. Department of Housing and Urban Development pursuant to HUD Rules) and regulations and interpretations of such Code by the Oregon Department of Commerce; all of which became effective for manufactured home construction on June 15, 1976.

"Manufactured home space" means a plot of ground within a manufactured home park designed for the accommodation of one manufactured home.

"Occupied space" means the total area of earth horizontally covered by the structure, excluding accessory structures, such as, but not limited to, garages, patios and porches.

"Permanent perimeter enclosure" means a permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground.

"Permanent foundation" means a structure system approved by the city and following the standards set by the Oregon Department of Commerce, for transposing loads from a structure to the earth. Standards subject to additional conditions set in each manufactured home classification.

"Section" means a unit of a manufactured home at least ten (10) body feet in width and thirty (30) body feet in length.

"Support system" means a pad or a combination of footings piers, caps, plates and shims, which, when properly installed, support the manufactured home.

"Vehicular way" means an unobstructed way of specified width containing a drive or roadway which provides vehicular access within a

manufactured home park and connects to a public street.  
(Ord. 415 § 7.94.020, 2002)

**16.36.030 Manufactured homes outside manufactured home parks.**

A. It is unlawful to be occupy, live in, use as an accessory structure, or store any manufactured home within the city, unless it complies with subsection B of this section.

B. The siting of manufactured homes outside of manufactured home parks shall comply with the following regulations:

1. Dimensions. The manufactured home shall be assembled from not less than two major structural sections, and shall contain a liveable floor area of not less than one thousand (1,000) square feet.

2. Hauling Mechanisms. Hauling mechanisms including wheels, axles, hitch and lights assembly shall be removed in conjunction with installation.

3. Foundation. The manufactured home shall be permanently affixed to an excavated and backfilled foundation and enclosed at the perimeter with cement, concrete block or other materials as approved by the building inspector, such that the manufactured home is not more than twelve (12) inches above grade; if the lot is a sloping lot, then the uphill side of the foundation shall be not more than twelve (12) inches above grade.

4. Roof. The manufactured home shall have a minimum nominal roof pitch of at least three feet in height for each twelve (12) feet in width, as measured from the ridge line. The roof shall be covered with shingles, shakes, or tile similar to that found on immediately surrounding single-family dwellings. Eaves from the roof shall extend at least six inches from the intersection of the roof and the exterior walls. The determination of roof covering comparability shall be made by the building inspector.

5. Exterior Finish. The manufactured home shall have exterior siding which in color,

material and appearance is comparable to the predominant exterior siding materials found on surrounding dwellings. The determination of comparability shall be made by the building inspector.

6. Weatherization. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting the performance standards required of single-family dwelling construction under the Oregon Building Code, as defined in ORS 455.010.

7. Off-Street Parking. A garage or carport constructed of like materials consistent with the predominate construction of immediately surrounding dwellings and sided, roofed and finished to match the exterior of the manufactured home is required.

8. Architectural Design. The manufactured home shall utilize at least two of the following design features to provide visual relief along the street frontage of the home:

- a. Dormers;
- b. Recessed entries;
- c. Cupolas;
- d. Bay or bow windows;
- e. Gables;
- f. Covered porch entries;
- g. Pillars or posts;
- h. Eaves (minimum six inch projection); or
- i. Off-sets on building face or roof (minimum sixteen (16) inches).

C. Historic Districts. Manufactured homes shall be prohibited within, or adjacent to, or across a public right-of-way from a historic site, landmark or structure.

(Ord. 419 § 16, 2002: Ord. 415 § 7.94.030, 2002)

**16.36.040 Manufactured home park standards.**

A. Design of the proposed enlargement, alteration or creation of a home park manufactured home park shall be submitted to the Planning Commission for review. The

review shall be conducted in accordance with Chapter 16.58.

B. The design for the manufactured home park shall conform to all applicable state standards established by the state of Oregon, Department of Commercial Mobile Home park standards.

C. The minimum acreage for a manufactured home park shall be one acre with a minimum frontage of one hundred (100) feet and minimum depth of one hundred fifty (150) feet.

D. The maximum density for a manufactured home park shall be 10.89 units per acre.

E. The front and rear yard setback shall be twenty (20) feet and side yard setback shall be ten (10) feet, except on a corner lot the street side yards shall be twenty (20) feet.

F. The minimum area for a manufactured home space within a park shall be two thousand five hundred (2,500) square feet at a density of no more than eight manufactured homes per acre. No space shall be less than thirty (30) feet in width or less than forty (40) feet in length.

G. For each manufactured home space, one hundred (100) square feet shall be provided for a recreational play area, group or community activities. No recreational area shall be less than two thousand five hundred (2,500) square feet.

H. Primary access to the park shall be from a public street. Where necessary, additional street right-of-way shall be dedicated to the city to maintain adequate traffic circulation. Primary access shall have a width of not less than thirty (30) feet and shall be paved.

I. Vehicular ways shall be paved with an asphaltic material or concrete, a minimum of thirty (30) feet in width with on-street parking and a minimum of twenty (20) feet in width with no on-street parking, and shall be minimally constructed with four inches of one and one-half minus base rock, two inches of three-fourths-inch minus topped with two inches of asphalt concrete. Vehicular ways shall be named and marked with signs which are similar in appearance to those used to identify public

streets, and a map of the vehicular ways shall be provided to the fire district, the police department and the public works department.

J. Walkways shall connect each manufactured home to its driveway. All walks must be concrete, well-drained, and not less than thirty-six (36) inches in width.

K. Lighting for the manufactured home park shall average .25 horizontal candlepower of light the full length of all roadways and walks within the park.

L. Driveways shall be asphalt or concrete, not less than four inches deep or two inches of asphalt on four inches of three-fourths-inch minus gravel. Driveways shall begin at a vehicular way and extend into the individual space in a manner to provide parking for at least two vehicles. When the vehicular way is paved to a width of thirty (30) feet, one parking space on the vehicular way may be substituted for one of the required parking spaces. Driveways shall not be directly connected to a city street.

M. Parking spaces shall be a rectangle not less than nine feet wide and eighteen (18) feet long.

N. The boundaries of each manufactured home space shall be clearly marked by a fence, landscaping or by permanent markers and all spaces shall be permanently numbered.

O. The manufactured home shall be parked on a concrete slab on appropriate footings, supports and/or stands. Tie-downs, foundations or other supports shall be in accordance with state and federal laws.

P. Each manufactured home site shall have a patio of concrete, or flagstone or similar substance not less than three hundred (300) square feet adjacent to the manufactured home parking site.

Q. Landscaping and screening shall be provided in each manufactured home park and shall satisfy the following requirements:

1. All areas in a park not occupied by paved roadways or walkways, patios, pads and other park facilities shall be landscaped.

2. Screen planting, masonry walls, or fencing shall be provided to screen objectionable views. Views to be screened include laundry drying yards, garbage and trash collection stations, and other similar uses.

3. Landscaping plans are to be done by a landscape architect or established landscaper.

4. The side and rear perimeter setbacks shall be fenced with an approved sight-obscuring fence or wall not less than five feet nor more than six feet in height and shall be landscaped in accordance with the buffering requirements of Chapter 16.38.

R. Each site shall be serviced by municipal facilities such as water supply, sewers, concrete sidewalks and improved streets.

S. Prior to occupancy of the manufactured home, each site shall have a storage area space in a building having a gross floor area of at least forty-eight (48) square feet for storing the outdoor equipment and accessories necessary to residential living.

1. There shall be no outdoor storage of furniture, tools, equipment, building materials, or supplies belonging to the occupants or management of the park.

2. Except for automobiles and motorized recreational vehicles, no storage shall be permitted except within an enclosed storage area.

3. A recreational vehicle or trailer shall not be occupied overnight in a manufactured home park unless it is parked in a manufactured home space or in an area specifically designated for such use. No more than one recreational vehicle or trailer will be occupied at one time in a manufactured home space. Recreational vehicles, trailers and boats and other oversized vehicles greater than six feet in width may not be parked in the vehicular access way.

T. No structure shall exceed twenty-five (25) feet in height.

(Ord. 415 § 7.94.040, 2002)

It is unlawful for any recreational vehicle, to be occupied, lived in or otherwise used as a residence within the city, unless such use is specifically approved by the city under Chapter 16.52, except a private, residentially zoned property is permitted to use a recreational vehicle to house ~~non-paying~~ guests no more than a total of ten (10) days in a calendar year.

A. Recreational vehicles shall be mobile and fully operable, on inflated wheels, and licensed with the Department of Motor Vehicles at all times.

B. No more than one recreational vehicle per lot shall be permitted, except for recreational vehicles brought to a lot by guests and for no more than a total of ten (10) days in a calendar year.

C. Porches and awnings and related structural projections may not be constructed adjacent or attached to a recreational vehicle.

(Ord. 415 § 7.94.050, 2002)

### **16.36.050 Occupying recreational vehicles.**

**Chapter 16.42**

**OFF-STREET PARKING AND  
LOADING REQUIREMENTS**

**Sections:**

- 16.42.010 Compliance.**
- 16.42.020 Off-street loading.**
- 16.42.030 Off-street parking.**
- 16.42.040 General provisions.**
- 16.42.050 Development and maintenance standards.**
- 16.42.060 Provisions for reduction in spatial requirements for off-street parking due to landscaping.**
- 16.42.070 Plan required.**
- 16.42.080 Interpretation--Similar uses.**
- 16.42.090 Recreational vehicles.**
- 16.42.100 Disabled person parking.**
- 16.42.110 Compact vehicle parking.**
- 16.42.120 Bicycle parking.**
- 16.42.130 Off-street parking dimensional standards.**
- 16.42.140 Special exceptions.**

**16.42.010 Compliance.**

A. The provision and maintenance of off-street parking and loading spaces is a continuing obligation of the property owner. Hereafter, every use commenced and every

building erected or altered shall have permanently maintained parking spaces in accordance with the provisions of this title.

B. No building, development, or other permit involving new construction, additional gross floor area or change of use shall be issued until plans and evidence are presented to show how the off-street parking and loading requirements are to be fulfilled and that property is and will remain available for the exclusive use of off-street parking and loading spaces. The subsequent use of the property for which the permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this title.

(Ord. 415 § 7.100.010, 2002)

**16.42.020 Off-street loading.**

A. Every use for which a building is erected or structurally altered to the extent of increasing the floor area to equal a minimum floor area required to provide loading space and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, shall provide off-street loading space on the basis of minimum requirements as follows:

<b>Use</b>	<b>Gross Sq. Ft.</b>	<b>Minimum Loading Spaces</b>
Commercial	5,000-- 25,000	1
Industrial	25,001--60,000	2
Public utilities	60,001--100,000	3
Restaurants	Over 100,000	3+ 1 space per 60,000 sq. ft.
Hotel, motels	5,000--30,000	1
Institutions	30,001--70,000	2
Office buildings	70,001--130,000	3
Hospitals, schools	Over 130,000	3+1 space per 100,000 sq. ft
Manufacturing	5,000--40,000	1
Wholesale	40,001--100,000	2

Use	Gross Sq. Ft.	Minimum Loading Spaces
storage	100,001--160,000	3
	Over 160,000	3+ 1 per 80,000 sq. ft.

B. A loading berth shall contain space twelve (12) feet wide, thirty-five (35) feet long and have a height clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

C. If loading space has been provided in connection with an existing use such space shall not be eliminated if elimination would result in nonconformance with the above standards.

D. Off-street parking areas used to fulfill the requirements of this title shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs. sales, public gatherings and similar activities not otherwise prohibited.

E. Loading berths shall not be required in areas subject to Chapter 16.28. (Ord. 415 § 7.100.020, 2002)

**16.42.030 Off-street parking.**

Off-street parking spaces shall be provided and maintained as set forth in this section for all uses in all zones. The following required spaces shall be available for parking, and not used for storage, sale, repair or servicing of vehicles, except property resident. Nothing in this title shall be interpreted to prevent the occasional use of parking areas for community events, special

Use	Standard
<b>A. Residential Uses/Day Care/Institutional/Hospital.</b>	
1. Single- and two-family	2 spaces per dwelling unit
2. Multifamily dwelling	1 space per studio or one bedroom dwelling unit, 2 spaces per dwelling unit with two or more bedrooms plus one space per three dwelling units for guests.
3. Manufactured home park	Two spaces per unit, plus one space for every three units for guests
4. Bed and breakfast	2 spaces plus 1 space for each guest bedroom
5. Residential care home or facility	1 space per 3 residential care beds plus 1 space per employee
6. Correctional facility	1 space per 3 inmate beds
7. Hospital	1 space per 3 beds and 1 space per employees

**B. Places of Public Assembly.**

The following uses shall be treated as combinations of separate use areas such as office, auditorium, restaurant, etc. The required spaces for each separate use shall be provided.

1. Auditorium, church or meeting room 1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet
2. Library, reading room 1 space per 400 square feet plus 1 space per 2 employees
3. Senior high 1 space per employee plus 5 spaces per every classroom
4. Elementary school square or junior high 1 space per employee plus 1 space per every 100 feet of floor area in assembly area
5. Pre-school, nursery or kindergarten 5 spaces plus 1 space per classroom

**C. Commercial Uses.**

1. Hotel/motel 1 space per room plus 1 space per every 2 employees
2. Retail, bank, office, medical, dental 1 space per 400 square feet but not less than 3 spaces per establishment
3. Service or repair of bulky merchandise 1 space per 750 square feet
4. Bowling 4 spaces per lane, plus 1 space per every 2 employees
5. Beauty/barber shop 1.5 spaces per chair
6. Theater, stadium 1 space per 4 seats or 8' bench length
7. Ministorage 1 space per 200 square feet of office space, plus 2 spaces for caretaker residence
8. Eating or drinking establishments with seating 1 space per 120 square feet
9. Eating establishment with no seating 1 space per 400 square feet
10. Mortuaries 1 space per 4 seats or 8 feet of bench length in chapel.
11. Health and fitness club 1 space per 300 square feet

**D. Industrial Uses.**

1. Manufacturing, research freight, transportation terminal, warehouse, public utility 1 space per employee on two largest shifts
2. Wholesale uses 1 space per employee, plus one space per 800 square feet of patron serving area

**E. All uses providing drive-in services shall provide on the same site a reservoir for inbound vehicles as follows:**

## Use

Drive-in banks  
Drive-in restaurants  
Drive-in theaters  
Gasoline service stations  
Mechanical car washes  
Parking facilities:  
    Free flow entry  
    Ticket dispense  
    Manual ticket  
    Attendant parking

## Reservoir Requirements

5 spaces/service terminal  
10 spaces/service window  
10% of the theater capacity  
3 spaces/pump  
3 spaces/washing unit  
  
1 space/employee entry driveway  
2 spaces/employee entry driveway  
8 spaces/employee entry driveway  
10% of portion of parking capacity served by the driveway

(Ord. 415 § 7.100.030, 2002)

### **16.42.040 General provisions.**

A. In the event several uses occupy a single structure or parcel of land, the total requirements of the several uses should be computed separately.

B. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required off-street parking spaces shall be located on the same parcel or on another parcel not farther than three hundred (300) feet from the building or use they are intended to serve, measured in a straight line from the building, except as permitted by Chapter 16.28.

C. Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for the storage of vehicles or materials or for the parking of trucks used in the conducting of the business or use. The subsequent use of property for which the appropriate permits are issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading spaces required.

D. Unless otherwise provided, required parking and loading spaces for multi-family

dwellings, commercial and industrial use shall not be located in a required front yard, but such space may be located within a required side or rear yard, not abutting a street.

F. Where employees are specified, the employees counted are the persons who work on the premises, including proprietors, executives, professional people, production, sales, and distribution employees during the largest shift at peak season.

(Ord. 415 § 7.100.040, 2002)

### **16.42.050 Development and maintenance standards.**

Every parcel of land hereafter used as a public or private parking area, including commercial parking lots, shall be developed as follows:

A. All parking and maneuvering surfaces shall have a durable, hard and dustless surface such as asphalt, concrete, cobblestone, unit masonry, scored and colored concrete, grasscrete, compacted gravel, or combinations of the above.

B. Any lighting used to illuminate the off-street parking areas shall be so arranged

that it will not project light rays directly upon any adjoining residential property.

C. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.

D. Areas used for access and standing and maneuvering of vehicles to the dimensional standards of this title, and to the requirements of the public works standards.

E. Except for parking to serve residential uses, parking and loading areas adjacent to residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.

F. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.

G. Service drives to off-street parking areas shall be designed and constructed according to public works standards. The number of service drives shall be limited to the minimum that will accommodate and serve the traffic anticipated.

H. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls or other barriers or markers. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street other than an alley.

(Ord. 415 § 7.100.050, 2002)

**16.42.060 Provisions for reduction in spatial requirements for off-street parking due to landscaping.**

Where landscaping is to be provided in parking areas, to reduce the starkness generally associated with such parking areas, the Planning Commission may consider and approve the following

I. Service drives shall have a minimum vision clearance area formed by the intersections of the driveway center line, the street right-of-way line and a straight line joining the lines through points fifteen (15) feet from their intersection.

J. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street right-of-way.

K. The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height, and at least three feet from the lot line or any required fence.

L. All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required and such marking shall be continuously maintained.

M. All parking lots shall be kept clean and in good repair at all times. Breaks in surfaces and areas where water puddles shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

N. The provision for and maintenance of off-street parking and loading facilities shall be a continuing obligation of the property owner.

reduction: if general landscaping (including ground cover, raised beds, or low shrubbery, all of evergreen nature) are utilized around parking area borders, or where landscaping is required as screening around borders, or as traffic control structures within parking areas, or as general landscaping within parking areas, then the parking area gross

spatial requirement may be reduced proportionately, up to a total of five percent. (Ord. 415 § 7.100.060, 2002)

**16.42.070 Plan required.**

A plot plan showing the dimensions, legal description, access and circulation layout for vehicles and pedestrians, space markings, the grades, drainage, setbacks, landscaping and abutting land uses in respect to the off-street parking area and such other information as shall be required, shall be submitted to the Planning Director with each application for approval of a building or other required permit, or for a change of use. (Ord. 415 § 7.100.070, 2002)

**16.42.080 Interpretation--Similar uses.**

Off-street parking or loading requirements for structures or uses not specifically listed shall be determined by the Planning Commission. The Planning Commission shall base such requirements on the standards for parking or loading of similar uses. (Ord. 415 § 7.100.080, 2002)

**16.42.090 Recreational vehicles.**

The parking restrictions shall not be interpreted to prevent the parking on-site of recreational vehicles at all single-family residences provided the applicable parking requirements are satisfied.

A.- Recreational vehicles shall be mobile and fully operable, on inflated wheels, and licensed with the Department of Motor Vehicles at all times.

B. No more than one recreational vehicle per lot shall be permitted.

A-C. Porches and awnings and related structural projections may not be constructed adjacent or attached to a recreational vehicle.

(Ord. 415 § 7.100.090, 2002)

**16.42.100 Disabled person parking.**

A. A sign shall be posted for each disabled person parking space required by subsection B of this section. The sign shall be clearly visible to a person parking in the space, shall be marked with the International Symbol of Access, shall indicate that the spaces are reserved for persons with disabled person parking permits and shall be designed as set forth in standards adopted by the Oregon Transportation Commission.

B. Parking spaces constructed under this section shall be in accordance with the Uniform Building Code. (Ord. 415 § 7.100.100, 2002)

**16.42.110 Compact vehicle parking.**

All parking spaces designated for compact vehicles shall be labeled by painting "compact only" on the parking space. Up to twenty-five (25) percent of the required parking spaces may be designated compact spaces. (Ord. 415 § 7.100.110, 2002)

**16.42.120 Bicycle parking.**

At least one secured bicycle rack space shall be provided for each fifteen (15) parking spaces or portion thereof in any new commercial, industrial, or multifamily development. Bicycle parking areas shall not be located within parking aisles, landscape areas, or pedestrian ways. (Ord. 415 § 7.100.120, 2002)

**16.42.130 Off-street parking dimensional standards.**

All off-street parking lots shall be designed subject to city standards for stalls and aisles as set forth in the following table.

- A. Parking Angle In Degrees
- B. Stall Width
- C. Stall Depth
- D. Aisle Width One Way
- E. Curb Length Per Car
- F. Bay Width (Includes stall length plus back up length)

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
	9'0"	9.0	12.0	22.0	21.0
<b>0</b>	9'6"	9.5	12.0	22.0	21.5
	10'0"	10.0	12.0	22.0	22.0
<b>45</b>	9'0"	19.8	13.0	12.7	22.8
	9'6"	20.1	13.0	13.4	33.1
	10'0"	20.5	13.0	14.1	33.5
<b>60</b>	9'0"	20.3	18.0	10.4	38.0
	9'6"	21.2	18.0	11.0	39.2
	10'0"	21.5	18.0	11.9	39.5
<b>70</b>	9'0"	21.0	19.0	9.6	40.0
	9'6"	21.2	18.5	10.1	39.5
	10'0"	21.2	18.0	10.6	39.2
<b>90</b>	9'0"	20.0	24.0	9.0	44.0
	9'6"	20.0	24.0	9.5	44.0
	10'0"	20.0	24.0	10.0	44.0
<b>Parallel</b>	8'0"		12.0	22.0	18.0

A. For one row of stalls use "C" + "D" as minimum bay width.

B. Public alley width may be included as part of dimension "D," but all parking stalls must be on private property, off the public right-of-way.

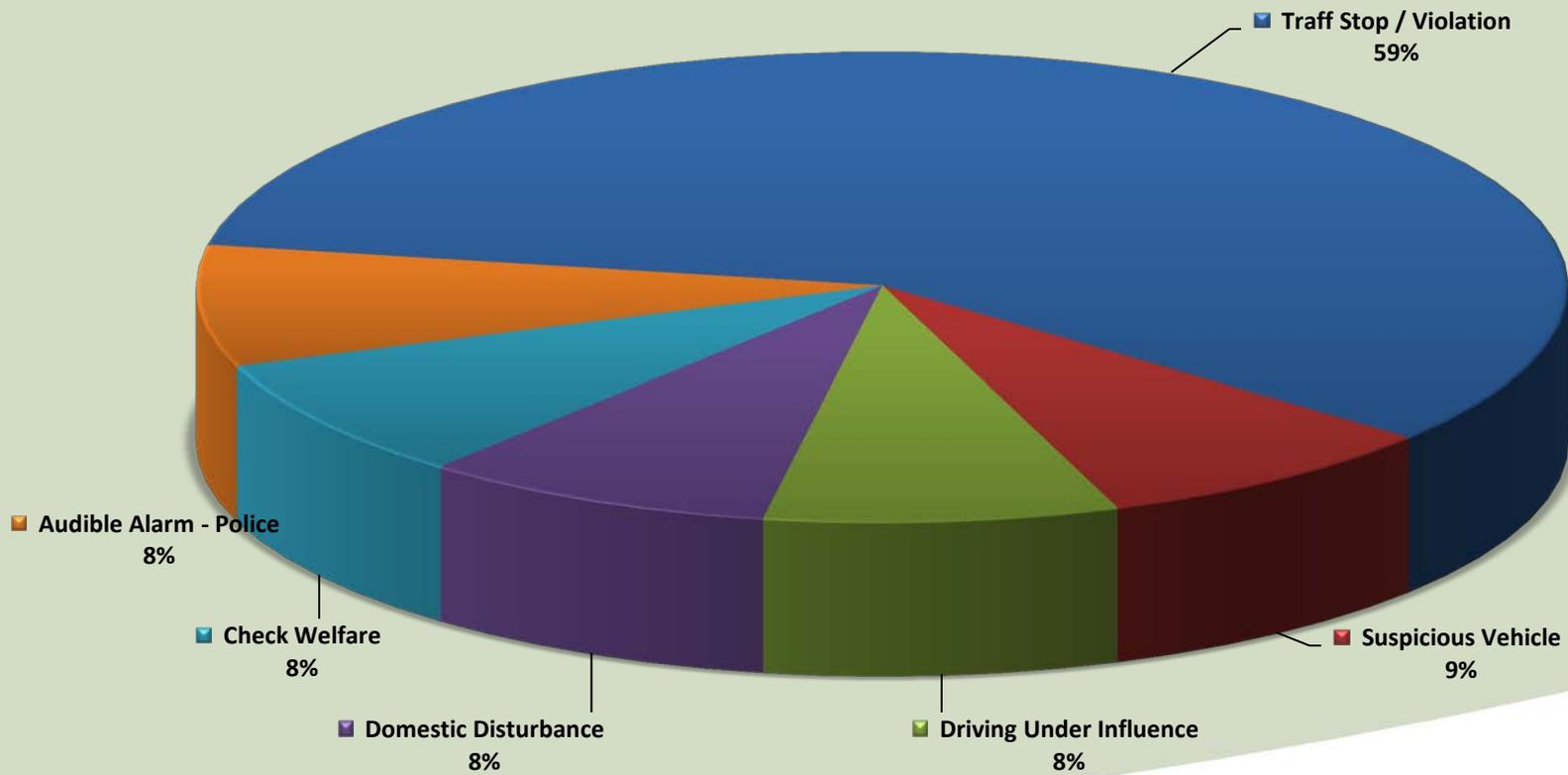
C. For estimating available parking area, use three hundred (300) to three hundred twenty-five (325) square feet per vehicle for stall, aisle and access areas.

D. For large parking lots exceeding twenty (20) stalls, alternate rows may be designed for compact cars provided that the compact stalls do not exceed thirty (30) percent of the total required stalls. When designated compact spaces are provided the stall width may be reduced to eight feet and the stall length reduced to seventeen (17) feet in length with appropriate aisle width.  
(Ord. 415 § 7.100.130, 2002)

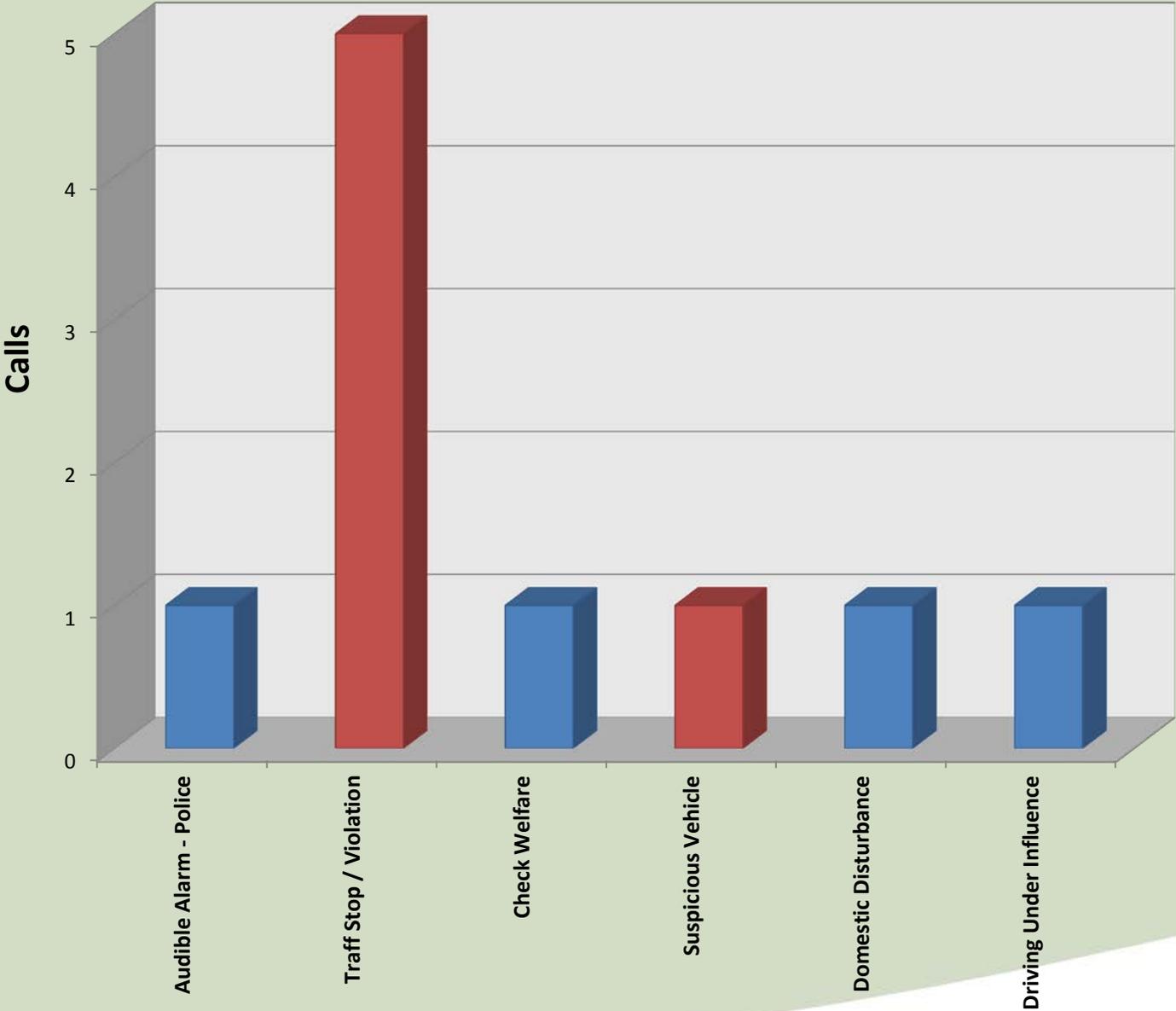
**16.42.140 Special exceptions.**

If conformance with this chapter would require a historic structure to be modified, or would involve destroying existing landscaping, the Planning Commission may approve modifications to the requirements of this chapter and no variance shall be required for such modification. (Ord. 415 § 7.100.140, 2002)

## Aurora Top Calls for Service October 2015

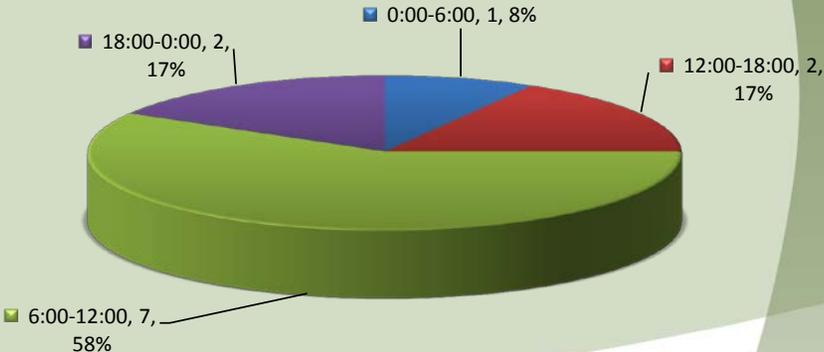


# Call Type by Primary Deputy October 2015

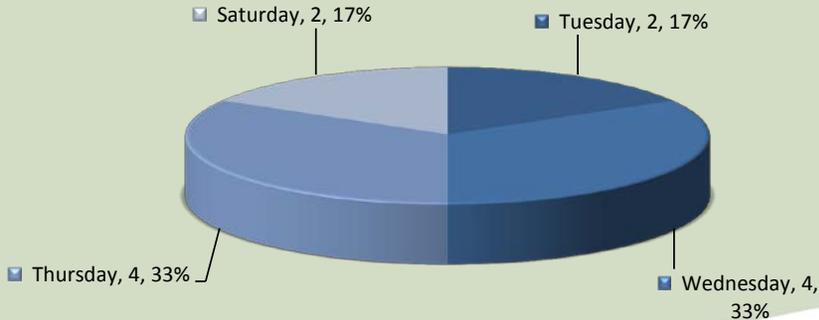


Contract  
Other

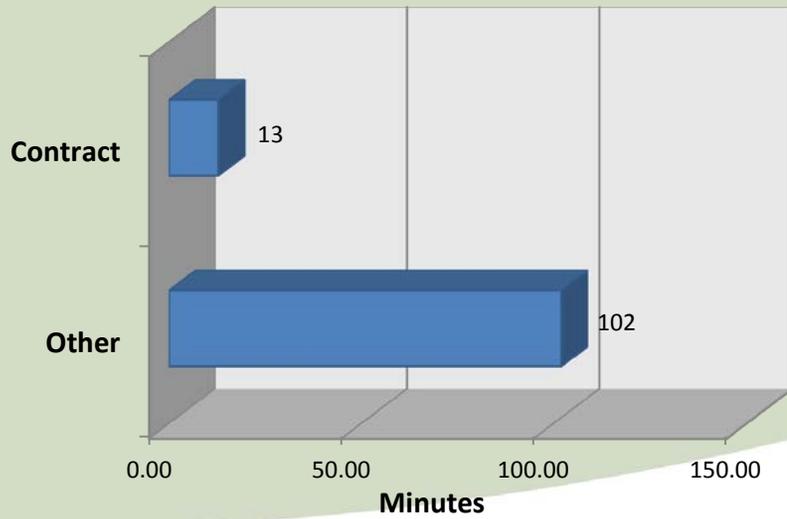
**Aurora Calls for Service by Hours Range  
October 2015**



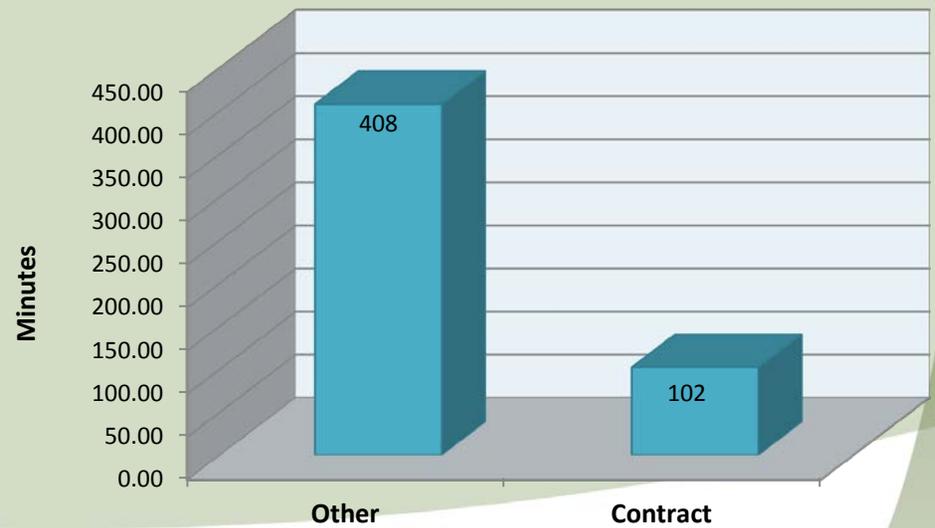
**Aurora Calls for Service by Day of Week  
October 2015**



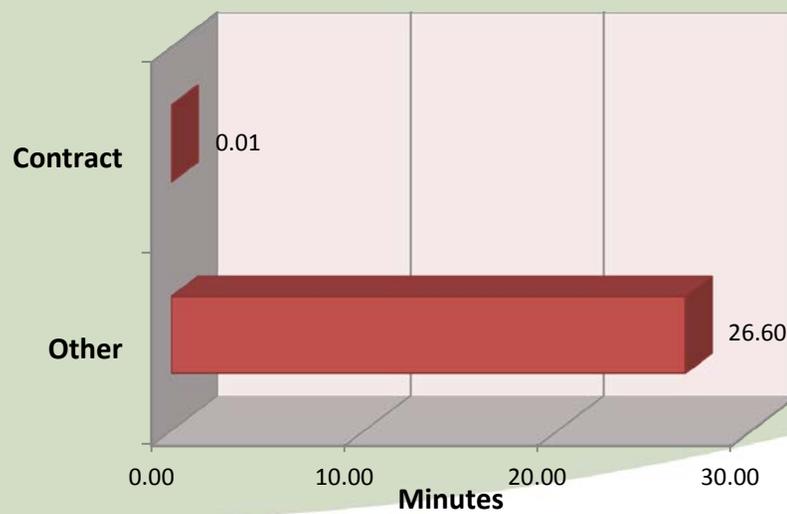
### Aurora Calls Average Call Length October 2015



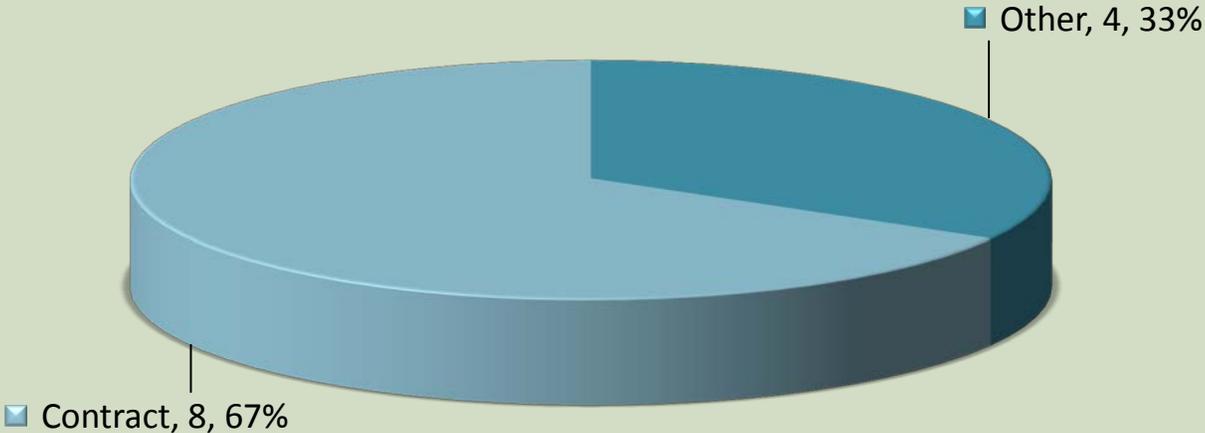
### Aurora Calls Total Call Length October 2015



### Aurora Calls Average Call Arrival Time October 2015



# Aurora Calls by Primary Deputy October 2015



EVENTID	Combined Type	PRIMARY_UNIT	DISPATCH_DATE	CLEARED_DATE	Arrival in Minutes	Call Length in Minutes	LOCATION	Day of Week	Time of Day	Hour Range	Deputy
SMS201510030001	Audible Alarm - Police		10/3/2015 0:13	10/3/2015 0:26	12.53	0.00	21568 HIGHWAY 99E NE (MapBook:1432), @THE COLON	Saturday	0:13	0:00-6:00	Other
SMS201510060076	Traff Stop / Violation A136		10/6/2015 12:27	10/6/2015 12:40	0.00	12.85	EHLEN RD NE, AURORA/MAIN ST NE, AURORA(MapBook	Tuesday	12:27	12:00-18:00	Contract
SMS201510070025	Suspicious Vehicle A136		10/7/2015 8:07	10/7/2015 8:33	0.02	25.90	AIRPORT RD NE, AURORA/EHLEN RD NE, MARION COUN	Wednesday	8:07	6:00-12:00	Contract
SMS201510070027	Traff Stop / Violation A136		10/7/2015 8:33	10/7/2015 8:46	0.00	13.58	1ST ST NE, AURORA/HIGHWAY 99E NE, AURORA(MapBo	Wednesday	8:33	6:00-12:00	Contract
SMS201510100094	Check Welfare A046		10/10/2015 14:48	10/10/2015 16:49	32.50	88.95	20898 HIGHWAY 99E NE #SGT (MapBook:1532), AUROR	Saturday	14:48	12:00-18:00	Other
SMS201510130038	Traff Stop / Violation A136		10/13/2015 9:37	10/13/2015 9:48	0.02	11.38	EHLEN RD NE, AURORA/MAIN ST NE, AURORA(MapBook	Tuesday	9:37	6:00-12:00	Contract
SMS201510140025	Traff Stop / Violation A136		10/14/2015 7:48	10/14/2015 7:57	0.00	9.08	21100 HIGHWAY 99E NE (MapBook:1532), AURORA 970	Wednesday	7:48	6:00-12:00	Contract
SMS201510140028	Traff Stop / Violation A136		10/14/2015 7:59	10/14/2015 8:10	0.02	10.75	1ST ST NE, AURORA/HIGHWAY 99E NE, AURORA(MapBo	Wednesday	7:59	6:00-12:00	Contract
SMS201510150030	Traff Stop / Violation A136		10/15/2015 8:00	10/15/2015 8:09	0.00	8.52	EHLEN RD NE, AURORA/MAIN ST NE, AURORA(MapBook	Thursday	8:00	6:00-12:00	Contract
SMS201510150031	Traff Stop / Violation A136		10/15/2015 8:07	10/15/2015 8:17	0.00	9.82	EHLEN RD NE, MARION COUNTY/AIRPORT RD NE, AURO	Thursday	8:07	6:00-12:00	Contract
SMS201510150208	Domestic Disturbanc A176		10/15/2015 19:39	10/15/2015 21:58	26.25	112.52	21323 LIBERTY ST NE#SGT# (MapBook:1532), AURORA	Thursday	19:39	18:00-0:00	Other
SMS201510290201	Driving Under Influer A034		10/29/2015 18:52	10/29/2015 22:53	35.10	206.38	21300 MAIN ST NE #SGT (MSMSS032@UN10CkapBook::	Thursday	18:52	18:00-0:00	Other

Report from the Finance Officer  
November 10, 2015

- Revenue and expense report through September, the third month of fiscal year 2015/2016, is included. This report shows budgeted amounts and percent of budget received/spent. So far both revenue and expenditures are in line for this time frame. Again, the Aurora Colony Days Fund is in the red but no budgeted fund transfers have been made yet (ACDF will have \$10,000 transferred in from the General Fund). Fund transfers will be completed when I have the final Annual Financial Report for 2014-2015. The various SDC funds have great revenue numbers. We should begin receiving Property and GO Bond tax payments soon but they won't be reflected until the January meeting report.
- I have been in touch with our head auditor, Tom Glogua, regarding the status of our Annual Financial Report. He has assured me that I should be receiving the draft report soon. It is in final review.
- Keeping current with payables and receivables.

Respectfully,



Mary C. Lambert

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

	FUND	BUDGET	BALANCE @ July 1, 2015	TOTAL REVENUES	% TO DATE	BUDGET less contingency	TOTAL EXPENSES	% TO DATE	END BALANCE Sept 30, 2015
10	GENERAL	839,042.00	394,783.47	46,911.39	9.91%	514,452.00	111,086.95	21.59%	330,607.91
15	CITY HALL BUILDING	132,500.00	120,479.82	333.69	2.71%	132,500.00	0.00	0.00%	120,813.51
20	Aurora Colony Days	23,540.00	0.00	9,017.50	38.31%	18,468.00	10,204.83	55.26%	-1,187.33
25	PARK RESERVE	7,148.00	1,142.70	1.50	0.02%	7,148.00	0.00	0.00%	1,144.20
29	PARK SDCs	36,055.00	31,523.23	2,248.81	96.31%	36,055.00	0.00	0.00%	33,772.04
30	STREET/STORM	309,400.00	182,499.94	18,543.79	14.33%	206,944.00	16,405.94	7.93%	184,637.79
35	ST/STORM RESERVE	85,700.00	52,069.95	2,344.57	6.96%	85,700.00	0.00	0.00%	54,414.52
39	ST/STORM SDCs	31,000.00	22,633.03	5,834.41	51.72%	31,000.00	0.00	0.00%	28,467.44
40	WATER OPERATING	510,200.00	222,270.10	76,610.18	26.54%	351,068.00	60,059.53	17.11%	238,820.75
42	SPW MAINTENANCE	39,710.00	39,710.00	0.00	0.00%	39,710.00	0.00	0.00%	39,710.00
45	WATER RESERVE	106,510.00	46,709.66	112.24	0.19%	106,510.00	0.00	0.00%	46,821.90
49	WATER SDCs	77,376.00	62,358.57	11,176.56	54.34%	77,376.00	0.00	0.00%	73,535.13
50	SEWER OPERATING	535,300.00	258,954.46	46,652.92	16.76%	335,793.00	64,823.83	19.30%	240,783.55
55	SEWER RESERVE	95,940.00	55,783.72	72.45	0.18%	95,940.00	0.00	0.00%	55,856.17
57	G. O. DEBT SERVICE	332,975.00	21,789.67	5,998.28	1.91%	332,975.00	0.00	0.00%	27,787.95
59	SEWER SDCs	29,036.00	24,863.24	4,099.79	65.96%	29,036.00	0.00	0.00%	28,963.03
	<b>TOTALS</b>	<b>3,191,432.00</b>	<b>1,537,571.56</b>	<b>229,958.08</b>		<b>2,400,675.00</b>	<b>262,581.08</b>		<b>1,504,948.56</b>

**City Council**  
**Public Works Activity Report**  
NOVEMBER 2015

**Waste Water:**

- ❖ Working on new irrigation system. Ongoing for a few years depending on funding.
- ❖ Sludge pipe and tanks are on site. Tanks are positioned on slab. Sludge is being sent to 1 tank.
- ❖ TMDL report is completed and will be submitted after work shop from DEQ. This report is normally due in September but has been extended because of the work shop. I have been in contact with the agency and will be attending in September 17 to confirm the document.
- ❖ Completed plant operations modifications.
- ❖ Discharging Effluent to river, started Nov 2
- ❖ Aeration Basin has recovered and is no longer septic

**Water:**

- ❖ Water treatment plant telemetry repairs are being worked on to put plant back in auto working order. Completion should be Oct-Nov.
- ❖ Consumption has been ranging between 140,000-170,000 gallons per day.
- ❖ Back Flow: 115 devices have been tested and 39 devices have been removed this year.
- ❖ Repaired Valve that leaked on old park service.

**Streets Routine Operation and Maintenance:**

- ❖ Clearing catch basin of debris.
- ❖ Graveled roads are being checked for pot holes and repaired as needed.
- ❖ Learned from TMDL training that they are looking and encouraging a street sweeping program. Street sweeping is being scheduled for Nov.

**Park:**

- ❖ Risk assessment bids for the Fir trees have been asked for again. More trees will be removed in the tree grove that was deemed hazardous. The canopy along the sidewalk between Main St. and Liberty St is completed. More trees are being scheduled to be removed.

**Public works project list**

- New PWS position. In progress Start date Dec 1.
- Irrigation for WWTP summer discharge(in progress)
- Sludge tank (in position). completion in Nov-Dec, sludge is being sent to one tank now
- Stop Lines (awaiting hiring of PWS Utility worker)
- Prep second irrigation field (mowed, some repairs need to be made & connection points need modifications)

# Memo

To: City Council  
From: Kelly Richardson  
CC: None  
Date: 11/5/2015  
Re: Recorders Report Month of October 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 closely with Patrick Harris, Colony Museum and Typist Aleasha Garber on the CLG grant. Work is going well on both documents they hope to have the guide completed by the end of the year is all goes well.
- ❖ Attending Conference Committee And Records Committee Meetings
- ❖ Records Request update
  - 2 pending request
- ❖ Ongoing needs of the City, discussion items.
- ❖ Gather information for website updates, continued to work on this. Trained with Johnathan Gibson to eventually take over the city website and bring in house. We are continuing to train currently we are posting items and amending articles so it is coming along.
- ❖ Continued work almost daily on Backflow Device Status. This is beginning to slow down I will be looking at statistics next month to determine who needs to still have tests done.
- ❖ Attended OAMR Conference and continued education classes for MMC certification.
- ❖ Continuing process of our V7 migration for Springbrook this should be completed in February of 2016. Conversation with our IT Dept they have a few concerns regarding the cloud migration specific to our data base.

## **ORDINANCE 480**

**AN ORDINANCE AMENDING THE AURORA DEVELOPMENT CODE, TITLE 16 OF THE AURORA MUNICIPAL CODE, RELATED TO MARIJUANA RETAILERS, PRODUCERS, AND MANUFACTURERS; STORAGE OF RECREATIONAL VEHICLES; AND ADDITIONAL DESIGN STANDARDS FOR ACCESSORY STRUCTURES IN THE COMMERCIAL ZONE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Aurora Municipal Code, more commonly known as “Title 16 of the Aurora Development Code”, includes regulations concerning the location of land uses within the various zones within the City of Aurora; and

**WHEREAS**, the establishment and operation of marijuana retailers, producers, and processors is regulated by the State of Oregon; and

**WHEREAS**, House Bill 3400 (2015) approved by the Oregon Legislature, provides that local governments may impose reasonable regulations on the time, place and manner of operation of marijuana facilities; and

**WHEREAS**, the Aurora City Council wishes to amend Chapter 16.04, Definitions; Chapter 16.14, Commercial (C); Chapter 16.16; Industrial (I); Chapter 16.36 Manufactured Home Regulations; and Chapter 16.42 Off-Street Parking and Loading Requirements of Aurora Municipal Code to establish rules governing the location of marijuana facilities, storage of recreational vehicles, and design standards for Commercial accessory structures; and

**WHEREAS**, the Aurora Planning Commission conducted a public hearing on November 3, 2015 at which time interested parties were given full opportunity to be present and heard and passed a motion recommending the City Council approve the proposed rules amending the Aurora Municipal Code under Legislative Amendment 2015-02 (File No. LA-15-01).

**WHEREAS**, the Aurora City Council conducted a public hearing on November 10, 2015 at which time interested parties were given full opportunity to be present and heard on the proposed rules amending the Aurora Municipal Code under Legislative Amendment 2015-02 (File No. LA-15-01).

**NOW, THEREFORE, THE CITY OF AURORA DOES ORDAIN AS FOLLOWS:**

Section 1. The City Council of the City of Aurora does hereby adopt the staff report dated November 10, 2015, including those certain findings of fact and conclusionary findings and supporting documentation attached hereto as Exhibit "A" and by this reference made a part hereof.

Section 2. The City Council of the City of Aurora does hereby amend Title 16- Aurora Development Code sections 16.04-Definitions; Chapter 16.14, Commercial (C); Chapter 16.16; Industrial (I); Chapter 16.36 Manufactured Home Regulations; and Chapter 16.42 Off-Street Parking and Loading Requirements as included under Exhibit A of this Ordinance.

Section 3. Emergency Declared. This Ordinance being necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Aurora, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

PASSED and adopted by the City Council of the City of Aurora on this 8th day of December, 2015 by the following votes:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved by the Mayor on this \_\_\_\_\_ day of December, 2015.

SIGNED: \_\_\_\_\_  
Bill Graupp, Mayor Date

ATTEST: \_\_\_\_\_  
Kelly Richardson, CMC City Recorder Date

- ❖ Attended Supervisor/Management training through League of Oregon Cities working towards certification.

## LANDSCAPE MAINTENANCE CONTRACT

This contract is entered into by Living Color Landscape, of P.O. Box 514, Wilsonville, Oregon, 97070 and City of Aurora. This contract to begin upon acceptance and shall continue until either party terminates by giving 30 days written notice, minimum contract period 1 year or charges will be prorated based on the number services received times the average cost per service vs amount charged.

Living Color Landscape (hereinafter referred to as LCL) agrees to maintain current landscaping for the property located at: Aurora City Park, contact: Kelly Richardson 503 678-1283, fax 503 678-2758

LCL will supply all labor, equipment, and fertilizers for maintaining the current landscape of the above property. Maintenance is defined as preserving the current landscape in its present form and shall include:

- \*mowing, edging, weed eating, and weed treating the lawn areas
- \*fertilizing the lawns up to 5 applications per year as needed (includes iron in spring),\
- \*keeping the shrub beds clean and weed free
- \*keeping all shrubs around signs pruned back for easy visibility
- \*pruning all other shrubs as needed (1 to 2 times annually depending on the shrub variety) to assure the long term maintenance (must be able to reach safely from the ground)
- \*approximately 34 services per year
- \*irrigation maintenance as described below

LCL will perform upgrades for City of Aurora on a time and material basis or on a bid basis. Upgrades would include the following:

- \*tall tree pruning (higher than from the ground)
- \*removing large trees, or shrubs, or stump grinding
- \*altering the current landscape by adding plants, removing trees, removing a large number of plants (5 or more), or transplanting shrubs in the current landscape
- \*emergencies, special trips to repair vandalism, broken irrigation, changes in the landscape
- \*changing the present irrigation systems and irrigation repairs
- \*barkdust, stepping stones, or decorative rock
- \*seasonal flowers
- \*vandalism repair
- \*hauling debris
- \*applying insecticides or fungicides
- \*applying of pre-emergents to ground cover areas

Time and materials will be calculated as follows. Time is calculated at \$38 per man hour (shop to shop). Materials are calculated at list price for irrigation materials, and cost plus 30% of any other materials. Any item over \$50.00 must be approved by the manager.

LCL will treat the lawn with as needed to combat crane flies and white flies. LCL will not charge for labor to install the chemical, but will charge for the materials. LCL does not spray chemicals that would need to be sprayed upward or chemicals with a poison warning on the label. If these chemicals need to be used, then a chemical or tree service company would be hired at the customer cost and with customer approval.

LCL will maintain present irrigation lines during the course of its regular maintenance schedule for the list price of the materials with no charge for labor (up to one half hour per scheduled visit). LCL will

not be held responsible for irrigation wrongfully installed or damaged by other contractors. LCL will replace parts with Rainbird parts. Most of the irrigation problems will be dealt with by the maintenance crew at the time of service. Managers are responsible to call immediately if they turn the clock off for any reason.

LCL will winterize the irrigation by turning off water to the mainline, draining the backflow device, and draining any lines that have visible manual drains.

LCL will haul maintenance debris acquired at the site.

City of Aurora will pay LCL \$1260 per month, due net 30 of invoice. A 1.5% monthly service charge will be added for all invoices past due.

\_\_\_\_\_  
Jerry Ingle via email  
Living Color Landscape

\_\_\_\_\_  
City of Aurora

SEE ATTACHMENTS :

PROPOSED ANNUAL LANDSCAPE MAINTENANCE MATRIX

GOOGLE EARTH IMAGE OF MAINTENANCE AREAS

Includes additional maintenance of Hwy 99 park strip on the East from third street to Bobs Av, and the grass area at the NW corner of town by rail tracks



# LIVING COLOR LANDSCAPE



August 5<sup>th</sup>, 2015

To all our Customers,

Effective September 1<sup>st</sup> 2015, we will be implementing price increases to help us offset the operating cost increases we have endured over the past several years. As many of our customers know this is our first increase in 10 years. We work to be efficient to maintain low cost in every aspect of our operation, as we feel a commitment to our customers to not only provide quality service, but also low cost.

Most, if not all of our cost of goods to provide services have increased over the years. Traffic on the roads continue to increase for 90% of the markets we serve creating longer commute times to account sites. Additionally after several years of wage stagnation for our employees, we found it necessary earlier this year to make improvements to retain and attract the quality of employee our company is built on.

We hope that you will support us in the needed changes to assure the long-term health of our company and our ability to maintain and improve the service you receive. Please call if you have any questions or concerns.

This notice will serve as an addendum to your contract unless otherwise requested.

*Sincerely,*

Jerry, Jean, and Trevor Ingle

Effective September 1, 2015- Your new monthly rate for all services will be: \$ 985.00

Hourly Labor Rate \$40/man hour

Account city of Aurora