

# AGENDA

City of Aurora  
**PLANNING COMMISSION MEETING**  
Tuesday, October 02, 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, Sallee**

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 –September 04, 2012
- II. HRB Minutes
- III. City Council – August 14 , 2012

### **Correspondence**

- I. **OR 99E Woodburn to Aurora Corridor Segment Plan, Project Management Meeting #3.**
- II. **Email from ODOT, New Enhance Application Solicitation**

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. **Public Hearing**

### **A. Discussion and or Action on Extended/Continuation of CPMA-12-01 Anthony Fidanzo**

Planning Commission Agenda

October 02, 2012

This is a public meeting and all interested citizens are invited to attend. The meeting place is not handicapped accessible; those needing assistance should contact the city Office three (3) working days before regularly scheduled meetings. The minutes of this and all public meetings are available at City Hall during regular business hours. All meetings are audio taped and may be video taped

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**6. New Business**

- A. Discussion and or Action on request for extension Gateway Aurora Project and Subdivision by Bixler.**
- B. Discussion and or Action on Email from Sandra Larsen Department of Aviation.**

**7. Old Business**

- A. Discussion and or Action on Historic Review Board Guidelines**
- **Review of Title 17 revisions**

**8. Commission Action/Discussion**

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

**9. Adjourn**

# **CONSENT AGENDA**

Meeting Minutes

Correspondence

Financials

Other Items

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

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

**STAFF ABSENT:**

**VISITORS PRESENT:** Bill Graupp, Aurora  
Karen Townsend, Aurora  
Gayle Abernathy, Aurora  
Kris Sallee, Aurora  
Susie & Tim Corcoran, 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 Absent  
Commissioner, Fawcett Present  
Commissioner, Braun Present

**3. Consent Agenda**

**Minutes**

- I. Aurora Planning Commission Meeting –August 07, 2012
- II. HRB Minutes
- III. City Council – July 10 , 2012

Motion to approve the consent agenda was made by Commissioner Braun and seconded by Commissioner Fawcett.

**Correspondence**

**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.

No one spoke at this time.

## 5. New Business

**A. Discussion and or Action on 2012-01 (SDR12-01) Site Development Review,** Chairman Schaefer states ex-parte contact in that he was interested in the purchase of the property and he knows the applicants for many years. City Planner, summarizes her staff report as follows,

### CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, staff recommends the planning commission **approve** the application for Site Design Review 12-01 with the following conditions:

1. The applicant shall comply with all City of Aurora and State of Oregon development, building and fire codes.
2. Applicant shall submit evidence of review and approval by the City of Aurora and HRB for all proposed signage, in compliance with AMC 16.22.040.G. Future proposed signage shall comply with the requirements of AMC 16.44. Approval of a sign permit application must be obtained from the planning director and building official prior to installation of any signage on the subject properties. Applicant shall submit evidence of monument signage approval, if applicable, prior to installation of monument signage shown on site plan.
3. Prior to building permit/certificate of occupancy approval, the applicant shall submit a revised landscape plan for review and approval by planning staff as required by AMC 16.38.
4. If construction on the site is a departure from the approved plan, the Site Design Review approval shall be voided immediately.

## VII. PLANNING COMMISSION ACTION

A. Approve Site Design Review 12-01:

1. As recommended by staff, or
2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or

B. Deny Site Design Review 12-01 (stating how the application does not meet the required standards),  
or

C. Continue the hearing to a time certain or indefinitely (considering the 120-day limit on applications).

**Gail Abernathy**, states she has the property next to it and I always wanted to have the city make some additional handicap parking and now with this application it will create more traffic for parking issues. I believe creation of more off street parking would assist this situation. .

**Wakeley, Criteria L** the approval pg 5 of staff report, in order to meet the parking requirements the applicant states there will be seven spaces available and one ADA so the applicant is meeting the parking requirements of the code which requires 5. No bicycle spaces are required and no loading space is required.

This additional ADA along 99E would need to be addressed by ODOT. It is not really part of this approval process.

**Wakeley**, no more comments unless there are questions, sample motions on pg 7 and I am ok with striking condition of approval 3 since we determined that the area is not next to a residence.

**Schafer** asked applicant about the use of gravel for compacting and asked that  $\frac{3}{4}$  in minus as an addition to approval and the applicant is fine with this.

Sample motion, number 2 Chairman Schaefer to move to approve 12-01 as determined with the parking lot surface to be  $\frac{3}{4}$  inch minus compacted and is seconded by Commissioner Willman. Motion Passes.

- B. Discussion and or Action on Letter of Interest to Join Planning Commission from Kris Sallee of Aurora**, Kris introduces herself and states that she has a heart for the history of Aurora, and it was refreshing to see the growth in the park and the business district, and I want to be a part of this growing little town and I do have Aurora experience however I may not have PC experience.

Chairman Schaefer asks Miss Sallee if she has any question, no not really I want to learn and be a part of our little town, Chairman Schaefer suggest reading ODOT when a highway runs through it.

Commissioner Braun asked if you are acquainted with Mo Han Meir. Yes I am.

Commissioner Willman states her background would be great with real-estate experience.

No more questions or comments.

Motion to recommend Kris Sallee to the City Council for the Planning Commission position is made by Commissioner Braun and seconded by Commissioner Gibson, Motion Passes.

## 6. Old Business

**A. Discussion and or Update on Historic Review Board Design Guideline,**

Chairman Schaefer states my purpose was to move all of the regulatory sections into the code, in a new Chapter 17.40.

In this draft it breaks it into two classifications for a contributing structure or a non contributing structure and 1920 is the dividing line.

17.29 changed, moving structures this is new or and addition from the guidelines and is stricter. The condemner has to pay all fees.

The main thing I wanted to talk about is the new chapter 17.40

**Karen Townsend from HRB**, states that porches letter C you have eliminated craft man style, and brick is currently used in residential or commercial area. Karen suggests allowing masonry

however you could be more specific. Would a wooden porch be allowed, Karen states that a lot of them are masonry; Schaefer states they should be wood.

**Townsend** recommends that maybe we could wait and members could look at structures around town. Corner of Bobs Ave and Sayre drive and it has brick. To get a better perspective on the structures around town.

Other areas of discussion are;

- Doors
- Chimneys
- And pitch of the roof

No decisions were made this will be an ongoing discussion and revisions as we go.

## **7. Commission Action/Discussion**

### **A. City Planning Activity (in Your Packets)**

Status of Development Projects within the City.

- Looking at zone changes and other item that have not been recorded
- 21460 Main Street perspective buyer has contacted me in regards to a antenna for his radio.

## **8. Adjourn 9:30 P.M.**

**A motion to adjourn the September 04, 2012 meeting is made by Commissioner Braun and seconded by Commissioner Fawcett. Motion Passes Unanimously.**

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Chairman, Schaefer

**ATTEST:**

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Kelly Richardson, City Recorder

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

STAFF PRESENT: Kelly Richardson, City Recorder  
Lyle McCuiston, Chief of Police  
Bob Southard, Water Superintendent  
Otis Phillips, Waste Water Superintendent

STAFF ABSENT: Jan Vlcek, Finance Officer

VISITORS PRESENT: Bill Simon, Aurora  
John Taylor, Hopewell, OR  
Loretta Scott, Aurora  
Christine O'Brien, Aurora  
Jon Metzger, Aurora  
Chris Halstead, Aurora  
Annie Kirk, Aurora  
Gayle Abernathy, Aurora  
Jim Roberts, Aurora  
Rodger Eddy, 21520 Main, Aurora  
Micah Westgate, Rooster Rock  
Kris Sallee, Aurora  
Scott Brotherton, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Greg Taylor at 7:00 p.m.

2. Administrative assistant does Roll Call

Mayor Taylor – present  
Councilor Graupp - present  
Councilor Roberts -present  
Councilor Sahlin – present  
Councilor Vlcek - present

3. Consent Agenda

- I. City Council Meeting Minutes – July 10, 2012
- II. Planning Commission Meeting Minutes – July 03, 2012
- III. Historic Review Minutes - None

## Correspondence

- I. **League of Oregon Cities Bulletin.**
- II. **Airport Planning Rule-Local Plan and Code Updates**
- III. **League of Oregon Cities Foundation**
- IV. **Distribution of the 911 Tax**

A motion to approve the consent agenda as presented is made by Councilor Vlcek, seconded by Councilor Sahlin and motion passes.

Councilor Graupp did ask if there have been any updates in regards to the Airport runway extension. No updates were discussed at this time.

### 4. **Visitors**

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

**Annie Kirk, 21370 Main,** Wanted to thank everyone for their participation in the parade and the Aurora Colony Days celebration, everything went very smoothly again thank you.

**Christine Obrien, Albers Way,** stated recently she was sent a water application requesting updated information; I brought it into City Hall along with a letter. Then someone met me at my vehicle and was explaining the reason for the request, I felt intimidated at that point and Mayor Taylor let her know we would look into the situation.

No one else spoke at this time.

5. **Discussion with the Parks Committee,** Chairman Sahlin and Public Works, Southard briefly discuss and agree on park signs. Annie Kirk asks about recycling containers for the park. Mayor Taylor and Public Works Superintendent, Southard got together and made a design it was not presented first to Parks Committee so the project stopped now if you look into what you want and approve a design we can look into approving the funding.

Mayor Taylor and the Council would like to thank everyone and this was the best Colony days in year's thank you to all the volunteers....

6. **Discussion with Traffic Safety Commission**, City Recorder Richardson informs the Council that Commissioner Graham with Planning Commission would really like to see the Safety Commission back in action.

No one from Traffic Safety was present.

7. **Reports**

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

- **The average speed for the month was 21 miles over.**
- Chief McCuiston has turned in his letter of resignation effective September 28, 2012. The letter states that he is pleased with his position however with the economic down turn I just thought it was time to move on. I am moving at the end of the month.
- Mayor Taylor and the Council along with staff will be sad to see him go as stated by Mayor Taylor.

**It is the consensus of the Council to accept his letter of resignation.**

No more questions of the Chief

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

1. Revenue & Expense Report

- Finance Officer Vlcek is on vacation; Mayor Taylor states that by looking at her written report we just where we should be at this time.

There were no more questions from the council.

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

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

Superintendent Southard does a brief overview of his report as provided.

- Technical difficulties with the SCATA system which are being addressed however it is calling me out day and night at this point.
- 5 went down for a while the cause was determined to be that a frog got into a pipe and burned out the electrical, PGE will be picking up the tab for this repair.
- Estimate for the fertilizer on the park looks good as long as it is in the budget go ahead and move forward. It was asked by local resident if there was a need to notify people to stay out of the park during the application process it was stated we will leave that up to the contractor during the work.
- The Appex bid for the Ehlen Rd project is being reviewed and as long as it looks good and is in the budget the Council is fine with the Mayor signing the agreement.

- I have noticed that all the trees are tagged, and states he has not seen any email or PDF file that was sent out.

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

- July has been very busy
- We should be switching over to the blower system on Thursday and we should see a significant energy savings.
- Everything is looking good
- Are irrigating about 10 hours a day.
- There are a lot of popular trees if anyone needs any firewood, it is decided that we will gather information and set up a time when they can be accompanied while cutting is being done.

Loretta Scott and Annie Kirk of Aurora are very interested in this irrigation process and the situation with the popular trees and thought it a good idea to have information placed in the City Newsletter.

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

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

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

- Tort Claim has been filed from Rodger Eddy 21520 Main Street Aurora, OR 97002.

Mr. Eddy is here to address a portion of this situation, his main concern is not the tort claim which he states he filed just for protection of my property located at 21520 Main Street. My main concern is from the report that was issued from Chief McCuiston and or the City requesting that the property and the remains of the building be torn down and or removed, he states I do not feel this is a safety issue we did address some of the rotting timber issues to attempt to make it safe. Some items have been stolen from the property and this goes back to when we had put up a fence for security issues and then the city said take fence down because it did not match up with HRB guidelines, the floor has sheeting over the floor to cover the basement so I do not feel this is a safety issue.

Mr. Eddy states want to work with the city and not be confrontational and we believe this building is sound and should be preserved we want to put up a fence to make it secure and follow HRB guidelines. We are asking for a metal cyclone fence even though it is not approved I do not believe a wooden fence will keep it secure. If I need too I will put up a 6ft wooden fence. I would

prefer this solution until the property can be developed. I (Mr. Eddy) want to cooperate. I have my applications all ready for HRB's review.

Mayor Taylor states let this go to the HRB and see what they have to say. What again was the original date that we asked him to comply, I believe it was September. Councilor Sahlin requests that City Attorney Koho look into this situation and made a decision on our original letter of compliance with the Ordinance. It is then decided to have City Attorney Koho look into the matter.

**9. Ordinances and Resolutions**

**A. NONE**

**10. Old Business**

**A. Discussion on Economic Development Committee, Graupp gives a brief overview on the guest speakers that attended the Planning Commission. They spoke on the structure and how to start the plan.. is this focused on city limits yes with the understanding of what the entire area offers.**

**B. Discussion and or Action on Tri City Police Proposal**

- Discussion into Marion County Services, Mayor Taylor notes that we have a venue to restructure the police Dept due to budgetary issues and with the recent resignation of Chief McCuistion we need to look at all of our options. I want to set a town hall meeting in Sept so we can make a presentation to the public, we want to get information out to the public before the September Council meeting we are looking at Wednesday Sept 5<sup>th</sup> @7pm at the American Legion Hall.

Why the push from Christine Obrien, Aurora Mayor Taylor informs her because we want to open the discussion with Aurora citizens before Sept and Oct meeting. Obrien states Strutz was Mayor and when Marion County came in they gave a very nice presentation. It was 24 seven coverage.

Chris Halstead, Aurora asked if anyone has spoken to Newberg and Dundee and it was stated that yes we have and they were very happy.

Councilor Vlcek will contact Jefferson for their comments.

Annie Kirk, Aurora who will be facilitating town hall, Mayor Taylor states the Council will however there will be no decisions made it is just a presentation.

**11. New Business**

**A. Discussion and or Action on Reinstatement of HRB Duties and Recommendation of 3 New Members to the Board.**

- Bill Simon 21441 Main Street
- Mella Dee Fraser 20940 Yosemite St.
- Merrra Frochen 21460 Main St.

A motion to reinstate the Historic Review Board was made by Councilor Roberts and seconded by Councilor Sahlin. Motion Passes.

Motion to approve the three applicants as recommended by Chairman Townsend is made Councilor Roberts and seconded by Councilor Sahlin. Motion approved.

**B. Acknowledgement of Updated Aurora Vision Action Plan**

A motion to approve or acknowledge the updated Aurora Vision Action Plan is made by Councilor Sahlin and seconded by Councilor Roberts. Motion Passes.

**C. Discussion and or Action on Employee Policy for seasonal overtime.**

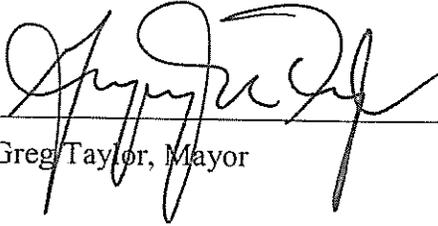
Mayor Taylor states this is a house keeping issue. In the approval of the employee handbook we took away comp time and said we would pay overtime and since our exempt employees are manager's and our workforce we have a situation with public works and Bob Southard where he put in 74 hours in one week and I think he deserves compensation for those seasonal hours since he is an exempt employee.

A motion is made to have a GAP (guaranteed availability pay) policy for time in a half and Mayor Taylor will review and City Attorney Koho will review when template is made available is made by Councilor Graupp and seconded by Councilor Vlcek. Motion approved.

Scott Brotherton, Aurora has a question, will you need to go back and change employee handbook for this situation. No this will be in addition to and require prior approval and signature of the employee in each situation.

12. **Adjourn**

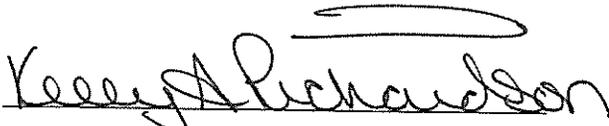
A motion to adjourn the August 14, 2012, meeting at 8:38 p.m. was made by Councilor Vlcek and seconded by Councilor Sahlin. Motion Passed Unanimously.



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Greg Taylor, Mayor

ATTEST:



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Kelly Richardson, City Recorder

# OR 99E WOODBURN TO AURORA CORRIDOR SEGMENT PLAN

## PROJECT MANAGEMENT TEAM MEETING #3

Thursday, August 30th, 2012, 1:00 PM – 3:00 PM

### MEETING SUMMARY

#### ATTENDEES

- Dan Fricke, ODOT Region 2
- Ann Batten, ODOT Corvallis District/Area Office
- Karen Odenthal, Marion County
- Ellen Wyoming, Cogan Owens Cogan
- Brandon Reich, Marion County
- Eliseo Lemus, ODOT Region 2
- Jaime Estrada, City of Hubbard
- Bob Schulte, DKS Associates
- Michael Tomasini, DKS Associates

#### REVIEW OF DRAFT IMPROVEMENT OPTIONS

The cut sheets describing the draft improvement options for the “Top 10” locations in the study area were discussed.

#### *OR 99E/2<sup>nd</sup> St., OR 99E/Main St. (north leg) - Aurora*

There are several businesses along the north leg of the OR 99E/Main St. intersection that would be affected by this improvement due to the loss of frontage parking. As shown in the improvement layout drawing, however, this parking could be replaced by providing parking along 2<sup>nd</sup> St.

There was discussion about whether the small parcel of land that would be created on existing north leg could be used for parking instead of open space. It was decided that this parcel would be too small for parking maneuvers, however. A written comment from the City of Aurora indicated that the City could also transfer ownership of this property to the adjacent property owners.

A question was raised about whether 2<sup>nd</sup> St. would become a one-way street because of the angle parking shown on the layout drawing. The response was that 2<sup>nd</sup> St. would remain a two-way street.

There was discussion about whether crosswalks should be provided across OR 99E. For consistency with the existing crosswalk locations, it was decided that there should be one crosswalk on the north side of the new intersection and another at the existing Main St. intersection.

A written comment from the City of Aurora stated that the traffic diversion estimate for this improvement seems relatively small and that the basis of the estimate should be described.

*OR 99E/Main St. (south leg)*

The parking in front of the Grange Hall on the south leg of the intersection would be lost with the vacation of Main St.

The closure of Martin St. at OR 99E under Option #2 would create a long access distance to the properties east of Martin St. To avoid this, Martin St. could be left open, but with right-in/right-out access/egress only. Alternatively, full access/egress could be retained, since the turning volumes to/from Martin St. are very low.

A PMT member expressed support for Improvement Option #1 (closure of the south leg of Main St. with no realignment of 3<sup>rd</sup> St. and closure of Martin St.)

For both options, it was agreed that a crosswalk should be shown across Third St. For Option 1, a crosswalk should also be shown across Martin St. (Note: To do this, the Martin St. approach would need to be paved).

A written comment from the City of Aurora stated that the traffic diversion estimate for this improvement seems relatively small and that the basis of the estimate should be described. The City also indicated that the vacated parcels created by Option #2 could be converted to landscaping or transferred to the adjacent property owners.

*OR 99E/Ottaway Ave.*

A question was raised about whether the bike lanes and sidewalks to be constructed as a part of this improvement option would connect with existing bike lanes/shoulder bikeways and sidewalks along OR 99E. The response was that there are shoulder bikeways to the north and south of Ottaway Ave. that the bike lanes would connect to. The only existing sidewalks, other than those at the intersection itself, are located on the east side of OR 99E to the north and

south of Orchard Ave. These are located too far away to be connected with the sidewalk improvements.

A request was made to show the future v/c ratio without the signal together with the v/c ratio with the signal.

A general comment was that any of the improvement recommendations adopted as a part of this study that are not in the Aurora TSP could be included in the TSP as an amendment.

OR 99E/OR 551

There was discussion about the existing northbound segment of OR 99E north of the Scholl Rd. intersection that would become a local access road. A question was raised about how this road would tie-in to Scholl Rd., because it would be very close to the new intersection in Option 1 and the roundabout in Option 2. A comment was made that although the connection would be close to the new intersection or roundabout, the volumes would be very low. One suggestion was to realign the existing roadway further to the east.

Although Option 2 cannot be recommended because of the current moratorium on roundabout construction, it was agreed that it should be retained in the plan for possible future consideration.

A comment was made about whether a single intersection would really provide enhanced pedestrian crossings compared to the existing two intersections, as stated in the cut sheet for Option 1.

For Option 2, there was a question about what the gray lines in the north quadrant of the roundabout between the slip lane and roundabout represent. The response was that these are sidewalks that connect the crosswalks on the adjacent roundabout legs and slip lane.

A question was raised about whether the required stopping sight distances between the southbound OR 99E/SB OR 551 gore area and the end of the 95<sup>th</sup> percentile queue for the new intersection /roundabout were reflected in the layout drawings for Options 1 and 2. The response was that this had been done.

Regarding the effects of the improvement options on the accesses for the trucking company in the west quadrant of the new intersection/roundabout, there was a related question about whether the existing southerly access on OR 99E is even permitted.

In response to a question about whether the cost estimates include the cost of final design, the answer was that this was not included, but that the estimates include the cost of preliminary design and construction.

Following a description of the scoring results, the members understood that the primary reasons for Option 2's higher total score were the higher scores for the potential reduction in crash rate/severity and the potential reduction in traffic conflicts.

*Union 76 Station to D St. – Hubbard*

The PMT recommended that the pedestrian crossing for the southerly driveway of the Union 76 station proposed as a part of both Options 1 and 2 should be shown on the south side of the driveway. It was also suggested that an explanation should be provided about what is meant by the term "enhanced pedestrian crossing".

A note should be added that the two-way center turn lane shown as a part of Option 2 is consistent with the Hubbard TSP, which recommends the same improvement between D St. and the Hubbard north UGB.

There was a general preference by the PMT for Option 2 rather than Option 1.

*OR 99E/A St. – Hubbard*

A crosswalk should be shown across A St. for both improvement options. It was also noted that the City of Hubbard has no objections to the closure of 1<sup>st</sup> St. at A St., as shown in both options, even though this measure is not included in the Hubbard TSP.

A request was made to provide the future v/c ratio without the signal in the cut sheet. Another request was that the term "enhanced pedestrian crossing" should be explained.

For Option 2, it was mentioned that the vacation of 1<sup>st</sup> St. could not extend all the way to B St. because access would need to be maintained via 1<sup>st</sup> St. for a parcel on the northeast corner of 1<sup>st</sup> St./B St.

A question was raised about where the additional southbound through lane would start for Option 2 to the north of A St. The response was that it would begin at about Parkway Blvd.

It cut sheet should mention that the OR 99E/A St. intersection is a Top 10 percentile location in ODOT's 2012 SPIS list.

*OR 99E/D St. – Hubbard South City Limit*

It was recommended that in the layout drawing, crosswalks should be shown across E St. and G St. This would be a feature for all cross streets between D St. and the south city limit.

In the meeting discussion, it was mentioned that the Hubbard City Council would like to have a protected signal phase implemented for the westbound left-turn movement at the OR 99E/D

St. This is in response to a pedestrian fatality that occurred at the intersection. It was suggested that the City should send a letter to ODOT requesting this action.

It was also noted that the OR 99E/G St. intersection is identified as a high-priority improvement location in the Hubbard TSP. (Following the meeting, however, an email was received from the City indicating that the OR 99E/A St. intersection is considered a high-priority location in the TSP, not OR 99E/G St.)

*OR 99E/J St.*

In addition to the crosswalk shown across the west leg of J St., a crosswalk should be shown across the east leg.

*OR 99E/Dimmick Ln.*

A comment was made that as a result of a recent land use decision, a property owner in the vicinity of the intersection will be required to pave the Dimmick Ln. approach for approximately 100'. Field survey following the meeting indicated that this improvement has not yet been made.

*OR 99E/Goudy Gardens Ln.*

There were no comments regarding the proposed improvement at this location.

*Other*

A request was made for more information on the preliminary cost estimates, i.e., a general breakdown of the costs and how they were derived.

In the plan document, the term "investigate" will be used to describe the recommendations, rather than "construct" or "implement".

Following the review of the Top 10 improvement locations, a comment was made that for the next public meeting in which the improvement options will be reviewed, an additional cut sheet should be prepared that summarizes the low-cost improvements identified by the stakeholders and public that can be implemented in the near-term. Examples of these include:

- Speed reduction south of Aurora south city limit
- Reinstallation of rumble strips
- Lighting improvements
- Bus pull-outs
- Crosswalks

Regarding the potential speed zone reduction in Aurora, it was reported that a speed zone study should be completed by ODOT before the next public meeting.

For the bus pull-outs, bus operators in the area (Canby Transit and the North Marion County School District) should be contacted prior to the meeting to determine if they are in favor of bus pull-outs and if so, where these should be located. Information on current stop locations should also be obtained. (Following the meeting, field survey determined that the only Canby Transit stops in the corridor are at the weigh stations between Hubbard and OR 99E/OR 551.) Also, the rural transit improvements identified in the Eugene OR 126W Facility Plan Study should be reviewed.

It was recommended that the stakeholder and public input should be reviewed to identify other types of low-cost improvements that have been suggested.

An explanation should be provided at the meeting about how the Top 10 locations were decided upon (especially the Aurora locations, which were not identified by the stakeholders or public) and how the improvement options were identified. Also, it should be explained that the proposed improvements in the cut sheets are not shown in the order of priority, but simply from north to south.

#### NEXT STEPS

The cut sheets will be revised based on the input received at the meeting and sent to the PMT members for review. Following this, the next open house meeting will be held to receive public input on the improvement options. The meeting will be held at Hubbard City Hall.

**To:** 'estein@ci.sisters.or.us'; 'phardie@ci.sisters.or.us'; 'pbertagna@ci.sisters.or.us'; 'sodaville@centurytel.net'; 'sodavillepw@centurytel.net'; 'cityofspray@sprayoregon.us'; 'ggrimaldi@springfield-or.gov'; 'kvogeney@springfield-or.gov'; 'jwalsh@ci.st-helens.or.us'; 'jacobg@ci.st-helens.or.us'; 'stpaulcity@stpaultel.com'; 'pingel@cityofstanfield.com'; 'smorris@cityofstanfield.com'; 'deubank@ci.stayton.or.us'; 'dkinney@ci.stayton.or.us'; 'cityrecorder@wvi.com'; 'pwdirector@wvi.com'; 'tjphelps@oregonwireless.net'; 'cityofsumpter@yahoo.com'; 'j.gillham@ci.sutherlin.or.us'; 'd.huff@ci.sutherlin.or.us'; 'cmartin@ci.sweet-home.or.us'; 'clewis@ci.sweet-home.or.us'; 'madams@ci.sweet-home.or.us'; 'tcorrigan@cityoftalent.org'; 'joe@cityoftalent.org'; 'mark@cityoftalent.org'; 'georgia@cityoftangent.org'; 'nyoung@ci.the-dalles.or.us'; 'dmccabe@ci.the-dalles.or.us'; 'ddurow@ci.the-dalles.or.us'; 'danderson@ci.the-dalles.or.us'; 'Marty@tigard-or.gov'; 'susanh@tigard-or.gov'; 'Mstone@tigard-or.gov'; 'dennis@tigard-or.gov'; 'pwyntergreen@tillamookor.gov'; 'asullivan@tillamookor.gov'; 'manager@cityoftoledo.org'; 'pwdirect@cityoftoledo.org'; 'craig.ward@troutdaleoregon.gov'; 'charlie.warren@troutdaleoregon.gov'; 'slombos@ci.tualatin.or.us'; 'arouyer@ci.tualatin.or.us'; 'dboss@ci.tualatin.or.us'; 'turner.cityadmin@wbcable.net'; 'turnerpw@wbcable.net'; 'cityofukiah@centurytel.net'; 'cityofukiah@centurytel.net'; 'bob@umatilla-city.org'; 'zach@umatilla-city.org'; 'roger@umatilla-city.org'; 'admin@cityofunion.com'; 'mbennett@bakercounty.org'; 'bbarton@fmtc.com'; 'ringham@ci.veneta.or.us'; 'bill@vernonia-or.gov'; 'nancy.leonard@waldport.org'; 'john.alfano@waldport.org'; 'wallowa@eoni.com'; 'wallowa@eoni.com'; 'cityrecorder@ci.warrenton.or.us'; 'planningdirector@ci.warrenton.or.us'; 'wascocity@embarqmail.com'; 'cityofwaterloo@centurytel.net'; 'cjordan@westlinnoregon.gov'; 'westfircity@qwestoffice.net'; 'westfircity@qwestoffice.net'; 'russ01@qwestoffice.net'; 'citymgrwheeler@nehalem.tel.net'; 'holliss@ci.willamina.or.us'; 'cosgrove@ci.wilsonville.or.us'; 'neamtzu@ci.wilsonville.or.us'; 'kerber@ci.wilsonville.or.us'; 'david.vandermark@winstoncity.org'; 'billp@ci.wood-village.or.us'; 'scott.derickson@ci.woodburn.or.us'; 'dan.brown@ci.woodburn.or.us'; 'nancy@ci.yachats.or.us'; 'John@ci.yachats.or.us'; 'recorder@cityofyamhill.com'; 'kathy@cityofyoncalla.com'; STRAUCH Laura M

**Subject:** ODOT Enhance Application solicitation: official announcement that the 2015-2018 STIP Enhance application period is now open !

## New *Enhance* application solicitation - Now Open

ODOT is pleased to announce the opening of the new *Enhance* application solicitation process for the 2015-2018 STIP. The Oregon Transportation Commission approved moving forward with this new Statewide Transportation Improvement Program (STIP) development process at its meeting last week. **All applications are due by noon on November 27, 2012.**

Completed applications received by the due date and time will be used to develop the list of recommended transportation investments for the 2015-2018 STIP.

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\*\*\*\*\*

This website is your central source for information on the process  
[http://www.oregon.gov/ODOT/TD/TP/pages/stip\\_guide.aspx](http://www.oregon.gov/ODOT/TD/TP/pages/stip_guide.aspx)

The above website contains:

- A document that explains the process: "Introduction to Enhance and Fix-It", also available via <http://www.oregon.gov/ODOT/TD/TP/STIP/Introduction%20To%20Enhance%20and%20Fix-It%20-%20September%2024%202012.pdf>
- The overall timeline for the process: "Timeline Narrative for STIP Enhance Process", also available via <http://www.oregon.gov/ODOT/TD/TP/STIP/Timeline.pdf>

- Instructions to complete the application form and process: "Application Information and Instructions", also available via <http://www.oregon.gov/ODOT/TD/TP/STIP/InstructionsforEnhance092112.pdf>
- The **Enhance** application form: "Application Form", also available via <http://www.oregon.gov/ODOT/TD/TP/STIP/Application.pdf>

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Applicants must be Oregon public agencies. This includes; cities, counties, tribes, metropolitan planning organizations, school districts, transit districts, port districts, other special districts, colleges and universities, public airports, and state agencies, etc.

**IMPORTANT NOTE: All completed applications must be received by the respective ODOT region prior to noon on Tuesday November 27, 2012.**

See the application instructions and application form for more details.

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If you have questions, please contact the ODOT region representative listed below. If you're not certain which region to contact, here is a link to the region map  
[http://www.oregon.gov/ODOT/TD/TDATA/gis/docs/REGIONMAPS/reg\\_cnty.pdf](http://www.oregon.gov/ODOT/TD/TDATA/gis/docs/REGIONMAPS/reg_cnty.pdf)

Region	Representative	Phone	Email
Region 1	Jeff Flowers	503-731-8235	<a href="mailto:Jeffrey.A.Flowers@odot.state.or.us">Jeffrey.A.Flowers@odot.state.or.us</a>
Region 2	Terry Cole	503-986-2674	<a href="mailto:Terry.D.Cole@odot.state.or.us">Terry.D.Cole@odot.state.or.us</a>
Region 3	Lisa Cortes	541-957-3643	<a href="mailto:Lisa.Cortes@odot.state.or.us">Lisa.Cortes@odot.state.or.us</a>
Region 4	Katie Parlette	541-388-6037	<a href="mailto:Katie.M.Parlette@odot.state.or.us">Katie.M.Parlette@odot.state.or.us</a>
Region 5	Dawn Hubble	541-963-1325	<a href="mailto:Dawn.L.Hubble@odot.state.or.us">Dawn.L.Hubble@odot.state.or.us</a>

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For those of you that are members of advisory committees, you are being provided with this information as a courtesy . If you have any questions please send an email to the ODOT staff that support your advisory committee .

\*\*\*\*\*  
\*\*\*\*\*

Jerri Bohard, Division Administrator  
Transportation Development Division  
Oregon Department of Transportation  
[Jerri.L.Bohard@odot.state.or.us](mailto:Jerri.L.Bohard@odot.state.or.us)

# **PUBLIC HEARING**

**PLANNING COMMISSION**

**STAFF REPORT**

**HEARING DATE:** October 2, 2012

**TO:** Aurora Planning Commission

**FILE:** CPMA-12-01

**APPLICANT:** Anthony Fidanzo  
151 Main Street W  
Monmouth, OR 97361

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

**REQUEST:** The application applies to those portions of Lot 700 that are within the Urban Growth Boundary of the City of Aurora. The applicant has submitted an application requesting a Comprehensive Plan Map Amendment to remove the western 225 feet of the subject parcel from the Flood Hazard (FH) designation, established by the City of Aurora in 2002. If approved, the amendment would designate the western 225 feet of the property as Low-Density Residential under the Comprehensive Plan, or approximately 80,899 square feet. The remainder of Lot 700 within the Urban Growth Boundary would maintain as the Flood Hazard (FH) designation under the Comprehensive Plan Map. No change to the city limits or urban growth boundary is proposed at this time.

*Prior to application, factual data available to city staff at the time appeared to show that the subject application was outside of the 100-year Federal Emergency Management Agency (FEMA) floodplain designation. New information submitted to the City by the Department of Land Conservation and Development (DLCD) after submission of the application appears to show that portions of the property subject to this application are within the 100- year floodplain. At the July 3, 2012 Planning Commission hearing, the applicant requested a continuation of the public hearing to the October 2, 2012 hearing so that more data could be collected and the applicant could submit a Letter of Map Amendment (LOMA) to FEMA regarding the 100-year floodplain elevations.*

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

**BACKGROUND:**

The City has received an application for redesignation of the western 225 feet of the subject parcel from a Flood Hazard (FH) Comprehensive Plan designation to a Low Density Residential (R-1) Comprehensive Plan designation. No change to the city limits or urban growth boundary is proposed at this time. The subject parcel contains approximately 93,544 square feet, or 2.15 acres, that are within the City of Aurora Urban Growth Boundary. The subject property within the UGB has a Marion County designation of Urban Transition (UT-20). The remainder of Lot 700, approximately 190,357 square feet or 4.37 acres, are outside the Aurora Urban Growth Boundary and under a Marion County zoning designation of Exclusive Farm Use (EFU). The portions of the subject property included within this land use application are located within the City of Aurora Urban Growth Boundary (UGB). The land use action will not change the current zoning of the property but will rather change the Aurora Comprehensive Plan Map designation which would apply upon annexation of the property and application to the City of Aurora for a zone change.

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

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

**SUMMARY AND RECOMMENDATION:**

Based upon new information submitted to the applicant, the applicant has requested a continuation of his application. See Exhibit A. Based upon the applicant’s request, staff recommends the Planning Commission **CONTINUE** the application CPMA-12-01.

**PLANNING COMMISSION ACTION**

**Comprehensive Plan Map Amendment 12-01:**

- A. A motion to continue the comprehensive plan map amendment request to a date and time certain (state the date and time).
  
- B. A motion to recommend the City Council deny the request for Comprehensive Plan Map Amendment 12-01 stating the reason(s) for denial.

- C. A motion to recommend the City Council approve the request for Comprehensive Plan Map Amendment 12-01 stating the reason(s) for approval.

# **NEW BUSINESS**

City Council of the City of Aurora

21420 Main St.

Aurora, OR 97002

RE: Gateway Aurora Project and subdivision

Dear Council Members:

Last spring I collected bids for the Hy 99E street and drainage improvements and endeavored to move ahead with completing them this year and recording the subdivision map. I received a bid that I would like to act on and re-engaged the design, planning and engineering team to get the permits approved to do the work necessary to record the final map.

The process has moved at a very slow pace and we are still waiting for those approvals from the City and ODOT. Enough time has now passed that I believe the window for safely completing the offsite work before winter rains has passed. It looks like we will have to proceed with the permitting and bonding and start that construction next spring after the rains. Our current project approvals are good only until June of next year. I am requesting an extension of 2 years for the subdivision and project approvals.

I still believe that this is a good project for us and the City but the market has been brutal and has not really recovered. Even the completion of the initial offsite work to record the map may have to be done out of pocket without bank financing. Financing for the buildings is just not there at this time.

Please consider this request at your next meeting and hopefully issue the requested extension.

Thank you.

Cliff Bixler

**21420 Main Street  
Aurora, OR 97002  
503-678-1283**

## recorder

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**From:** Wakeley, Renata [renatac@mwvcog.org]  
**Sent:** Friday, September 21, 2012 4:33 PM  
**To:** recorder  
**Subject:** FW: 21460 Main Street, Aurora

**Categories:** Yellow Category

Kelly- Please also include the email below under correspondence in the October Planning Commission packets.

Thanks,  
Renata

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**From:** LARSEN Sandra [mailto:sandra.larsen@aviation.state.or.us]  
**Sent:** Wednesday, September 05, 2012 7:46 AM  
**To:** Wakeley, Renata  
**Subject:** RE: 21460 Main Street, Aurora

Hi Renata,

I agree that the proposed antenna is within the overlay zone. However, I did a preliminary airspace analysis based on the address provided and a height of 55 feet and at that height anyway it would not present a hazard to air navigation. He should submit a 7460 form with proper coordinates and height, but right now I don't see a problem with it with regard to aviation.

I haven't heard from the gentleman as of this morning. Will let you know if I do.

Sandra Larsen  
Aviation Planning Analyst  
Oregon Department of Aviation  
503-378-2894

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**From:** Wakeley, Renata [mailto:renatac@mwvcog.org]  
**Sent:** Thursday, August 30, 2012 10:28 AM  
**To:** LARSEN Sandra  
**Subject:** FW: 21460 Main Street, Aurora

Hi Sandra,

Thanks for the call back. My initial determination is:

- a) The height limitation for structures in the R-1 zone is 35 feet but according to the Aurora Municipal Code (AMC) definitions section, "projections such as chimneys, spires,... towers excluding television dish receivers, aerials, flag poles, and other similar objects not used for human occupancy, are not subject to the building height limitations... if located outside the airport overlay zone". All properties within the City of Aurora are considered inside the airport overlay zone and therefore, anything over 35 feet would require a conditional use approval under the Airport Overlay zone procedures.
- b) The Airport Overlay Zone (section 16.24 of the AMC) requires a conditional use permit approved by the City of Aurora AND notice to the Oregon Department of Aviation when the structure is taller than 35 feet and/or the proposal involves radio, radio telephone, television, or similar transmission facilities or above ground electrical transmission lines (see 16.24.030.A.1 and 16.24.030.A.4.). The interested party would need to get FAA and ODA approval PRIOR to submission of a conditional use permit application to the City.

If you do not concur with this determination or do not believe the property is subject to the Airport Overlay zone, your feedback on this would be appreciated.

Renata Wakeley, Planner  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, Oregon 97301  
p: 503 540 1618  
f: 503 588 6094

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**From:** recorder [<mailto:recorder@ci.aurora.or.us>]  
**Sent:** Monday, August 27, 2012 4:53 PM  
**To:** Wakeley, Renata  
**Cc:** [charcie@mortierengineering.com](mailto:charcie@mortierengineering.com)  
**Subject:** 21460 Main Street

Mr. Randy Pitchford called today in regards to this property, he has been searching our code and cannot see any type of regulations in regards to a antenna for ham operator. This property is in the Historic District as well. I looked in the code as well and found no regulation. Please let me know if you are aware of any and what they may be. His phone number is 503-404-6806

Thank you,

*Kelly Richardson*  
City Recorder  
City of Aurora  
21420 Main St. NE  
Aurora, Oregon 97002  
503-678-1283

**PUBLIC RECORDS LAW DISCLOSURE**

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

**CONFIDENTIALITY NOTICE**

*This e-mail message contains confidential information belonging to the sender or receiver. The information in this message is intended for the addressee's use only. If you are not the intended recipient you are hereby notified that you are prohibited from reading, using, disclosing, copying, or distributing this information in any way; further, you are prohibited from taking any action based upon the contents of this e-mail. If you have received this e-mail by mistake, please delete it immediately. For further questions call our office at 503-678-1283 ext. 2.*

## recorder

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**From:** rspitchf@rockwellcollins.com  
**Sent:** Wednesday, September 12, 2012 4:45 PM  
**To:** Wakeley, Renata; recorder; Sandra Larsen  
**Cc:** pitch@easystreet.net  
**Subject:** Independent discovery exercise regarding property at 21460 Main St. NE, Aurora, OR 97002  
**Attachments:** MEMO.pdf

**Categories:** Red Category

Good Afternoon Kelley, Renata, and Sandra -

Selection of a property to at least semi-retire upon is a decision of a sufficiently momentous nature to warrant careful contemplation and independent discovery as part of the due diligence process.

I had previously discussed with Renata my unique background of being a principal character with a company that is both the effective inventor of modern Amateur Radio, and the effective inventor of modern Head-up Guidance Systems for aviation safety in low visibility terminal area aircraft operations. I promised Renata that I would write-up the results of my independent discovery regarding establishing an Amateur Radio station at the Main Street property, and involving opinions from some of my long-term associates within the FAA. I also promised that I would provide a reasonable level of basic write-up on the Oregon Antenna Statute (largely promulgated by the American Radio Relay League - the ARRL), as well as on typical Amateur antenna usage in actual practice.

I find that the movement of high-tech businesses into areas South of Portland, has brought an influx of Amateur Radio Operators. The campus I work on in Wilsonville includes Mentor Graphics, Flir Systems, Rockwell Collins, the Oregon Institute of Technology, and Xerox, and among these companies there are enough Ham operators to virtually take over a local restaurant for a monthly luncheon. A favorite topic of discussion is local communities with a good quality-of-life that are Amateur Radio aware, and reasonably Amateur Radio friendly. Of course, I will be expected to report on my experiences with the City of Aurora.

In keeping with my promise to Renata, I assembled the attached Memorandum to document the essential elements of my independent discovery exercise, as well as provide a brief discussion of the Amateur Radio antenna situation in Oregon. I can also provide to the City of Aurora additional information on several municipal antenna ordinances formed pursuant to Oregon Law, as well as various examples of presentation materials on recent court rulings regarding antenna ordinances in Oregon and other Western States.

Thank you in advance for considering my independent findings...

Randy Pitchford, WW7ZZ  
Chief System Performance Engineer  
Rockwell Collins - Head Up Guidance Systems  
27300 SW Parkway Avenue  
Wilsonville, Oregon USA 97070  
Office: 503.404.6806

# MEMORANDUM

September 12<sup>th</sup>, 2012

TO: City of Aurora, Oregon  
Kelley Richardson, Recorder, City of Aurora Oregon  
Renata Wakely, Planner, Mid-Willamette Council of Governments  
Sandra Larsen, Aviation Planning Analyst, Oregon Dept. of Aviation

FROM: Randy Pitchford, WW7ZZ

SUBJECT: Aviation Safety vs Antennas at 21460 Main Street NE, Aurora, Oregon

Good Morning –

Not long ago, I contacted the City of Aurora regarding a property available near the City Hall at the above referenced address, as a matter of due diligence to determine what impediments might exist, if any, regarding the installation and use of Amateur Radio equipment and antenna(s) at the subject property. Subsequently, after having received some initial email thread regarding aviation safety at Aurora State Airport, I told Renata Wakely that I would perform additional discovery based on my many years of experience in the field of aviation safety.

My primary business activity for many, many years has been aviation safety. As such, I have revisited the subject with some of my colleagues at the FAA, as well as some other aviation experts here at my workplace (Rockwell Collins, Wilsonville), and the collective opinion at this point is that the exact location of this property does not present an aviation safety issue for any form of Amateur Radio Antenna within the existing height limitations contained in the Oregon Revised Statutes. This opinion is based in part on the extent of the 5000 foot area associated with the end point of Runway 35, and in part on Federal Regulation 49 CFR Part 77, paragraph 77.15 Construction of alteration not requiring notice (underline added).

Before providing the detailed explanation of my discovery process regarding this property, please note that I have attached Appendices to this correspondence. Appendix A is intended to demonstrate who I am to a sufficient degree to validate what I have to relate herein. Appendix A contains my latest invitation to participate in Aviation Rulemaking at the International Harmonization level and at the highest levels of the FAA, received July 12<sup>th</sup>, 2012, from the Associate Administrator for Aviation Safety at FAA Headquarters in Washington, DC. Appendix A also contains an Amateur Extra

Class Radio License certificate verified to match my FCC records. Appendix B contains the fundamental reference data for the specific location of this subject home and real property. Also included in Appendix B is a Bing-derived "pilot's eye" view to the North that was used by myself and one of my FAA colleagues to determine that existing features of a permanent nature, to include the Water Tower near the City Hall, as well as a preponderance of over 60 foot trees in the immediate vicinity, including an apparent 70 foot tree on the subject property lot, dictate the application of a specific section of FAR Part 77, namely paragraph 77.15. Please familiarize yourselves with the contents of these two Appendices.

As a first order item, it is appropriate to present Oregon Law regarding Amateur Radio Antennas, and then to explain that most ham operators use simple wire antennas or other non-structural antenna types. The following is the Oregon statute without any of the standard disclaimers associated with ORS publications, this quote is exactly as provided by the American Radio Relay League (ARRL), whose attorneys helped progress this rule through the Oregon Legislature.

**221.295 Ordinances regulating placement or height of radio antennas.** Notwithstanding ORS chapters 215 and 227, a city or county ordinance based on health, safety or aesthetic considerations that regulates the placement, screening or height of the antennas or antenna support structures of amateur radio operators must reasonably accommodate amateur radio communications and must represent the minimum practicable regulation necessary to accomplish the purpose of the city or county. However, a city or county may not restrict antennas or antenna support structures of amateur radio operators to heights of 70 feet or lower unless the restriction is necessary to achieve a clearly defined health, safety or aesthetic objective of the city or county. [1999 c.507 §1]

The law is said to apply to both structural and non-structural antennas. When I initially posed my due diligence question, I took the hypothetical position of a structural antenna; that is, a crank-up or fold-down physically substantial tower requiring structural engineering, a building permit, and a rather substantial poured concrete base support in most cases (not to mention a lot of money and reasonably patient building inspectors to deal with the complexity of the type of concrete pour involved). I selected a hypothetical height based on application of a 55 foot tower, although I now believe that due to the surrounding tall trees and the very nearby Water Tower, there should be no restriction to any property owner in this area of town, one would expect to the level of the State's 70 foot rule. I, personally, find that extremely tall towers with beam antennas are not necessary for effective radio communication, and may appear unsightly to others in a community setting; however, the State of Oregon has permitted heights up to 70 feet.

Factually, most HF ham operators seem to use non-structural antennas that do not require a building permit as long as they otherwise comply with the Oregon statute, and

I follow that method at present. Today, from a townhouse in Tualatin, I use one wire antenna of the delta-loop form and one 32 foot ultra-light aluminum vertical antenna. I also use a magnetic loop receive antenna that is a metallic ring of about three feet in diameter with a rotator, and fully functional at heights in the 16 to 20 foot vicinity. I communicate on the HF bands with other stations worldwide on a regular basis with this relatively modest antenna arrangement that also meets ANSI and ARRL criteria.

There are several HF non-structural aluminum and/or fiberglass vertical antennas for home-based Amateur radio stations on the market that are fully self-supporting, very light weight with extremely low wind loading, and for essentially all models available are less than 34 feet in height. There are some 43 foot and 51 foot HF verticals that require an antenna tuner, but those have higher signal losses than resonant aluminum verticals.

Wire antennas for HF Amateur Radio operations are very common in Oregon, and are usually strung between trees, or from a tree to a fence, or in an inverted-vee fashion from fence to tree and back to fence on the other side. Wire antennas are very stealthy and hard to see, often being made of wire with black insulation, or un-insulated wire that will form a natural patina that blends in with surroundings. Of the 3 dozen or so Amateurs with Aurora addresses, I know of only one structural antenna tower (in Butteville), several HF verticals, and several HF wire installations at relatively high altitude levels due to the preponderance of tall trees. There are also a number of HF structural towers in Donald, Oregon, quite a few in Beaverton (which has a model antenna ordinance), and a surprising number along the Portland West Hills (where the significant aviation safety issue is the gigantic commercial broadcast towers).

The bottom line here is that Amateur Radio antennas are clearly allowed throughout Oregon, and one can see many, many examples on a simple Sunday afternoon drive if one knows what to look for. For VHF and UHF operations, the antennas are much smaller, because the radio frequencies of operation are much higher. Wire antennas for HF using tall trees for support at the sixty foot level are quite common. In my current case, my wife is ham also and uses VHF/UHF from a very small antenna cluster that is on a mast supported on a second floor balcony not exceeding 20 feet in overall height.

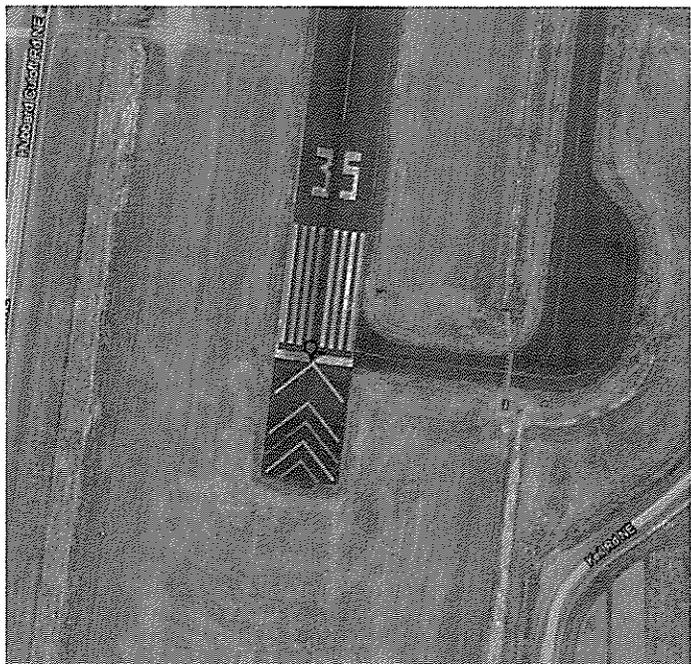
I can provide further reference material the City of Aurora might find useful regarding antenna types in common use throughout the State of Oregon, those types which absolutely need to be regulated via the building permit process, and those type which can generally be safely installed by a Radio Amateur of high license level themselves without further municipal involvement. I have been a speaker on the subject of antennas at various Amateur Radio Clubs in this area for several years, and my company, Rockwell Collins, is derived from the Collins Radio Company that was

founded by Arthur Collins, who effectively also developed Single Sideband HF Amateur Radio. (Note that our company stock is publically traded under the Collins COL trading symbol, and not under the Rockwell ROK trading symbol.)

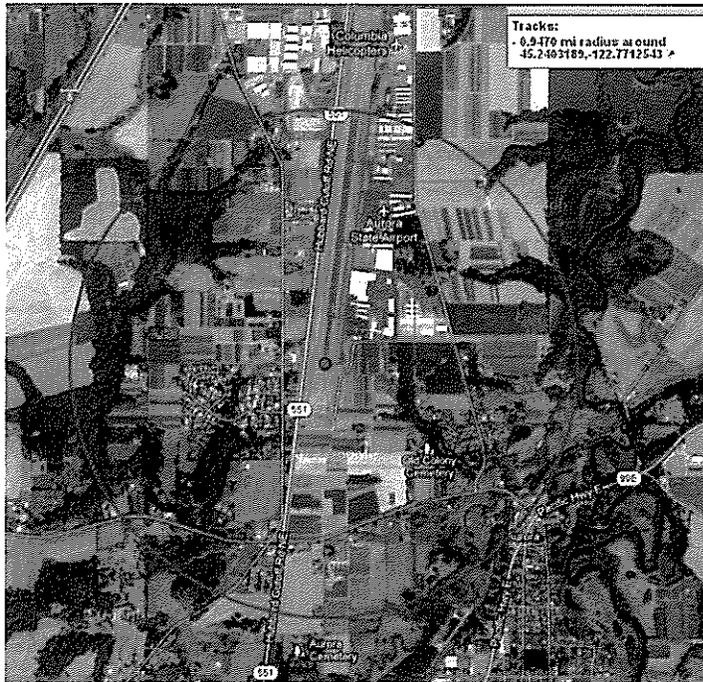
At this point it is appropriate to move on to the discovery process regarding the exact property of my personal interest, and its attributes in terms of geo-location relative to the runway end in question at Aurora State Airport, Runway 35. I just went through this discovery process again, with specific advice from an FAA colleague and two of our pilots, with the somewhat surprising result (previously stated to me by an FAA official) that the central area of the City of Aurora, to include much of the Old Town antique business area, should not be subject to a 35 foot height limitation to support aviation safety at Aurora State Airport.

Initially, when I first spoke to Renata Wakely, I had information from an FAA individual who had access to a GIS System that had a caliper function. This individual simply observed that UAO (KUAO, the airport code for Aurora State Airport) had a runway length of about 5000 feet (precisely 5004 feet), so he set his calipers to the field length on the screen image and then rotated that distance to the Aurora central community side of the Runway 35 endpoint. The individual reported to me that the community area of Aurora should not be included in a 5000 foot height-limit zone for the airport because the area was beyond 5000 feet from the runway end. Based on numerous inputs from both pilots who use the airfield, and FAA colleagues, I have recreated this experiment using publically-available geo-location tools, and based on the very precise FAA (6-digit) GPS location point for the runway end. I did this discovery in such a way that the experiment could be repeated by any science-capable citizen of the City of Aurora.

The published GPS runway end-point parameters for KUAO may be found in the FAA webpages and literature, or in several popular and publically-available aviation sites on the internet, such as AirNav.com: <http://www.airnav.com/airport/KUAO>. Runway 35 (the runway nearest the central community of Aurora) has precision measured coordinates at: 45 -14.419135 N 122 -46.275257 W (may need to be input as minus 122 with some algorithms)



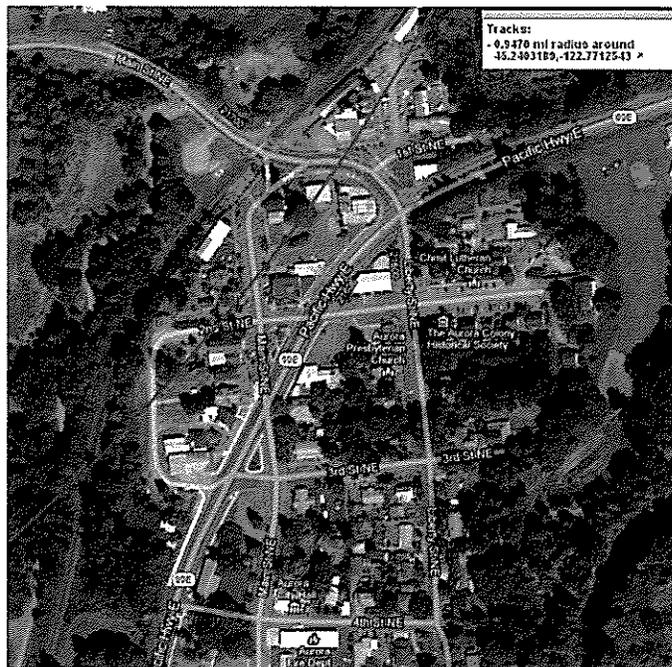
Based on recommendations from both one of our pilot's who uses the Aurora airfield and an FAA associate, I used a publically-available and highly-respected tool to convert the FAA coordinates for Runway 35 into suitable coordinates for use with publically available internet mapping programs (Google, Bing, as required). The associated image is the result. The published GPS coordinates plot to within about a foot or two of the centerline, sufficient for the accuracy required for this project.



Next, it was suggested that I create a range ring at the 500 foot point from this runway end-point to see what parts of Aurora would be included, if any. The accompanying image is the result of that activity. Again, the publically-available GPS Visualizer (<http://www.gpsvisualizer.com/>) tool was used as the vehicle, along with Google and Bing for the map plots. The resultant range ring is shown in the accompanying image. This image is probably less significant than the next image which is the highly detailed zoom from this result to show the exact positioning of the 5000 ring in the area of central

Aurora.

This next image is the highly detailed zoom from the previous 5000 foot range ring to show only the segment of the 5000 foot ring in the vicinity of central Aurora. Note that the line falls to the west of Hwy 99E, and to the west of a large proportion of the central business district. This comports well with various statements made by others in regard to any possible effect on aircraft safety based on objects on this side of the Main Street Bridge in Aurora. Based on these findings there can be little doubt



that properties on the opposite (East) side of Hwy 99E from the antique stores would not be in a height-limited aviation safety zone. Note that this is based on the FAA 6-digit runway locator coordinates.



The next step was to establish a validated GPS coordinate position for the subject property. For this purpose, I did not have a surveyor grade 6-significant-digit GPS, but I did have access to a very accurate type of GPS that my company makes, and suitable extrapolation tools. The derived geolocation is a point which could be considered as the critical coordinates for an Amateur Radio Station, and would be suitable to the FCC, it was determined that appropriate coordinates would be:

45 -13.8000 N,  
122 -45.3256 W (may need to be input as minus122 with some

algorithms). These coordinates produces the accompanying map image as the geolocation for the subject property and center of the antenna accessible region of the lot. We can also see here Aurora City Hall and the associated 75-foot water tower.



The next step would be to compute the precise distance between the central location of the property's lot, and the end-point of Runway 35. This provides a track length of 1.6911 kilometers, or about 5548 feet, a distance that is more than 10% in excess of the 5000 foot zone.

The final step is to zoom this map to ensure that the lower accuracy end-point at the

subject property (4-digits of significance) is still where we think it should be.

In this final image, we see that the end-point at the subject property is where we expect it to be. The subject property is not within the 5000 foot aviation safety zone.

This discovery process leads to the conclusion that this central area of the City of Aurora should not be considered to be in a zone where imposition of a 35 foot height limit for reasons of aviation safety is appropriate.



I should also note from what I have now determined that the specific home I have expressed interest in, 21460 Main Street NE, is not within the historic overlay, is not within the commercial area, is not zoned commercial, and is not within the 5000 foot airfield exclusion area.

Another subject that I have discussed informally with FAA associates, is the specific application of Federal Regulation 49 CFR Part 77, given the height characteristics of features surrounding the property in question. In this discussion I got something of a lecture from a Seattle member of the FAA Directorate organization. As it turns out, the FAA has been in sad financial condition for the past several years, and is now threatened with the effects of sequestration. Basically, the US Congress has not behaved particularly responsibly in terms of adequately funding services provided by the FAA that are essential to society.

The result of this is a degree of change in the way the FAA conducts business. A few years ago, if one was in doubt on any particular topic, one would tell the applicant (usually my customers) to file some or another form with the FAA. In the present climate, the FAA seems to me to look for reasons to not increase their paperwork load, relying instead on the corporations, the States, and the municipalities, to make minor judgment calls based on existing regulatory material. The case in point was the way in which my FAA Directorate associate approached the issue of applying FAR Part 77.

The first thing he did was ask me for a “pilot’s eye” view of the property. This, of course, is the 45-degree bird’s eye views we can readily obtain on the internet from Google or Bing. If one looks at the Bing-extracted angle view presented in Appendix B, one quickly realizes the significance of the 75 foot Water Tower and, by visual height comparison, the significance of several surrounding tall trees. The outcome of this discussion was that submission of FAA Form 7460 would be inappropriate in this case, and would simply serve to further burden the FAA system.

The opinion was based on paragraph 77.15 (a) Construction or alteration not requiring notice (underline added), which states: “Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.” In other words, I was effectively being told that submission of a Form 7460 for a case like this would be considered sufficiently frivolous that one should not expect a particularly timely reply.

Noise abatement policies were adopted at KUAO in 2007. One of our pilots supplied me with this quote from the website for Willamette Aviation at KUAO: “For some time now student pilots have been instructed to avoid overflying the towns of Aurora and Barlow, as well as the Charbonneau community... In all instances pilots are advised to avoid flying over congested areas, which include Aurora Charbonneau, and Barlow.”

In conclusion, I have not found in this discovery process that there is any aviation safety issue, or any issue requiring FAA notification, should one decide to apply for a building permit for a structural Amateur Radio antenna tower of reasonable height (lower than the surrounding tall trees and very nearby Water Tower, and subject to ARRL and ANSI guidelines) on the subject property. In addition, I cannot establish that there is any regulatory restriction on use of the existing tall trees as antenna supports for non-structural antennas within safe height limits (per ARRL about 55 feet or less). It is interesting to note that at an approximately 5500 foot range from the nearest runway end (Runway 35 at KUAO) a 20:1 surface has an altitude of 275 feet (see Aurora 16.24.020), and a 25:1 surface has an altitude of 220 feet (see FAR 77.13 (2) (iii)), altitudes far above even the Water Tower. The FAA individual I spoke to regarding FAR 77 application told me that, in his opinion, the City of Aurora should not even be required to have a beacon or indicator of any type on the Water Tower.

Please advise me if your position is that we still have issues that would impact my establishment of an Amateur Radio station on the subject property. Thank you.

Randy Pitchford

# **Appendix A**



U.S. Department  
of Transportation  
Federal Aviation  
Administration

JUL 12 2012

800 Independence Ave., SW.  
Washington, DC 20591

Mr. Randy Pitchford  
Chief System Performance Engineer  
Rockwell Collins - Head Up Guidance Systems  
27300 SW Parkway Avenue  
Wilsonville, Oregon 97070

Dear Mr. Pitchford:

Through the All Weather Operations Harmonization Aviation Rulemaking Committee (AWOH ARC) Charter, we anticipate accelerating the safe integration of AWOH into the international community by standing up a committee of senior aviation experts like you, who will bring a strategic view to this important committee. We invite you to become a member of the AWOH ARC. Your participation will help the AWOH ARC achieve its goals. The AWOH ARC has been chartered to provide an international forum for the aviation community to discuss, prioritize, and resolve AWOH issues. This collaborative effort will bring about standardized and harmonized systems and processes such as the Enhanced Flight Vision System and the use of radar altimeters in Europe. This group will also provide support to the International Civil Aviation Organization Operations Panel and provide updates to the All Weather Operations Manual.

With AWOH ARC membership dispersed across the world, most work will be done through online collaboration, and telecons will be held as necessary. The AWOH ARC will also gather to meet face-to-face roughly every six months. Additional telecons and meetings will be held to address specific issues thru Working Groups and Action Teams. We would ask that you participate in the face-to-face meetings and as many telecons as your schedule allows.

We would like you to be a member of the AWOH ARC based on your background and experience. As such, your participation in the AWOH ARC should not be delegated without prior approval from the designated federal official (Coby Johnson) or the AWOH ARC Co-Chairman (Ron Newton and Christian Paquier). If you are unable to participate in the meetings and telecons in person, the minutes and summaries will be distributed and can be used to keep you informed.

We are looking forward to your participation in the AWOH ARC and your leadership as we continue the work of harmonization.

Sincerely,

Margaret Gilligan  
Associate Administrator for Aviation Safety

The United States of America

# AMATEUR EXTRA CLASS RADIO OPERATOR LICENSE CERTIFICATE

Randall S. Pitchford WW7ZZ

*This certifies that*

IS A LICENSED AMATEUR RADIO OPERATOR, AUTHORIZED, SUBJECT TO ANY SPECIAL ENDORSEMENT NOTED HEREON, TO OPERATE THE CLASSES OF LICENSED RADIO STATIONS FOR WHICH THIS CLASS OF LICENSE IS VALID UNDER THE ORDERS, RULES AND REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION, ANY STATUTE OF THE UNITED STATES AND ANY TREATY TO WHICH THE UNITED STATES IS A PARTY.

LICENSES ARE GRANTED UNDER THE AUTHORITY OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED, AND THE TERMS AND CONDITIONS THEREOF AND OF ALL LEGISLATIVE ACTS, EXECUTIVE ORDERS, AND TREATIES TO WHICH THE UNITED STATES IS SIGNATORY, AND ALL ORDERS, RULES AND REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION WHICH ARE BINDING UPON RADIO OPERATORS, ARE MADE A PART THEREOF AS THOUGH SPECIFICALLY SET OUT IN FULL THEREIN.

NEITHER THE LICENSE NOR THE RIGHTS CERTIFIED TO THEREIN SHALL BE ASSIGNED OR OTHERWISE TRANSFERRED TO ANY OTHER PERSON.

EACH LICENSE IS VALID FOR THE PERIOD OF TIME AND TO THE EXTENT PROVIDED BY ANY VALID AMATEUR RADIO LICENSE CARD (FCC FORM NO. 660) HELD BY THE SAME LICENSEE, INCLUDING ANY RENEWAL OR MODIFICATION THEREOF, AND ENDORSED TO SHOW AMATEUR EXTRA CLASS OPERATOR PRIVILEGES.

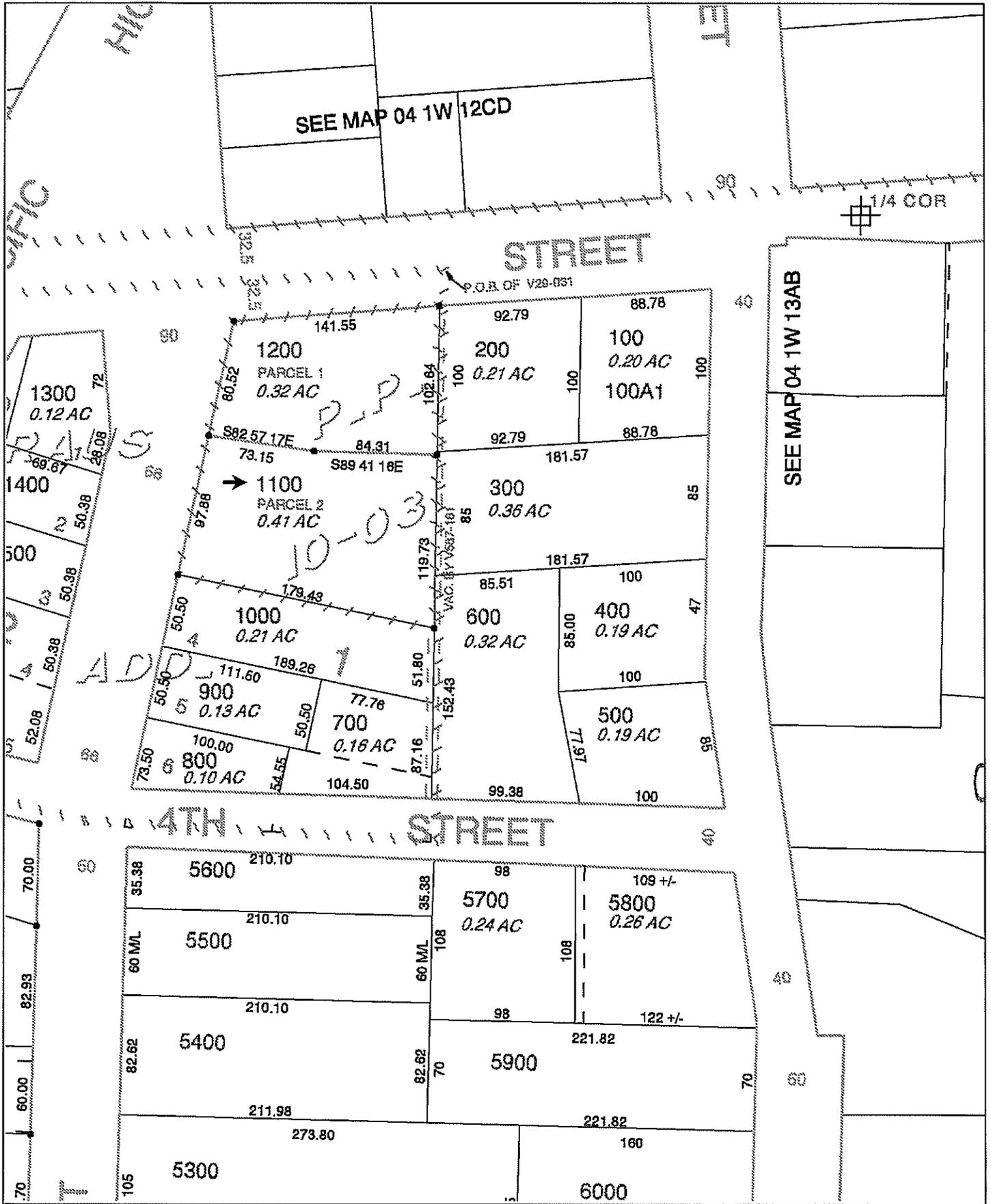
DATE OF ISSUANCE: April 13, 2007

*Randall S Pitchford*  
(LICENSEE)

*Federal Communications Commission records were used to verify eligibility for this certificate*

## **Appendix B**





THIS MAP IS FURNISHED AS A CONVENIENCE BY FIRST AMERICAN TITLE INSURANCE

This print is made solely for the purpose of assisting in locating said premises and the company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



MAP # 041W13BA01100

# **OLD BUSINESS**

# Memo

**To:** Planning Commission  
**From:** City Recorder, Richardson  
**CC:** none  
**Date:** 9/28/2012  
**Re:** Title 17 Historic Review Board Revision

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Chairman Schaefer stated he would be sending a packet of information via email over the weekend for your review at the next Planning Commission meeting therefore I did not include in your printed packet revision number 1.

# **PLANNING ACTION/DISCUSSION**

October 2012 Update

LAND USE APPLICATIONS

<u>Project</u>	<u>Status</u>
Building Permits/Correspondence	<ul style="list-style-type: none"> <li>• 21460 Main Street (ham radio tower and other solicitations) correspondence</li> </ul>
Sign Permits	
Manufactured Home Permit	
Land Use Applications	<ul style="list-style-type: none"> <li>•</li> </ul>

ADDITIONAL PLANNING

<u>Project</u>	<u>Status</u>
ODOT 99E Corridor Study	<ul style="list-style-type: none"> <li>• No updates since 8/30 meeting</li> </ul>
Urban Renewal District Feasibility Study	<ul style="list-style-type: none"> <li>•</li> </ul>
Development Code/HRB updates	<ul style="list-style-type: none"> <li>• Review of next steps with Chairman Schaeffer</li> </ul>
Newsletter/Community Updates	<ul style="list-style-type: none"> <li>• Suggestions for newsletter articles?</li> </ul>
Misc.	