

# AGENDA

City of Aurora  
**PLANNING COMMISSION MEETING**  
Tuesday, April 03, 2012, 7:00 p.m.  
Council Chambers  
21420 Main Street N.E., Aurora, Oregon

1. **Call to Order of Planning Commission Meeting:**
2. **City Recorder Calls Roll**

Chairman, Schaefer  
Commissioner, Willman  
Commissioner, Gibson  
Commissioner, Graham  
Commissioner, Fawcett  
Commissioner, Braun  
Commissioner, TBA

3. **Consent Agenda**

All matters listed within the Consent Agenda have been distributed to each member of the Aurora Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the consent Agenda and placed on the Regular Agenda by request.

#### **Minutes**

- I. Aurora Planning Commission Meeting –March 13, 2012
- II. City Council – February 14 , 2012

#### **Correspondence**

- I. League of Oregon Cities Bulletin
- II. 2012 News and Events Dept Land Conservation and Development
- III. Public Meetings Schedule LCDC

4. **Visitor**

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

5. **New Business**

- A. **Discussion and or Action ESA and the National Flood Insurance Program**
- B. **Discussion and or Action on the UGB adjustment**

**6. Old Business**

- A. Discussion and or update on Transportation Planning Rule**
- B. Discussion and or Update on 99E Corridor Study.**
- C. Discussion and or Update on Historic Review Board Design Guideline Update.**

**7. Commission Action/Discussion**

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

**8. Adjourn**

# **CONSENT AGENDA**

Meeting Minutes

Correspondence

Financials

Other Items

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, March 06, 2012 at 7:00 P.M.  
Aurora Commons Room, Aurora City Hall  
21420 Main St. NE, Aurora, OR 97002

**STAFF PRESENT:** Kelly Richardson, City Recorder

**STAFF ABSENT:** Renata Wakeley, City Planner, EXCUSED

**VISITORS PRESENT:** Bill Graupp, Aurora  
Joe Fidanzo, Aurora  
Greg Taylor, Aurora

**1. Call to Order of Planning Commission Meeting**

The meeting was called to order by Planning Chair Joseph Schaefer at 7:05 p.m.

**2. City Recorder Did Roll Call**

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

**3. Consent Agenda**

**Minutes**

- I. Aurora Planning Commission Meeting –February 07, 2012
- II. City Council – January 10 , 2012

**Correspondence**

**I. Public Hearing Notice on March 13, 2012 for DEQ**

A motion is made to approve the consent agenda as presented by Commissioner Gibson and seconded by Commissioner Graham. Motion Passes Unanimously.

**4. Visitor**

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

**Joe Fidanzo 15323 Ottaway Rd NE Aurora, 97002**, explains to the Commission some of the history of the situation and conversations he has previously had with the City Council in regards to the drywells and or possible annexation of my property. Now I find out that if I do annex because of the flood plain overlay my property would not be buildable my question is why were homes built after the passage of the 2002 flood plain overlay ordinance in or around 2006 I believe some of them were constructed.

**Chairman Schaefer** explains briefly to Mr. Fidanzo that this situation is much more involved than just with the Aurora Municipal Code. This is closely monitored by FEMA and the flood plain regulations that are in place.

**Mayor Taylor** asks the Planning Commission and City Planner Wakeley if the overlay was done by ordinance or was it something created on our own without ordinance and did we simply try to follow what FEMA had done. Is this a situation that we created for ourselves?

**Chairman Schaefer**, the City would need to follow criteria guidelines in order to comply with FEMA and the floodplain regulations, they supply sample Ordinances for local government to follow if they so choose not to then a Biological Opinion from NMFS must be done and this is quite costly.

FEMA has not adopted new maps and they are not going to at this time, this is a huge project to map under the new rules. If they follow what is in WA then you would know generally what the practice will be. If you find out the channel migration area then add 50 feet to it, and anyone that is going to want to do any type of building will be required to make the mapping process happen and this is a huge project and undertaking and costly for the applicant. Until such time as FEMA does the mapping process it will be the applicant's process, local government will not be able to cover the cost.

**Mr. Fidanzo** asks why he was not notified of the zone change, he is told that ballot measure 56 requires local government regulations and notifications process however the Federal government has no such requirement.

**Bill Graupp**, this really is a situation that you would need to get your congressman involved and ask them to make some changes.

**Chairman Schafer**, states that at this time he is unaware of any litigation in Oregon and his opinion is they will sit back and watch what happens in WA fist this will be looked at by many local government agencies.

Conversations go on to discuss the North side park and whether or not this would be buildable under the new regulations or not and at this point the discussion is leaning towards it not being buildable.

## 5. New Business

## 6. Unfinished Business

- A. **Discussion and or Action on Transportation Planning Rule**, was drastically altered and they came up with a mixed use Multi Modal area.  
Graupp makes comment that he heard that if you overload the intersection and normally the developer does the intersection under this plan it could come back on the city to have to redo.
- B. **Discussion and or Update on 99E Corridor Study**. There is no new information at this time for discussion.
- C. **Discussion and or Update on Historic Review Board Design Guidelines Update**. There is no new updates however members of Planning have attended meetings and it appears to be moving slowly. The members have been asked to look at the city of Salem's code because apparently it is much easier to understand. There has been a lot of discussion on who could handle the administrative review if they had decided to go that route however no decisions have been reached at this time. No real progress has been made from the board.

**7. Commission Action/Discussion**

**A. City Planner Activity Sheet (in your packets)  
Status of Development Projects within the City: Attached.**

- Jukin sign application approval (attached)
- City Council discussion on off premise signage based on Planning Commission recommendation.
- Adoption of street tree ordinance pending final Council approval.

**8. Adjourn 8:21 P.M.**

**A motion to adjourn the March 06, 2012 meeting is made by Commissioner Graham and seconded by Commissioner Gibson. Motion Passes Unanimously.**

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Chairman, Schaefer

**ATTEST:**

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Kelly Richardson, City Recorder

**Minutes**  
Aurora City Council Meeting  
Tuesday, February 14, 2012 at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main St. NE, Aurora, OR 97002

**FILE COPY**

STAFF PRESENT:                   Otis Phillips, Waste Water Superintendent  
  Kelly Richardson, City Recorder,  
  Jan Vlcek, Finance Officer  
  Pat Detloff, Interim Chief of Police  
  Bob Southard, Water Superintendent

STAFF ABSENT:                   None

VISITORS PRESENT:               Amy Willman, Aurora

1. Call to Order of Regular Meeting

The meeting was called to order by Mayor Greg Taylor at 7:01 p.m.

2. City Recorder does Roll Call

Councilor Graupp - Present  
Councilor Roberts – Absent  
Councilor Sahlin – Present  
Councilor Vlcek – Present  
Mayor Taylor – Present

**3. Consent Agenda**

- I. City Council Meeting Minutes – January 10, 2012 and February 14, 2012
- II. Planning Commission Meeting Minutes – January 03, 2012
- III. Historic Review Minutes – Meeting cancelled.

City Attorney Koho, Pull city council minutes because they may have some legislative intent and present them at the next meeting.

A motion is made by Councilor Vlcek to except the consent agenda except for item one and a second is made by Councilor Graupp. Motion Passes Unanimously.

**Correspondence**

- I. **Email Attention City Officials, League of Oregon Cities Meetings**
- II. **LOC Bulletin**
- III. **Beyond the Limits of Authority article from LOC**
- IV. **State of the Cities an LOC Report**
- V. **City County Insurance Member Update, Article on Cloud backup options**

- VI. **City County Insurance Report on changes on benefits**, Councilor Vlcek asks when changes will take effect.
- VII. **Training Schedule at LOC**

A motion to approve the correspondence is made by Councilor Graupp and seconded by Councilor Vlcek. Motion Passes Unanimously.

#### 4. **Visitor**

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

Amy Willman wanted to say she was very happy how Officer Marshall has been investigating the break in at her coffee shop.

#### 5. **Discussion with the Parks Committee**

- o **Parks Committee Report (not in packet)** no one in attendance.

#### 6. **Discussion with Traffic Safety Commission**

- a. **Traffic Safety Report (not Included in your packet) Council** No one from Traffic Safety was in attendance.

#### 7. **Reports**

**Police Chief's Report** – (included in your packet) Interim Chief Detloff read his report.

- Routine Maintenance other than car 70 has some transmission issues an Bob Southard, Public Works Superintendent assisted with the repairs and save the city some dollars.
- 65 hours worked for a seatbelt grant
- Mayor Taylor enquired about how many dollars are left on the grant
- All members of the department qualified in defensive tactics.

No more questions of Interim Chief Detloff

#### A. **Finance Officer's Report – Financials** (included in your packets)

##### 1. Revenue & Expense Report

- We are getting ready for supplemental budget,
- Excel training in April for basic and advanced
- Local budget law training Wednesday March 7<sup>th</sup>, free.
- As far as I know we do have a full budget committee.
- In most cases we are at half percent.
- PERS will be sending out notice the employer paid portion is increasing to 21%
- Tentative date for first budget meeting is March 7 @7pm

No more questions from the Council.

#### B. **Public Works Department's Report** – ( included in your packet)

1. Monthly Status Report (Storm Water) Mayor Taylor reads Public Works report.
  - Water rights are now in the Cities possession
  - The Situation on Liberty referred to as Lake Liberty has been resolved.
  - Testing for the DEQ underground injection permit is going well.
  - Trailer speed back up and running

No more questions for Bob from the Council.

A motion to approve changing the construction standards to allow for the new poly line was made by Councilor Sahlin and seconded by Councilor Graupp. Motion Passes Unanimously.

- A. Waste Water Treatment Plant Update (from Otis Phillips) there was not a lot of discussion on the report as submitted.
  - Collections system is 12 years old however because it is plastic we are not experiencing much leakage.
  - Enough water out so no discharge for February.
  - Brush removal going well, I found a good deal on the equipment so we will use it for replanting.

There were no more questions from the Council.

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

- There was a brief discussion in regards to citations in collection and it was decided to keep them active until there 10 year shelf life.

Gives a brief overview of the written report as submitted.

No questions from the Council.

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

- Working on Ordinance for State on obtaining our Building Inspection program.
- I attended my deposition in the Reilly case.

**There were no more questions of City Attorney, Koho.**

**8. Ordinances and Resolutions**

- A. **Ordinance Number 468 and Ordinance Establishing a Preferred Street Tree list for the City of Aurora.** First Reading. If we require street trees in our Municipal Code then we should give them a list and with HRB and Annie Kirk we finally came up with a list.HRB did approve it already.

One question was if someone wanted a different tree than on the list could they have it and really if we provide a list it would be nice to have consistency.

A motion was made by Councilor Graupp to approve the first reading of Ordinance 468 and seconded by Councilor Sahlin. Motion Passes.

**9. Old Business**

- A. Discussion and or Action on Triple T inc, revised proposal dated February 6, 2012,** new proposal for Park maintenance because the old contract is expiring, Councilor Vlcek asks if we have a accounting of actual hours spent, no we do not. Local resident Jim Fisher likes the fact that he is local and we really like what the park looks like. Councilor Sahlin could we be watering the park too much. Are we compensating him fairly for his services? Council asks him do you feel this comparable of where you need to be.

A motion to approve maintenance contract for the City Park with Triple T inc. is made by Councilor Vlcek and seconded by Councilor Sahlin. Motion passes.

## 10. New Business

- A. Discussion and or Action on Chief of Police hiring selection and recommendation from hiring committee. The committee consists of Mayor Taylor, Councilor Vlcek, Interim Chief Detloff, And Retired Chief Earhart.** The Committee unanimously recommended applicant Lyle McCuiston as the new Chief.

A motion to approve the hiring of The new Aurora Chief of Police, Lyle McCuiston was made by Councilor Vlcek and seconded by Councilor Graupp. Motion Passes Unanimously.

Councilor Graupp stated he thought that the public town hall meeting was a good idea.

- B. Discussion and or Action on letter proposing to waive annexation fees on Application for 15233 Ottaway Rd Fidanzo Property.** Mayor Taylor explains some of the options that have been discussed.
- Free water if property owner agreed to annex was one option. Apparently this option could not be approved per regulations that are in place.
  - This application has been made by the property owner to annex and I am asking for City Council to void all fee's.. The original application was September 2010 and when looking at the cost involved it was not feasible, at that time the City had agreed to waive the fees when it was a possible forced annexation so I thought that this would be feasible as well.
  - Waiving the fees may not be feasible nor placing it on the ballot in May because of the short timeline.
  - Councilor Sahlin, states that if the timeline works then we could try to get on May Ballot..
  - The timeline is very tight and if all the pieces of the situation does not fall right into play then we won't be able to make it on the ballot.
  - The situation is very frustrating because I had made all sorts of plans for the property after my initial contact with at the time Mayor Meirov and since then I have had to take my property off the market.
  - Council did not address the fee waiver. .
  - It was discussed that if it all falls into place Council can hold a special meeting on March 7<sup>th</sup>.

- C. **Discussion and or Action on Memo from City Planner Wakeley and Planning Commission request for direction dated February 8, 2012 Enforcement of Sign Code.** This has come about because an application has been made for off premise signage. Discussion between City Attorney Koho and City Planner Wakeley agree that you cannot regulate based on content and that if you pursue it could be quite costly and case law does not support it. .  
One question that was raised if we go with the recommendation from Planning are we then going to have a menagerie of signs around town. It is agreed by all that when monies are available it would be a good idea to look at the current sign code.

**A motion to approve recommendation from the Planning Commission and City Planner Wakeley to suspend enforcement of this section of the sign code until funds are available to amend the code is made by Councilor Sahlin and seconded by Councilor Graupp. Motion Passes Unanimously.**

## 11. Adjourn

A motion to adjourn the February 14, 2012 meeting at 8:42 pm was made by Councilor Graupp and seconded by Councilor Vlcek. Motion Passes Unanimously.



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Greg Taylor, Mayor

ATTEST:



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Kelly Richardson, City Recorder

# Bulletin

## 2012 Legislative Bill Summary Available

The League's 2012 Legislative Session Summary of Bills is now available [online](#). For the first time, this report contains a [direct link](#) to full-text copies of the bills that the League's advocacy team worked on during February's short session. It also provides detailed information on bills that were enacted as well as those of significance that were defeated or did not receive serious consideration.

Hard copies are available upon request.

**Contact:** Craig Honeyman, Legislative Director – [choneyman@orcities.org](mailto:choneyman@orcities.org)

## ODOT Solicits Comments on Tolling

The Oregon Department of Transportation (ODOT) and the Oregon Transportation Commission (OTC) are seeking public comment on proposed tolling and pricing amendments to the Oregon Highway Plan and the Oregon Transportation Plan. The deadline for comments is **May 18**.

Both ODOT and the OTC have been studying the implementation of tolling and pricing transportation facilities throughout the country and around the world. The Legislature has also considered congestion pricing initiatives, although none are currently in use.

To learn more about ODOT's and the OTC's activities and intentions with regard to tolling and pricing, click [here](#).

**Contact:** Craig Honeyman, Legislative Director – [choneyman@orcities.org](mailto:choneyman@orcities.org)



March 23, 2012

## IN THIS ISSUE

- [Free LED Street Lighting Assessment Tool Available](#)
- [Regional Meetings: A Valuable Opportunity](#)
- [Attention All Mayors](#)
- [Free Notary Seminars Available](#)
- [Small Cities Support Network](#)
- [Oregon Local Leadership Institute Training](#)

## Free LED Street Lighting Assessment Tool Available

The U.S. Department of Energy's Municipal Solid-State Street Lighting Consortium has released an economic cost-benefit analysis tool that will help cities estimate the costs and impacts associated with switching to LED (light emitting diode) street lighting.

The tool can generate a detailed analysis, maintenance savings, greenhouse gas reductions and simple payback scenarios. The tool offers assistance for cities with planning and budgeting, applying for financing, or with garnering local support for upgrades.

The new tool is available for download [here](#).

To register for a workshop or webinar on switching to LED lighting, click [here](#).

**Contact:** Robin Freeman, Intergovernmental Relations Associate – [rffreeman@orcities.org](mailto:rffreeman@orcities.org)

## Regional Meetings: A Valuable Opportunity

The League's 9 statewide regional are underway with Cannon Beach, Springfield, Independence, Newport and Florence serving as host cities so far. The meetings give LOC member cities a platform to provide critical feedback to the League about its services. In addition, the agenda will include a report on the February legislative session and bills impacting cities.

To download a meeting agenda and a complete schedule of all meetings, click [here](#).

To RSVP, please contact Kim Bentley: (503) 588-6550 or [kbentley@orcities.org](mailto:kbentley@orcities.org).

## Attention All Mayors

The first quarter issue of the *OMA Newsletter* should have arrived in your cities. There is a correction on page four, showing the 2011 winners of the student contest. The photos in the printed edition were the 2010 winners. To access the corrected newsletter, click [here](#).

**Contact:** JoAnn Ghelfi, OMA Manager – [jghelfi@orcities.org](mailto:jghelfi@orcities.org)

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## Free Notary Seminars Available

The Secretary of State's office has scheduled free notary seminars throughout the state to give every notary an opportunity to become properly trained and educated about Oregon laws and good notary procedure.

Upcoming seminars:

- April 3, 9:00 a.m. - 12:00 p.m., Salem, Willamette ESD Center
- April 5, 9:00 a.m. - 12:00 p.m., Seaside, Clatsop Community College
- April 17, 1:00 p.m. - 4:00 p.m., Portland, Multnomah Building
- April 20, 1:00 p.m. - 4:00 p.m., Salem, Center for Business and Industry
- April 26, 2:00 p.m. - 5:00 p.m., Stayton, Trexler Farm Café

For a complete schedule or to register, click [here](#).

## Small Cities Support Network

**Join Us:** Enjoy productive networking, knowledgeable speakers and fabulous food.

Mark your calendars for these upcoming regional meetings:

Region 7: April 25 - Pilot Rock – 11:00 a.m. - 1:00 p.m.

Region 8: April 26 - Prairie City – 11:00 a.m. - 1:00 p.m.

**Call for Agenda Items:** Would you like to discuss specific topics of concern within your area? Do you have a specific guest speaker or agenda item you would like us to consider?

**Regional Listserv:** City officials in specific regions can receive updates and meeting announcements via e-mail by subscribing to their region's listserv.

**Contact:** Mandy Allen, Small Cities Support Network Coordinator – [mallen@orcities.org](mailto:mallen@orcities.org) or (503) 588-6550.

**On the Web:** [www.orcities.org/smallcities](http://www.orcities.org/smallcities)

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### Statewide Quarterly

#### Dates:

Region 1 - May 11

Region 2 - Mar. 15

Region 3 - May 4

Region 4 - May 17

Region 5 - Mar. 23

Region 6 - Mar. 16

## Oregon Local Leadership Institute Training

**R**egistration is now open for upcoming spring workshops. Click [here](#) to view the new spring catalog with full workshop descriptions, dates, locations and registration information.

To register, click [here](#).

### Upcoming Workshops:

*(more dates and locations may be available – click [here](#) for full schedule)*

#### Fundamentals of Municipal Water: Law, Policy, Financing and Operations

LGMC Approved: Core area #4: Public Works & Utilities – 6 hrs.

Baker City    March 28

#### Leadership: Focusing on Leading in Turbulent Times (2 days)

LGMC Approved: Core area #10: Ethics & Leadership – 12 hrs.

Bend            April 2 & 3

#### Managing Scope, Schedule & Budget NEW

LGMC Approved: Core area #1: Budget & Finance – 5 hrs.; Core area #4: Public Works & Utilities – 10 hrs.

Springfield    April 4-6

#### Emergency Management

LGMC Approved: Core area #3: Public Safety & Emergency Management Services – 4 hrs.

Florence ~~April-5~~ **cancelled**

#### Elements of Effective Supervision (a two-part series)

LGMC Approved: Core area #2: Human Resource Management – 20 hrs.

Salem            April 9 & 10 and April 23 & 24

Click [here](#) for detailed location information.

**Contact:** Kim Shook, Training Coordinator – [kshook@orcities.org](mailto:kshook@orcities.org) or (503) 588-6550

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## 2012 News

### Update on Wineries and Events on Farmland

February 2012

The 2011 legislative session saw the adoption of two bills that specifically authorize events at wineries (HB 3280) and on farmland (SB 960). SB 960 is optional, while HB 3280 is mandatory. These bills were intended to clarify and broaden the allowance for events in conjunction with wineries and in conjunction with farm use. In addition, HB 3280 authorizes restaurants for the largest wineries. These new authorizations are in addition to other general authorizations for activities in EFU zones such as those at farm stands or in parks. However, where SB 960 events are permitted, mass or outdoor gatherings may not be approved for the same purposes, and wineries may not be approved for conditional use events under both SB 960 and HB 3280.



As of January, 2012, several post-acknowledgment plan amendments have been submitted to the department that are intended to reflect the newly-adopted bill authorizations for events. To date, Polk, Marion, Deschutes and Jackson Counties have submitted proposed zoning ordinance amendments that are clear and well-organized and that accurately reflect the provisions of SB 960 and HB 3280. These counties have taken two somewhat confusing bills and made sense out of them in their proposed zoning ordinance amendments. Other counties may wish to use these as examples.

A few counties indicate that they have been approving, and plan to continue to approve, events as "commercial activities in conjunction with farm use," because local land use regulations or interpretations permit such events. In some cases, counties prescribe no upper limit on numbers or frequency of such events. These counties misinterpret provisions in the new bills that honor existing authorizations for events. The bills' recognition of optional routes of approval for events may not be used to permit types or numbers of events that are specifically disallowed by the sideboards in the new legislation. An overly-broad interpretation of "commercial activities in conjunction with farm use" in particular is inconsistent with case law findings that such activities be "essential to the practice of agriculture." A winery is not agriculture, but rather a processing facility. The bar is high for justifying events as commercial activities in conjunction with farm use, whether at wineries or on farms - even more so now that specific options for event approvals have been adopted by the legislature in the two new bills.

It is too early to tell how counties in general will use SB 960 and HB 3280 to review and approve events in conjunction with wineries and farm use and whether the new bills will prove helpful in providing authority and clarity for the approval of an appropriate level of events in EFU zones. Time and experience will tell us whether the bills hit the mark or whether additional fine-tuning will be needed.

For a description of and Q and A for SB 960 and HB 3280 go [here](#).

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### Lamb Confirmed to LCDC Commission Seat

February 13, 2012

#### Senate approves Sherman Lamb's appointment to Oregon's Land Conservation and Development Commission

Salem, OR – The Oregon Senate approved Governor Kitzhaber's appointment of Sherman Lamb to represent Southern Oregon on the Oregon Land Conservation and Development Commission (LCDC).

Lamb will replace Christine Pellett who served on the commission since October 2008 until her resignation in August 2011. Lamb's term begins February 10, 2012 and he will join the commission's March 14, 2012 meeting in Newport.

The LCDC consists of seven members, representative of certain regions of the state along with a current or former elected official of a city and a county. LCDC adopts state land-use goals and implements rules, assures local plan compliance with the goals, coordinates state and local planning

and manages the coastal zone program. The commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioner appointments are four-year terms and may not serve for more than two full terms.

Lamb lives in Talent and currently works as a Vineyard Consultant. He has served on the City of Talent Planning Commission and is currently on the Talent City Council serving as the Council Liaison to the Planning Commission. "I'm interested in becoming further involved with the development of land use policy, both because I believe in the need to preserve our resources and because it is an opportunity to serve my community and state."

DLCD's acting Director, Jim Rue said, "Lamb's unique combination of experience and talent allows him to represent land use interests in this critical part of our state."

Individuals interested in appointments to Oregon's boards or commissions are encouraged to complete and submit an [interest form](#).

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## **Territorial Sea Plan Public Workshops**

**January 30, 2012**

### **Territorial Sea Plan Public Work Session**

The Oregon Department of Land Conservation and Development (DLCD) and the Ocean Policy Advisory Council (OPAC) are holding two public work sessions on Thursday, February 2, to get feedback on changes to the state's Territorial Sea Plan. One session will be held in Portland from 11:00AM – 2:30PM, the other will be held in Eugene from 5:30PM – 9:00PM.

#### **Portland:**

Portland City Hall – Council Chambers (2<sup>nd</sup> Floor)  
1121 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97204

#### **Eugene:**

Eugene City Hall – Council Chambers  
777 Pearl Street  
Eugene, Oregon 97401

The plan is being amended to site marine renewable or wave energy development. The maps and planning options that are being considered will be distributed and discussed. The attached flier has additional details, including the time and location for the event. For more information contact:

Paul Klarin, Marine Program Coordinator  
Oregon Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150, Salem, OR 97301-2540  
Office: (503) 373-0050 ext. 249; Cell: (503) 428-0510; Fax: (503) 378-6033  
[paul.klarin@state.or.us](mailto:paul.klarin@state.or.us)

### **Future Meeting Dates and Sites:**

#### **Bandon:**

February 10, 2012 - 11:00AM - 2:30PM  
Bandon Community Center  
1200 11th Street SW  
Bandon, OR 97411

#### **Brookings:**

February 10, 2012 - 5:30PM - 9:00PM  
Best Western Plus Beachfront Inn  
16008 Boat Basin Road  
Brookings, OR 97415

#### **Warrenton:**

February 17, 2012 - 11:00AM - 2:30PM

Camp Rilea - Warrior Hall  
91204 Oregon Road  
Warrenton, OR 97146

**Cannon Beach:**

February 17, 2012 - 5:30PM - 9:00PM  
Hallmark Resort  
1400 South Hemlock Street  
Cannon Beach, OR 97110

**Waldport:**

February 24, 2012 - 11:00AM - 2:30PM  
Soul Vacation Resort  
902 NW Bayshore Drive  
Waldport, OR 97394

**Reedsport:**

February 24, 2012 - 5:30PM - 9:00PM  
Umpqua Discovery Center  
409 Riverfront Way  
Reedsport, OR 97467

**Depoe Bay:**

March 6, 2012 - 11:00AM - 2:30PM  
Depoe Bay Community Hall  
220 SE Bay Street  
Depoe Bay, OR 97341

**Pacific City:**

March 6, 2012 - 5:30PM - 9:00PM  
Kiawanda Community Center  
34600 Cape Kiwanda Drive  
Pacific City, OR 97135

\*Materials can be accessed at <http://www.oregonocean.info>



## Public Meetings

- [LCDC](#)
- [Citizen Involvement](#)
- [Local Officials](#)
- [Metro Area Scenario Planning](#)
- [Solar Rulemaking Committee](#)
- [Soils Assessment Committee](#)
- [Joint Subcommittee TPR & OHP](#)
- [Transportation Planning Rule](#)
- [Grants Advisory](#)

### LCDC

#### Land Conservation and Development Commission

The meetings of the [Land Conservation and Development Commission](#) are open to the public. Persons wishing to participate may address the commission during the agenda item 'Public Comment' and other designated agenda items. Persons wishing to address the commission should consult the meeting agenda for further information. All meetings in Salem are held in the Basement Hearing Room in the [Agriculture Building](#) (635 Capitol St. NE, Salem, OR).

#### 2012 Meeting Dates (subject to change)

DATE	LOCATION	AGENDA	REPORTS	AUDIO
Jan. 26-27, 2012	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Reports</a>	<a href="#">Recording</a>
Feb. 28, 2012	<a href="#">Salem</a> Conference Call	<a href="#">Agenda</a>		<a href="#">Recording</a>
March 14-16, 2012	Newport	<a href="#">Agenda</a>	<a href="#">Reports</a>	<a href="#">Recording</a>
May 10-11, 2012	<a href="#">Salem</a>			
July 18-20, 2012	Lakeview			
September 20-21, 2012	<a href="#">Salem</a> or Independence			
November 14-16, 2012	Newberg			

[LCDC Meeting Archives \(2005-11\)](#)

### Citizen Involvement

#### Citizen Involvement Advisory Committee

The meetings of the [Citizen Involvement Advisory Committee](#) are open to the public. Persons wishing to participate may address the committee during the agenda item 'Public Comment' and other designated agenda items. Persons wishing to address the committee should consult the meeting agenda for further information. Unless noted, meetings are held in Conference Room 'D' in the basement of the [Agriculture Building](#) (635 Capitol St., NE, Salem, OR).

DATE	LOCATION	AGENDA	MINUTES/AUDIO	OTHER
<b>2012</b>				
Jan 10	<a href="#">Salem</a>	<a href="#">Agenda</a>		
Feb 7	<a href="#">Salem</a>	<a href="#">Agenda</a>		
March 6	<a href="#">Salem</a> via <a href="#">iLinc</a>	<a href="#">Agenda</a>		

May 8 [Salem](#)  
 June 12 [Salem](#) via [iLinc](#)  
 Aug 7 [Salem](#) via [iLinc](#)  
 Sept 20 [Salem](#)  
 Nov 6 [Salem](#)  
 Dec 11 [Salem](#) via [iLinc](#)

**2011**

Feb. 17, 2011 [Salem](#) [Agenda](#) [Part 1](#)  
[Part 2](#)  
 Apr. 12, 2011 [Salem](#) [Agenda](#) [Part 1](#)  
 Conf. Rm 'C' [Part 2](#)  
 June 16, 2011 [Salem](#)  
 Aug. 17, 2011 Metro [Agenda](#) [Part 1](#)  
[Part 2](#)  
[Part 3](#)  
[Part 4](#)  
 Sept. 7, 2011 [Salem](#) [Agenda](#)  
 via telephone  
 Oct. 20, 2011 [Salem](#) [Agenda](#)  
 via [iLinc](#)  
 Dec. 15, 2011 [Salem](#)

- [STAR Award Nominations](#)
- [Teleconferencing Options](#)
- [Member Terms Report](#)
- [La Pine Goal 1 from Comp Plan](#)
- [La Pine Goal 1 from Staff Report](#)

**Local Officials**

**Local Officials Advisory Committee**

The meetings of the [Local Officials Advisory Committee](#) are open to the public. Persons wishing to attend the committee meeting should consult the meeting agenda for further information. Unless noted, meetings are held in Conference Room 'D' in the basement of the [Agriculture Building](#) (635 Capitol St., NE, Salem, OR).

**2012 Meeting Dates**

DATE	LOCATION	AGENDA	AUDIO
February 13, 2012	<a href="#">Salem</a>	<a href="#">Agenda</a>	
April 9, 2012	<a href="#">Salem</a>		

**2011 Meeting Dates**

DATE	LOCATION	AGENDA	AUDIO
February 14, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>
May 9, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>
August 17, 2011	Portland	<a href="#">Agenda</a>	
November 7, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>

**2010 Meeting Dates**

DATE	LOCATION	AGENDA	AUDIO
April 5, 2010	Salem	<a href="#">Agenda</a>	<a href="#">Audio</a>
May 10, 2010	Salem	<a href="#">Agenda</a>	<a href="#">Audio</a>
July 22, 2010	Salem	<a href="#">Agenda</a>	<a href="#">Audio</a>
Oct. 11, 2010	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>

### Metro Area Scenario Planning

#### Portland Metro Area Scenario Planning Rulemaking Advisory Committee

The meetings of the [Portland Metro Area Scenario Planning Rulemaking Advisory Committee](#) are open to the public.

Date & Time	Location	Agenda	Meeting Materials	Minutes & Audio
Feb. 13 1-4pm	<a href="#">Metro Council Chambers</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">LCDC Charge to RAC</a></li> <li>• <a href="#">Proposed Operating Principles</a> (approved 2/13)</li> <li>• <a href="#">Summary of HB 2001</a></li> <li>• <a href="#">Metro Smart Communities Presentation</a></li> <li>• <a href="#">Draft Meetings Notes</a></li> <li>• Draft Rule Outline               <ul style="list-style-type: none"> <li>○ <a href="#">Cover Memo</a></li> <li>○ <a href="#">Summary Table</a></li> <li>○ <a href="#">Draft Outline</a></li> </ul> </li> <li>• <a href="#">Memo re: Fiscal and Housing Impact Requirements</a></li> <li>• <a href="#">Metro Policy Framework</a></li> <li>• <a href="#">Regional Framework Plan Excerpt</a></li> </ul>	<a href="#">Audio</a>
March 19 1-4pm	<a href="#">Metro Council Chambers</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">Memo re: Fiscal and Housing Impact Requirements</a></li> <li>• <a href="#">Metro Policy Framework</a></li> <li>• <a href="#">Regional Framework Plan Excerpt</a></li> </ul>	<a href="#">Audio</a>
April 23 1-4pm	<a href="#">Metro Council Chambers</a>			
May 21 1-4pm	<a href="#">Metro Council Chambers</a>			

### Solar Rulemaking Committee

#### Solar Rulemaking Advisory Committee

The meetings of the [Solar Rulemaking Advisory Committee](#) are open to the public. Please refer to the agenda for the location of each meeting.

DATE	LOCATION	AGENDA	AUDIO	OTHER
October 15, 2010	<a href="#">Redmond</a>	<a href="#">Agenda</a>	<a href="#">Recording</a>	<ul style="list-style-type: none"> <li>• DLCD <a href="#">PowerPoint</a></li> <li>• Energy <a href="#">PowerPoint</a></li> <li>• Agriculture <a href="#">PowerPoint</a></li> <li>• <a href="#">EFSC Process</a></li> <li>• <a href="#">Comments</a></li> </ul>
				<ul style="list-style-type: none"> <li>• <a href="#">PowerPoint</a></li> <li>• <a href="#">Commercial Presentation</a></li> </ul>

November 10, 2010	<a href="#">Madras Airport</a>	<a href="#">Agenda</a>	<a href="#">Recording</a>	<ul style="list-style-type: none"> <li>• <a href="#">Comment - RNC</a></li> </ul>
November 22, 2010	<a href="#">Madras Airport</a>	<a href="#">Agenda</a>		<ul style="list-style-type: none"> <li>• <a href="#">DLCD PowerPoint</a></li> <li>• <a href="#">Comment - Perkins</a></li> <li>• <a href="#">Comment - CCNLC</a></li> <li>• <a href="#">Comment Document - various</a></li> </ul>
January 11, 2011	<a href="#">ODFW HQ</a> 3406 Cherry Ave Salem, OR	<a href="#">Agenda</a>	<a href="#">Audio</a>	<ul style="list-style-type: none"> <li>• <a href="#">Comments</a></li> </ul>
February 11, 2011	<a href="#">La Pine</a>	<a href="#">Agenda</a>		<ul style="list-style-type: none"> <li>• <a href="#">Comments</a></li> <li>• <a href="#">Comments 01-25-2011</a></li> <li>• <a href="#">Summary</a></li> <li>• <a href="#">Draft OAR</a></li> <li>• <a href="#">PowerPoint</a></li> <li>• <a href="#">Comments 02-10-2011</a></li> <li>• <a href="#">Final Draft OAR 04-14-11</a></li> </ul>
September 13, 2011	<a href="#">Bend</a>	<a href="#">Agenda</a>		<ul style="list-style-type: none"> <li>• <a href="#">Final Draft OAR 09-11 to LCDC</a></li> <li>• <a href="#">Comment 10-05-11</a></li> <li>• <a href="#">Comment 10-06-11</a></li> </ul>
No future meeting scheduled				

### Soils Assessment Committee

#### Soils Assessment Rulemaking Advisory Committee

The meetings of the [Soils Assessment Rulemaking Advisory Committee](#) are open to the public. Please refer to the agenda for the location of each meeting.

DATE/TIME	LOCATION	AGENDA	AUDIO	OTHER
August 10, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>	<ul style="list-style-type: none"> <li>• <a href="#">Minutes</a></li> <li>• <a href="#">Notes</a></li> <li>• <a href="#">Tasks</a></li> <li>• <a href="#">Letter</a></li> <li>• <a href="#">Proposed Quails</a></li> <li>• <a href="#">Soils Scientist Application</a></li> <li>• <a href="#">Soils Scientist Reference Form</a></li> <li>• <a href="#">Soils Draft OAR</a></li> <li>• <a href="#">OAR 603 Soils Reports</a></li> <li>• <a href="#">Soils Assessment Fact Sheet</a></li> <li>• <a href="#">Soils Assessment Report Requirements</a></li> <li>• <a href="#">Minutes</a></li> </ul>
September 1, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Audio</a>	

### Joint Subcommittee TPR & OHP

The meetings of the [Joint Subcommittee on TPR and OHP](#) are open to the public. Persons wishing to attend a committee meeting should consult the meeting agenda for further information.

DATE/TIME	LOCATION	AGENDA	AUDIO	OTHER
January 21 9:00 a.m.	<a href="#">Portland</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">Presentation Audio</a></li> <li>• <a href="#">Panel Discussion Audio</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">TPR Presentation Outline</a></li> <li>• <a href="#">OHP Mobility Standards</a></li> <li>• <a href="#">HB 3379 Stakeholder Committee Recommendations</a></li> <li>• <a href="#">Background Materials</a></li> </ul>
February 15 11:00 a.m.	<a href="#">Salem</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">Framework</a></li> <li>• <a href="#">Testimony</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Framework (version 4)</a></li> <li>• <a href="#">Testimony received prior to the meeting</a></li> <li>• <a href="#">Testimony received at the meeting</a></li> </ul>
March 30 11:00 a.m.	<a href="#">Salem</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">Morning Discussion</a></li> <li>• <a href="#">Afternoon Discussion</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Draft Recommendations</a></li> <li>• <a href="#">Testimony Received Prior to Meeting</a></li> <li>• <a href="#">Survey Results</a></li> </ul>
August 15 2:00 p.m.	Tele-conference <a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Teleconference Audio</a>	<ul style="list-style-type: none"> <li>• <a href="#">OHP Memo</a></li> <li>• <a href="#">OHP Framework</a></li> <li>• <a href="#">OHP Draft Policy 1F</a></li> <li>• <a href="#">TPR Memo</a></li> <li>• <a href="#">TPR Draft Amendments</a></li> <li>• <a href="#">Court of Appeals Decision</a></li> <li>• <a href="#">RAC Members</a></li> </ul>
September 15 9:00 a.m.	Tele-conference <a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Teleconference Audio</a>	<ul style="list-style-type: none"> <li>• <a href="#">TPR Draft Amendments</a></li> <li>• <a href="#">OHP Draft Amendments</a></li> </ul>
November 15 1:30 p.m.	Tele-conference <a href="#">Salem</a>	<a href="#">Agenda</a>	<ul style="list-style-type: none"> <li>• <a href="#">Review OHP</a></li> <li>• <a href="#">Review TPR</a></li> <li>• <a href="#">Conclusion</a></li> </ul>	

### Transportation Planning Rule

The meetings of the [Rulemaking Advisory Committee on Section 0060 of the Transportation Planning Rule](#) are open to the public.

DATE	LOCATION	AGENDA	MINUTES/AUDIO	OTHER
June 1, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>		
June 27, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>		<a href="#">Operating Principles Draft Amendments by Kathryn Brotherton Draft Amendments by staff (PDF)</a>

				<a href="#">Draft Amendments by staff (Word)</a>
Subcommittee on Urban Centers - July 18, 2011	Tele-conference			<a href="#">Draft amendments for Urban Centers</a>
				<a href="#">Draft amendments for Urban Centers STA and UBA</a>
				<a href="#">OHP TAC Members</a>
July 25, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>		<a href="#">Draft amendments for rezone consistent with comp plan map</a>
				<a href="#">Economic development definition</a>
				<a href="#">Freight ORS</a>
August 29, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Draft TPR 0060 Sections (1) (2) and (9)</a>	<a href="#">TPR Draft Amendments</a>
			<a href="#">Draft TPR 0060 Section (10) and (11)</a>	<a href="#">Court of Appeals</a>
				<a href="#">OHP Memo</a>
				<a href="#">OHP Draft Policy 1F</a>
September 12, 2011	Tele-conference <a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Teleconference Audio</a>	<a href="#">TPR Draft Amendments</a>
September 26, 2011	<a href="#">Salem</a>	<a href="#">Agenda</a>	<a href="#">Draft TPR 0060 Section (1) through (9)</a>	
			<a href="#">Draft TPR 0060 Section (10 through (11)</a>	<a href="#">TPR Draft Amendments</a>

### Grants Advisory

#### Grants Advisory Committee

The meetings of the [Grants Advisory Committee](#) are open to the public. Persons wishing to attend a committee meeting should consult the meeting agenda for further information.

<b>DATE</b>	<b>LOCATION</b>	<b>AGENDA</b>	<b>AUDIO</b>	<b>OTHER</b>
February 11, 2011	Salem	Agenda		
<b>2009</b>				
March 23, 2009	Salem	<a href="#">Agenda</a>		
May 28, 2009	Salem	<a href="#">Agenda</a>		
July 9, 2009	<a href="#">Salem</a>	<a href="#">Agenda</a>		

# **NEW BUSINESS**

# ESA and the National Flood Insurance Program

Implementing a salmon friendly program.



FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program-- FEMA Region 10

# NFIP ESA History

## Background

- ▶ 2003 - NWF Sued FEMA for failure to comply with ESA
- ▶ 2004 – Court Ruled that FEMA must consult with NMFS
- ▶ 2006 - FEMA provided a Biological Evaluation that stated NFIP may affect but not adversely
- ▶ September 2008 -NMFS issued Biological Opinion with Jeopardy/ Adverse Modification

*NMFS offered one Reasonable and Prudent Alternative*

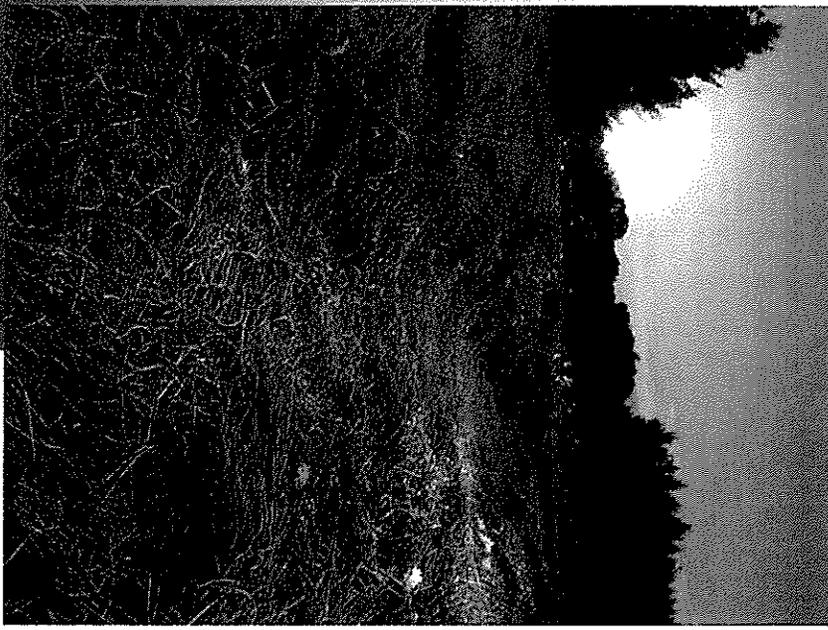


FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program – FEMA Region 10

# NMFS Biological Opinion



## Reasonable and Prudent Alternative

- ▶ **A Reasonable and Prudent Alternative is an action(s) that a federal agency can take to avoid the likelihood of jeopardy. It must identify alternative actions that:**
  - 1) Can be implemented in a manner consistent with the intended purpose of the NFIP,
  - 2) Can be implemented consistent within the scope of the Federal agency's legal authority and jurisdiction,
  - 3) Are economically and technologically feasible.



**FEMA**

ESA and the NFIP

Implementing a Salmon Friendly Program – FEWA Region 10

# Reasonable and Prudent Alternative

## Summary of Elements

1. Notify Puget Sound communities of determination
2. Change mapping procedures to reduce impacts
3. Require communities to consider impacts on fish habitat when issuing floodplain development permits
4. Changes to CRS program
5. Addressing levee vegetation maintenance effects
6. Mitigation to adversely affected habitat
7. Report to NMFS on progress towards meeting requirements

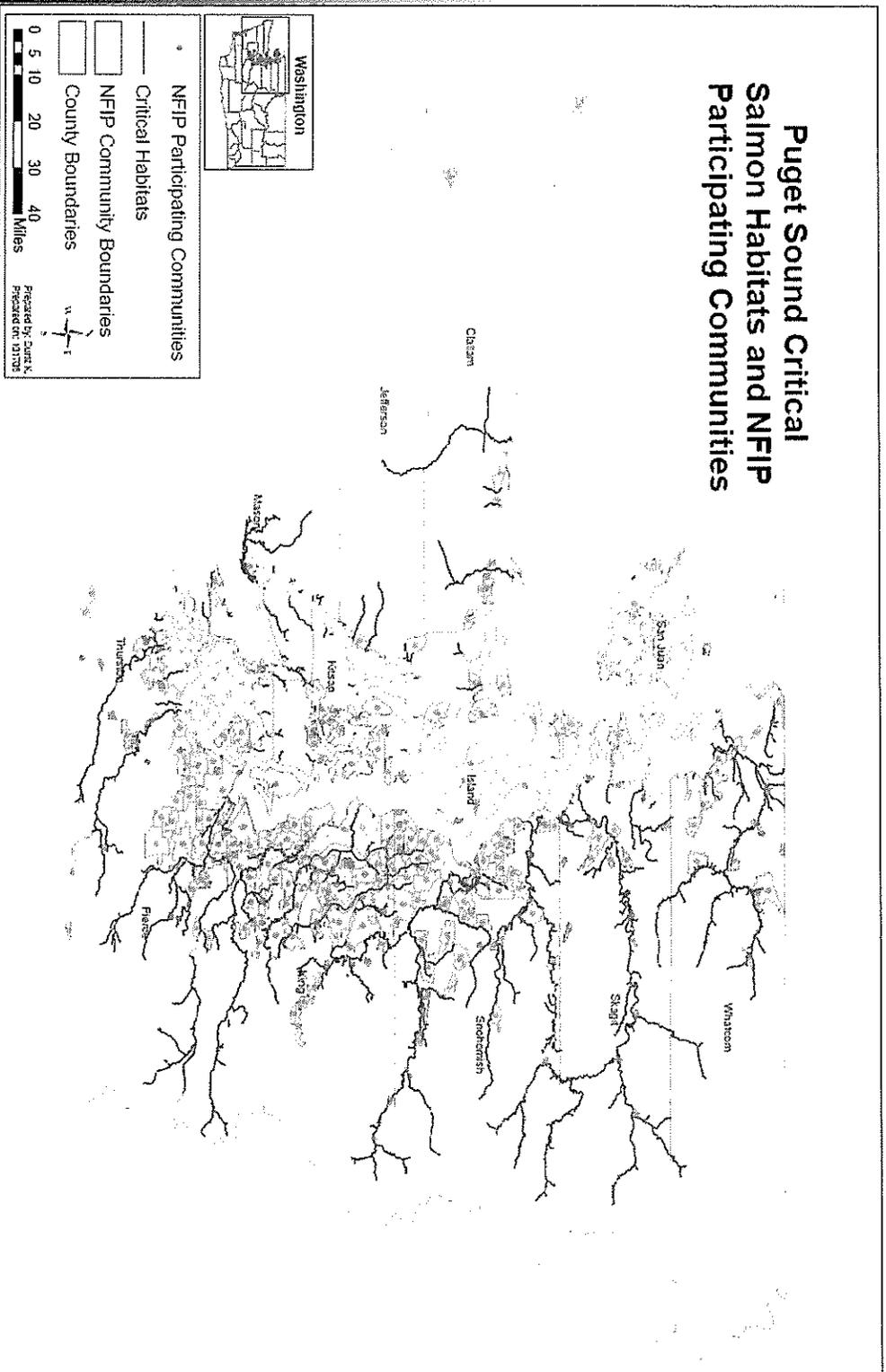


FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# FPM Performance Criteria: Element 3



FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# FPM Performance Criteria: Element 3

## Floodplain Development Permit

No. 1546

Has been issued to Mickey Mouse

For construction of a House

At 1234 Mockingbird Lane, Mocksville, WA

Lot 4 Block B Subdivision River Run

Flood County, USA

Donald Duck  
Issuing Officer

This notice shall be posted in a conspicuous location at the front of the above described property at the time of commencement of work.

### ▶ 44 CFR 60.3 (a) (2) A community

shall:

- Assure all necessary permits have been received from State and Federal agencies from which approval is required by Fed/State law.
- Requires a showing of compliance, particularly with CWA 404 permits, but includes ESA Section 10 permits.



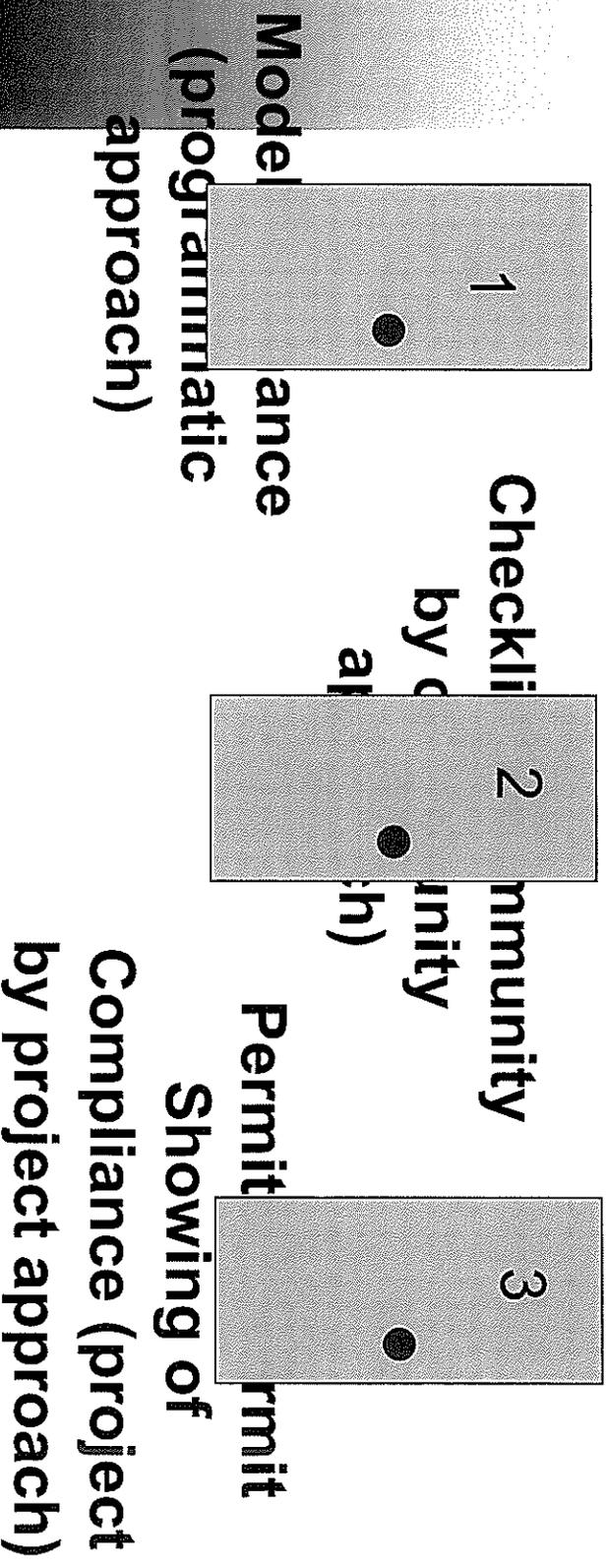
# FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program – FEMA Region 10

# FPM Performance Criteria: Element 3

## Three Doors Approach



FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# FPM Performance Criteria: Element 3



## Floodplain Management and the Endangered Species Act

### A Model Ordinance

2010



- ▶ **Model Ordinance (programmatic approach)**
  - **Combines Floodplain requirements (Structural based) with Habitat requirements (species based)**
  - **Written ESA inclusive, not salmon specific**
  - **More than minimally necessary (avoid adverse effect vs. eliminate Jeopardy/Adverse Mod.)**
  - **Not required, but highly encouraged**

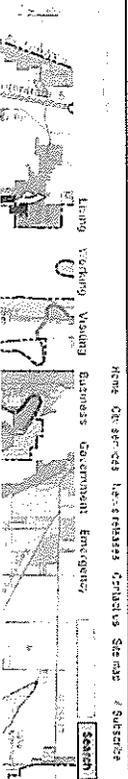


# FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program – FEMA Region 10

# FPM Performance Criteria: Element 3



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## Shoreline Master Program Update

On September 15, 2009, the City of Kent adopted its updated Shoreline Master Program (SMP) with a unanimous City Council vote. The updated SMP has been sent to the State Department of Ecology for final review and approval. Upon final DOE approval, the updated SMP will become effective. DOE and City staff estimate an effective date this December or next January. The adopted SMP and ordinance may be downloaded below:



Shoreline Master Program  
Map of Kent, WA

### Planning

1000 1st St, Kent, WA 98032  
Phone: 253.836.1234  
Fax: 253.836.1235  
Email: [planning@kentwa.gov](mailto:planning@kentwa.gov)  
Website: [www.kentwa.gov/planning](http://www.kentwa.gov/planning)

- [What is a Shoreline Master Program?](#)
  - [How will the new SMP affect me?](#)
  - [How can the public be involved in the update?](#)
  - [Download the Citizens' Advisory Committee Meeting Minutes](#)
  - [Download the Scientific Studies](#)
  - [Download the Updated Shoreline Master Program](#)
- Additional information will be posted on this website as it is developed by Planning Services Staff. For more information about the Shoreline Master Program update, please contact: Erin Georgia at (253) 856-5435 or [erineg@kentwa.us](mailto:erineg@kentwa.us).

## ► Community Checklist (Semi-programmatic)

- Utilizes existing local/state regulations adopted at the local level thus providing flexibility
- Meets the minimum requirements of the Biological Opinion (may be salmon centric)
- Not required, but highly encouraged



ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# FPM Performance Criteria: Element 3

## Floodplain Development Permit

No. 1546

Has been issued to Mickey Mouse

For construction of a House

At 1234 Mockingbird Lane, Marysville, WA

Lot 4 Block B Subdivision River Run

Flood County, ESA

Donald Duck  
Issuing Officer

This notice shall be posted in a conspicuous location at the front of the above described property at the time of commencement of work.

- ▶ Permit by Permit demonstration of compliance (individual approach)
  - Requires demonstration of compliance on project level basis
  - Utilize Sections:
    - Section 7 consultation (fed nexus)
    - Section 10 Permit (HCP)
    - Section 4d approval (NMFS only)
  - Required, but not recommended

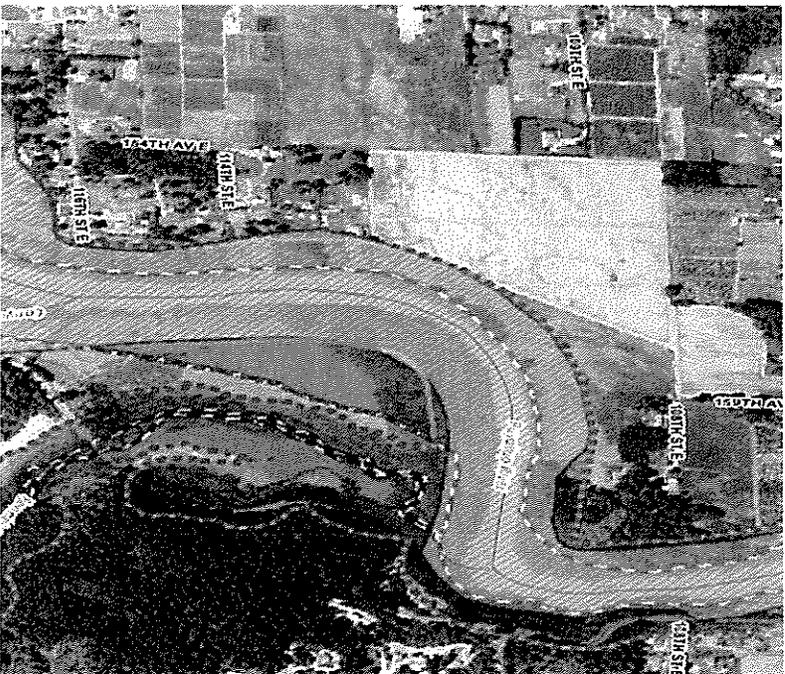


FEMMA

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# FPM Performance Criteria: Element 3



- ▶ **Regardless of approach, all projects will require some level of assessment:**
  - **Biological Assessment/  
Biological Evaluation**
  - **Habitat Conservation Plan**

**OR**

- **Habitat Assessment Report**



**FEMMA**

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# Regional Guidance



## ▶ Regional Guidance for Floodplain Habitat Assessment and Mitigation

- 5-step habitat assessment process
- 4-step mitigation guidance

Must evaluate for:

- direct impacts
- indirect impacts
- cumulative impacts

### Floodplain Habitat Assessment and Mitigation

Regional Guidance

2010



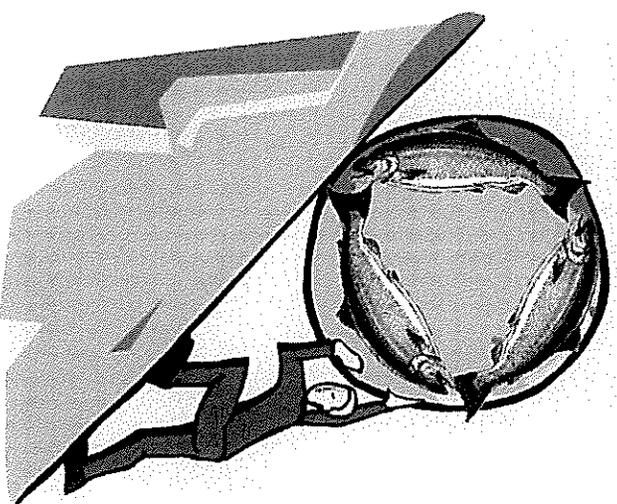
# FEMA

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# Challenges

- ▶ There are a number of challenges that exist to implementing the Bi-Op
  - Fish Vs. Flood
  - Limitations to what NFIP can do (no land use authority)
  - FEMA must be successful through the actions of others



FEMA

# Partnerships

- ▶ **FEMA continues to pursue opportunities to partner with other federal agencies, state agencies, local governments and other stakeholders to protect species and critical habitat**



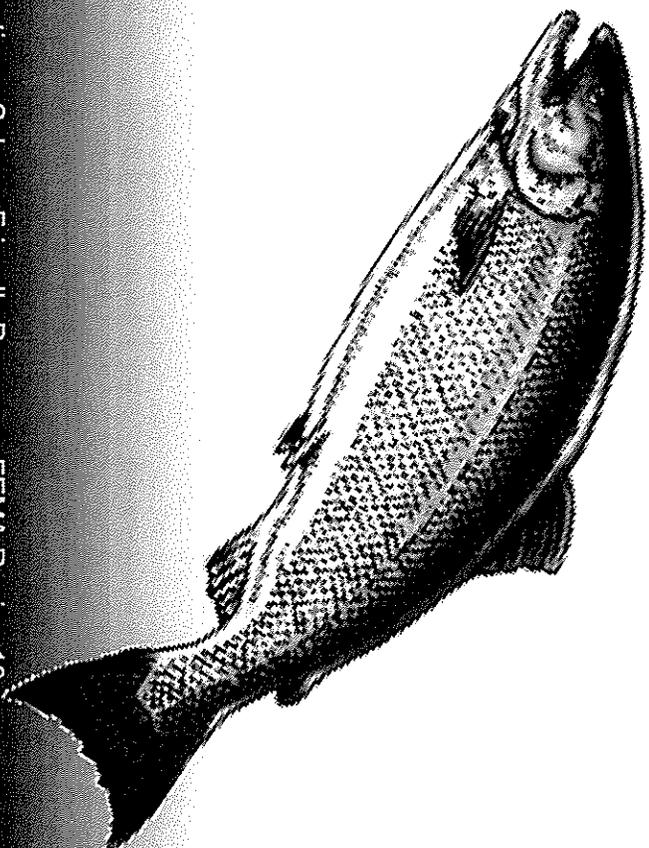
**FEMA**

ESA and the NFIP

Implementing a Salmon Friendly Program – FEMA Region 10

# Conclusions

- ▶ **FEMA feels that land use and flood control practices that protect salmon and their critical habitat also means implementing good floodplain management that will ultimately reduce damages to flood**



**FEMA**

ESA and the NFIP

Implementing a Salmon Friendly Program—FEMA Region 10

# **OLD BUSINESS**

# **PLANNING ACTION/DISCUSSION**

April 2012 Update

LAND USE APPLICATIONS

<u>Project</u>	<u>Status</u>
Building Permits	<ul style="list-style-type: none"> <li>• Topaz Bistro at 21668 99E</li> </ul>
Sign Permits	<ul style="list-style-type: none"> <li>• Abel's Auto Repair at 21107 99E</li> </ul>
Manufactured Home Permit	
Land Use Applications	<ul style="list-style-type: none"> <li>• Contacts with Bixler and Peyton Circle</li> </ul>

ADDITIONAL PLANNING

<u>Project</u>	<u>Status</u>
Transportation System Plan	<ul style="list-style-type: none"> <li>• Adoption of a street tree list attached (Ordinance 468)</li> </ul>
ODOT 99E Corridor Study	<ul style="list-style-type: none"> <li>• Tech Memo #6 and #7 meeting occurred on March 29<sup>th</sup>. Drafts previously forwarded to planning commission via email.</li> </ul>
Urban Renewal District Feasibility Study	
Development Code/HRB updates	<ul style="list-style-type: none"> <li>• No new information has been received since the 12/28 response email to ODA regarding compliance with Airport Planning Rule.</li> <li>• Discussion on Flood Hazard Overlay Zone and Buildable Lands Inventory (attached)</li> </ul>
Water Master Plan	
Newsletter/Community Updates	
Misc.	

ORDINANCE NUMBER 468

A BILL FOR AN ORDINANCE SPECIFYING CERTAIN  
TREES FOR USE NEAR CITY STREETS

WHEREAS, the City of Aurora adopted their 2009 Transportation System Plan (TSP) in March of 2010, and the updated TSP requires planting strips and the installation of streets trees on new development and infill development; and

WHEREAS, Aurora Municipal Code (AMC) section 16.34.030.U. states, "Within 6 months of developing frontage improvements, two (2) inch caliper trees shall be installed in planting strips in accordance with the City of Aurora's street tree list"; and

WHEREAS, the Planning Commission studied the street tree issue and recommends the list contained in this ordinance; and

WHEREAS, the City Council needs to adopt a street tree list specific to the City of Aurora to assist citizens in complying with the AMC requirement:

The City of Aurora ordains as follows:

Section 1. The City of Aurora's street tree list for planting strips shall be:

CITY OF AURORA STREET TREE LIST

- A. Spacing. The spacing of street trees shall be in accordance with the species, size, classes listed in the official tree list of this chapter, and trees shall be planted not less than one tree per twenty-five (25) feet of street frontage.

////

////

////

**B. Recommended Street Trees.** The following tree species are recommended for use as street and parking lot trees:

**Four (4) to six (6) foot planting strip- With or without overhead lines**

Species Name	Common Name	Minimum Planter Width	Permitted Under Wires?	Mature Height/Width
Acer griseum	Paperbark Maple	4	Yes	25/20
Lagerstroemia cultivars	Crape Myrtle	4	Yes	20/20
Malus 'Prairifire'	Prairifire Crabapple	4	Yes	20/20
Parrotia persica	Persian Parrotia	4	Yes	35/20
Stryax japonicas	Japanese Snowbell	4	Yes	25/25
Stryax obassia	Bigleaf Snowbell Tree	4	Yes	35/25

**Four (4) to six (6) foot planting strip- With overhead lines**

Species Name	Common Name	Minimum Planter Width	Permitted Under Wires?	Mature Height/Width
Acer griseum	Paperbark Maple	4	Yes	25/20
Cornus controversa 'June Snow'	June Snow Giant Dogwood	4	No	40/30
Fragus sylvatica 'Purpurea Tricolor'	Tricolor Beech	4	No	35/25
Lagerstroemia cultivars	Crape Myrtle	4	Yes	
Ginkgo biloba 'Saratoga'	Saratoga Ginkgo	4	No	35/30
Magnolia gradiflora	Edith Bogue Magnolia	4	No	30/15

'Edith Bogue'				
Malus 'Prairifire'	Prairifire Crabapple	4	Yes	20/20
Parrotia persica	Persian Parrotia	4	No	35/20

**Great than six (6) foot minimum planting strip- With or without overhead lines**

Species Name	Common Name	Minimum Planter Width	Permitted Under Wires?	Mature Height/ Width
Acer griseum	Paperbark Maple	6	Yes	25/20
Lagerstroemia cultivars	Crape Myrtle	6	Yes	20/20
Magnolia gradiflora 'Edith Bogue'	Edith Bogue Magnolia	6	Yes	30/15
Ginkgo biloba 'Saratoga'	Saratoga Ginkgo	6	Yes	35/30

**Greater than six (6) foot minimum planting strip- Without overhead lines**

Species Name	Common Name	Minimum Planter Width	Permitted Under Wires?	Mature Height/ Width
Acer X freemanii 'Autumn Blaze'	Autumn Blaze Maple	6	No	60/45
Acer X freemanii 'Celzam'	Celebration Maple	6	No	45/25
Acer rubrum 'Franksred'	Red Sunset Maple	6	No	45/35
Carpinus betulus	European Hornbeam	6	No	50/35
Ostrya virginiana	American Hophornbeam	6	No	35/35
Tilia cordata	Littleleaf Linden	6	No	50/30

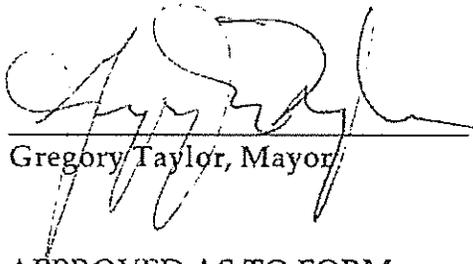
Zelkova serrata 'Green Vase'	Green Vase Zelkova	6	No	50/40
Zelkova serrata 'Village Green'	Village Green Zelkova	6	No	40/38

Section 2. All other trees are prohibited from installation within public rights-of-way as they cause one or more of the following problems: (1) Their roots damage sewer lines or pavement; (2) They are particularly subject to disease or insects; (3) They cause visibility problems along streets or intersections; (4) They create messy sidewalks and pavements, usually due to fruit drop.

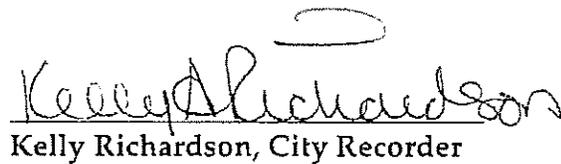
**ADOPTED** by the Aurora City Council at a City Council meeting held on Tuesday, March 13, 2012.

Dated this 13 day of March, 2012.

ATTEST

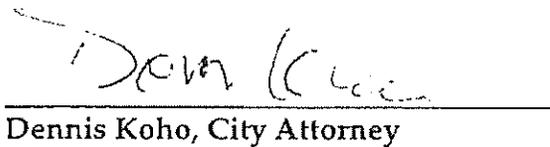


Gregory Taylor, Mayor



Kelly Richardson, City Recorder

APPROVED AS TO FORM:



Dennis Koho, City Attorney

	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>VACANT R1 LAND INSIDE CITY LIMITS</b>											
2	vacant: >= 5,000 sq ft/0.11 acres with improvement value less than \$10,000. Some lots added as buildable with smaller than 5,000 sq ft due to code											
3	.....											
4	ACRES	slope, wetland,	TOTAL BUILDABLE	TAX LOT	OWNER	ADDRESS	Land value	Imp Value	Total Value	Zone		
5	1.30		1.30	041W12C 00504	HARRISON,RICHARD W 0		172900	0	172900	R-1 (HR)	490	
6	0.38		0.38	041W12CA01100	MCNULTY,LEALAN & PA 0		94480	0	94480	R-1 (HR)	100	
7	2.30		2.30	041W12CA01200	MCVEY,VIRGLE E & 0	A30	1270	0	2120	R-1 (HR)	540	
8	0.18		0.18	041W12CA01900	ERB,GARY W 0		25590	0	25590	R-1 (HR)	101	
9	0.33		0.33	041W12CB00303	ANNETTE B KASEL TRU:0		120000	0	120000	R-1 (HR)	100	
10	0.18		0.18	041W12CB01000	BRAUN,STEPHEN B & 0	A70	180	0	320	R-1 (HR)	540	
11	0.31		0.31	041W12CD00700	CHAMPION,JAMES 0	K20	5140	0	5140	R-1 (HR)	200	
12	0.09		0.09	041W12CD00800	CHAMPION,JAMES 0	K20	1500	0	1500	R-1 (HR)	200	
13	2.24		2.24	041W13 00100	BARTON,ROBERT 15066 3RD ST NE		1230600	0	1230600	R-1	490	
14	0.15		0.15	041W13 00200	HEID,PHILIP S 0		32620	0	34800	R-1	550	
15	0.85		0.85	041W13 00300	HEID,PHILIP S 0		322270	0	329430	R-1	550	
16	0.47	minus 0.10 slt	0.37	041W13AB00901	HEID,PHILIP S 0		91320	0	91320	R-1	100	
17	0.20		0.20	041W13AB01001	HEID,PHILIP S 50% & 0		85000	0	85000	R-1	100	
18	1.51	minus 0.45 Ft	1.06	041W13AC00300	SNODDERLY,TIMOTHY E0		260820	0	260820	R-1	490	
19	0.34		0.34	041W13AC00301	SNODDERLY,TIMOTHY E0		0	0	0	R-1	100	
20	0.21		0.21	041W13AC01100	HALTON DEVELOPMENT0		85000	0	85000	R-1	100	
21	0.19		0.19	041W13AC01300	HALTON DEVELOPMENT0		85000	0	85000	R-1	100	
22	0.19		0.19	041W13AC01301	HALTON DEVELOPMENT0		85000	0	85000	R-1	100	
23	0.35		0.35	041W13AC01402	POZNANSKI,LEON 21031 JENNYMARIE LN		91680	0	91680	R-1	100	
24	0.27		0.27	041W13AC01600	SCHWARZ,ALEX 0		86100	0	86100	R-1	100	
25	0.16		0.16	041W13AC04800	MEIROW,JAMES & 0 JENNYMARIE LN		85000	0	85000	R-1	100	
26	0.17		0.17	041W13AC05000	SNODDERLY,DOUGLAS 0 JENNYMARIE LN		85000	0	85000	R-1	100	
27	0.15		0.15	041W13BA02500	G CAM LTD 14813 BOBS AV NE		100000	0	100000	R-1 (HR)	100	
28	0.06		0.06	041W13BD00800	SHEETS,PATRICIA ANNI0		28050	0	28050	R-1	101	
29	0.11		0.11	041W13BD02400	KESSLER,JUDITH R 0		42500	0	42500	R-1	101	
30	0.07		0.07	041W13BD04000	LAITINEN,ERNEST W & 0		34850	0	34850	R-1	101	
31	0.17		0.17	041W13BD06300	PAMELA J ERICKSON LT0 HIGHWAY 99E NE		33070	0	33070	R-1	100	
32	0.17		0.17	041W13BD06400	PAMELA J ERICKSON LT0 HIGHWAY 99E NE		33070	0	33070	R-1	100	
33	0.17		0.17	041W13BD06500	PAMELA J ERICKSON LT0 HIGHWAY 99E NE		33070	0	33070	R-1	100	
34	0.17		0.17	041W13BD06600	PAMELA J ERICKSON LT0 HIGHWAY 99E NE		33070	0	33070	R-1	100	
35	0.17		0.17	041W13CA13000	CAPL & JOY VAN LIEU L:20963 YOSEMITE ST		95000	0	95000	R-1	100	
36	0.18		0.18	041W13CA13100	CAPL & JOY VAN LIEU L:20964 YAKIMA ST		95000	0	95000	R-1	100	
37	0.18		0.18	041W13CA13200	CAPL & JOY VAN LIEU L:20944 YAKIMA ST		95000	0	95000	R-1	100	
38	0.17		0.17	041W13CA13700	G CAM LTD 0 YAKIMA ST		95000	0	95000	R-1	100	
39	0.18		0.18	041W13CA13800	G CAM LTD 0 YAKIMA ST		95000	0	95000	R-1	100	



	A	B	C	D	E	F	G	H	I	J	K	L
81		(0.45 FH)	-0.56									
82			24.44									
83				HRO								
84				R1 VACANT INSIDE								
85	<b>REDEVELOPABLE R1 LAND INSIDE CITY LIMITS</b>											
86	redevelopable: >= 0.50 acre with value greater than \$10,000 (subtract 0.25 and remainder is buildable)											
87	<b>ACRES ACRES MINUS slope, wetland, fl TOTAL BUILDABLE TAX LOT</b>											
88	0.82	0.57		0.57	041W12C 00501	HARRISON,RICH O	R00S		115070	4930	120000	R-1 (H)
89	0.83	0.58		0.58	041W12C 01500	GRAUPP,WILLIA	14629 EHL R55		137250	428590	565840	R-1 (H)
90	0.59	0.34		0.34	041W12C 01501	CRAWFORD,B B	14625 EHL R41		119190	291560	410750	R-1 (H)
91	1.11	0.86		0.86	041W12C 01502	OLIVER,BRIAN A	14633 EHL R45		170400	266370	436770	R-1 (H)
92	1.02	0.77		0.77	041W12C 01600	DONNELLY,DAVI	14627 EHL F43		163300	196250	359550	R-1 (H)
93	3.05	2.80		2.80	041W12C 02100	SHARABARIN,V	14643 EHL R41		447500	138000	585500	R-1 (H)
94	3.79	3.54	2.0 FH	1.54	041W12CA00100	MCVEY,VIRGLE	14815 SMI A33		175510	69470	245980	R-1 (H)
95	0.63	0.38		0.38	041W12CA01901	HILL,DANNY D	& 21872 AIRI R41		122780	161380	284160	R-1 (H)
96	5.66	5.41	4.0 FH	1.41	041W12CA02000	PATZER,GREG F	21852 AIRI R45		257700	223210	480910	R-1 (H)
97	1.21	0.96	minus .80 wetland	0.16	041W12CB00900	BRAUN,STEPHE	21883 AIRI A74		174210	345510	519880	R-1 (H)
98	1.39	1.14		1.14	041W12CB00901	BRAUN,STEPHE	0 A70S		1430	7980	10480	R-1 (H)
99	4.34	4.09	4.09 kas greenway	0.00	041W12CB01600	KASEL GREENW	0 A90S		970	1390	3120	R-1 (H)
100	3.01	2.76	minus 0.50 slope	2.26	041W12CB01700	GRESSINGER,C	22015 AIRI R42		436400	210200	646600	R-1 (H)
101	0.75	0.50		0.50	041W12CD07200	TAYLOR,VIRGIL	21514 LIBE R47		132220	99270	231490	R-1 (H)
102	0.75	0.50		0.50	041W12CD07300	TAYLOR,VIRGIL	21544 LIBE R47		132220	143750	275970	R-1 (H)
103	0.63	0.38	.38 for FH	0.00	041W12D 00801	NELSON,EDNA E	15109 2ND R45		122780	302070	424850	R-1
104	0.88	0.63	.63 for FH	0.00	041W12D 00802	FELDMAN,LERO	15068 2ND R45		145730	265490	411220	R-1
105	0.51	0.26		0.26	041W13AB00600	BEISER,VICKIE	21384 LIBE R43		111320	167040	278360	R-1
106	0.70	0.45	minus 0.10 slope	0.35	041W13AB00700	BEISER,MATTHE	21374 LIBE R43		128520	217520	346040	R-1
107	0.76	0.51	minus 0.10 slope	0.41	041W13AB00800	ENGLE,ROBERT	21384 LIBE R37		132220	175810	308030	R-1
108	0.56	0.31		0.31	041W13AB01100	BEYER,BARBAR	21324 LIBE R43		116230	224490	340720	R-1
109	0.62	0.37		0.37	041W13AC00402	SNODDERLY,TIM	15081 PAF R33		121920	235710	357630	R-1
110	0.75	0.50		0.50	041W13AC00403	ENSIGN,AARON	15051 PAF R31		131290	80990	212280	R-1
111	0.53	0.28		0.28	041W13AC01701	ENSIGN INVESTI	15050 PAF R00S		95390	9650	105040	R-1
112	0.52	0.27		0.27	041W13AC02100	ALMA C SAXTON	21064 LIBE R33		114660	130890	245550	R-1
113	1.04	0.79		0.79	041W13AC02500	LEVINE,JOSH A	15043 OTT R41		164300	144620	308920	R-1
114	0.57	0.32		0.32	041W13BA05100	VLCEK,RICHARD	21340 MAIL R44		117240	133140	250380	R-1
115	0.58	0.33		0.33	041W13BA05200	KRAUS,GEORGE	21350 MAIL R42		120120	145510	265630	R-1
116	0.65	0.40		0.40	041W13BA05300	BILYEU,BRADLE	21360 MAIL R34		124410	98500	222910	R-1
117	0.73	0.48		0.48	041W13BA06000	TRIVITT,ALLEN	& 21363 LIBE R41		129920	192140	322060	R-1
118	0.55	0.30		0.30	041W13BD04800	KIRWAN,CHANTI	14853 OTT R43		115360	231800	347160	R-1
119	0.63	0.38		0.38	041W13BD05900	FIKE,JUDITH G	21010 MAIL R41		122780	119160	241940	R-1
120	0.63	0.38		0.38	041W13BD06001	CARL & JOY VAN	14953 OTT R41		123110	135070	258180	R-1
121		32.54		19.94			<b>ACRES REDEVELOPABLE R1 INSIDE</b>					