

# AGENDA

City of Aurora  
**PLANNING COMMISSION MEETING**  
Tuesday, November 4, 2014, 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, Weidman**  
**Commissioner, Rhoden-Feely**

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 –October 08, 2014
- II. City Council Minutes – September, 2014
- III. Historic Review Board Minutes – not available

### **Correspondence**

I.

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 on Training Information Chapter 2**

6. **Old Business**

- A. **Discussion and or Action on Legislation on Regarding Recreation Marijuana**

**7. Commission Action/Discussion**

- A.** City Planning Activity (not in Your Packets) Status of Development Projects within the City.

**8. Adjourn,**

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, October 07, 2014 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

**VISITORS PRESENT:**

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

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

**2. City Recorder Did Roll Call**

Chairman, Schaefer -	Present
Commissioner, Willman	Absent
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Present
Commissioner, Weidman	Present
Commissioner, Rhoden-Feely	Present

**3. Consent Agenda**

**Minutes**

- I. Aurora Planning Commission Meeting –September 02, 2014
- II. City Council Minutes – August, 2014
- III. Historic Review Board Minutes -

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

**Correspondence**

I.

**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 during this section

### 5. New Business

#### A. Discussion on Information Regarding Land Use Planning Program

I would like to take this training program in pieces and go over each section for our group, What I want to get out of this program is to get everyone to understand exactly what we do here each month and why.

#### Chapter 1: Overview of the Oregon Land Use Planning Program

The purpose of land use planning is to manage land uses and activities efficiently to meet our needs today while conserving resources for future generations. Planning protects water, soil, fish and wildlife, vegetation, riparian, forest, agriculture, estuarine, and other natural systems from adverse effects of unregulated development.

Planning promotes development that enhances livability through man-made systems such as industrial and commercial development, streets, and other needed public facilities and services. Effective land use planning carefully balances conservation and development to meet state, regional and community objectives. Well-planned areas are more cost-efficient to serve with water, sewer and roads. In Oregon, this is accomplished by coordinated local government comprehensive plans and implementing measures that reflect state policies while meeting local needs and conditions.

#### History

Oregon's planning system dates back to the legislature's adoption of Senate Bill 100 in 1973. Overarching goals were created in consultation with more than 10,000 citizens of the state and are updated over time. The system relies upon a partnership between state and local governments to promote coordinated and consistent administration of land uses based on local comprehensive plans adopted throughout the state. The law is administered by the Land Conservation and Development Commission or LCDC, a citizens body appointed by the governor to oversee state policy, goals and guidelines. The Department of Land Conservation and Development or DLCD is the state agency that provides administrative oversight and technical assistance. Subsequent legislation created a process for appeal of local land use decisions to a new state agency called LUBA, the Land Use Board of Appeals.

#### Statewide Land Use Planning Goals

Oregon's primary land use policies are expressed in 19 Statewide Planning Goals\*. The goals may be clustered into four groups: Goals 1 and 2 are the process goals of comprehensive planning; Goal 1 pertains to citizen involvement and Goal 2 to comprehensive planning. Goals 3 through 8, 13 and 15 express natural resource conservation goals. Goals 9 through 12 and 14 are concerned with housing, transportation, urban growth and economic development. The remaining goals 16 through 19 apply specifically to the unique resources of the Oregon coast.

#### Laws and Policies

Laws enacted by the Oregon legislature are codified in Oregon Revised Statutes or ORS and create the legal framework and requirements for the statewide planning program. The primary statutes are:

- Chapter 197\*, Comprehensive Planning and Coordination
- Chapter 215\*, County Planning and Zoning
- Chapter 227\*, City Planning and Zoning
- Chapter 195\*, Local Government Planning Coordination
- Chapter 196\*, Wetlands, Rivers, Ocean Planning and the Columbia River Gorge
- Chapter 92\*, Land Divisions
- Chapter 222\*, Annexations

ORS 197 directs LCDC to adopt statewide land use planning goals to guide local governments and state agencies and also to adopt Administrative Rules to augment or provide more specific direction for meeting these goals and statutes.

## State Role

LCDC is the state policy body charged with reviewing each local comprehensive plan and implementing land use regulations to comply with the goals. The technical term that describes state approval is "acknowledgment." When "acknowledged," the plan becomes the guiding document for all land use decisions in that jurisdiction. When changes or amendments to local plans and land use regulations are proposed, LCDC and DLCD review the

proposed changes for compliance with state requirements. Generally larger cities, in coordination with counties, are required to review and update their plans in a process called periodic review. DLCD gives local government's technical and financial assistance to help them update and implement their plans.

## The Role of Cities and Counties

In compliance with statewide goals, cities and counties adopt their comprehensive plans and implement them through ordinances and other local measures. They review and update their plans and implementing ordinances as needed to meet changing needs and circumstances or to comply with new requirements.

Any development, whether a new single-family home or a shopping center, must receive prior approval from the local jurisdiction to ensure that it conforms to the land use plan and ordinances for health and safety and other local objectives. Typical land use decisions include variances, site and design review, conditional use permits, partitions, subdivisions and zone changes.

Certain kinds of development, such as an addition to a home may be approved quickly at the staff level while others, such as a home based business or small office complex in a residential zone may require conditional use approval by the planning commission. More complicated actions or policy changes, such as a new mixed use zone or zone change from multi-family residential to retail commercial may require approval of the city council or county board. A more complete discussion of city and county processes are found in the following chapters.

## Appeals

Under Oregon law, individuals or organizations must have "standing" to appeal a land use decision. This means that they must have participated in the local hearings and raised specific issues concerning the proposed action. There are a number of ways to appeal a land use decision. Most are settled at the staff or planning commission level while others are heard by the elected city council or county commission or hearings officer. Others are decided by the Oregon Land Use Board of Appeals. Local staff are good resources for clarification on specific procedures.

## Coordination

Governmental agencies are required to consult and coordinate with one another before making land use decisions that may affect another jurisdiction. An example is when the decision involves unincorporated areas within a city's urban growth boundary. In addition, by coordinating their plans, state, local and federal agencies can help leverage scarce funds and assure the public that spending on roads, water, sewer and other facilities is efficient and effective.

## Citizen Involvement

Citizen involvement is the first of Oregon's Statewide Planning Goals and a hallmark of our planning program. Goal 1 calls for "widespread citizen involvement" and "effective two-way communication with citizens." At every level of government, citizens must be kept informed of land use activities and given opportunities to be involved. Each city and county plan must include a citizen involvement program that describes how the public can participate in each phase of its planning process, including rules for public notice and comments. Some jurisdictions use neighborhood or area advisory committees to review and make recommendations on major land use proposals.

## What is a Comprehensive Plan?

A comprehensive plan is a generalized, coordinated land use map and policy statement of the governing body of a city or county. It relates to all man-made and natural systems as well as activities relating to the use of lands. It establishes the community's vision and identifies the type, location and intensity of future development. It must address local conditions and priorities consistent with the applicable requirements of the

Statewide Planning Goals. The plan is implemented through ordinances, codes, or regulations. It has the force of law and is the guiding land use document for each local jurisdiction.

## **Factual Base**

Statewide planning goals require specific data and analysis to support the policies and land use designations.

Thus, accurate up-to-date information is a key component of each comprehensive plan. Required information includes facts about current and expected population growth, buildable lands, current land uses and development trends as well as inventories of local natural resources and geologic and hydrologic conditions that may affect planning decisions.

## **Goals, Policies and Maps**

Local plans are guided by goals and policies that reflect the unique circumstances and vision of each community, respond to current needs and conditions, and provide guidance for implementing and amending the plan, funding and other matters. Each plan also includes a comprehensive plan map that shows the applicable land use designations, such as residential, employment and resource lands. Comprehensive plans also contain other supporting maps showing the urban growth boundary, and existing and proposed land uses, transportation facilities and public facilities and services. They also cover flood areas, geologic hazard areas, agricultural and forest lands, natural resources, historic resources and recreational facilities.

## **Implementation**

Implementing measures are the ordinances, budgets and capital improvement programs, and specific standards and criteria that guide local jurisdictions in carrying out their comprehensive plans. These include zoning and land division ordinances and other land use regulations. For example, zoning ordinances specify

- the uses and activities allowed in various areas in a community. In urban areas, they typically emphasize topics such as housing, economic development and livability. In rural areas, zoning provisions typically emphasize farm and forest uses, rural residential development, and natural resource protection.

## **Functional Plans**

Functional plans usually include site-specific details. A parks master plan may provide design for recreational facilities. A downtown redevelopment or main street plan may include streetscape design, off street parking, street trees and other amenities, pedestrian and bicycle circulation, lighting and mixed uses. Other examples of functional plans include Capital Improvement Programs, Transportation Systems Plans and Public Facilities Plans such as for sewer or water.

## **Sub-Area/Neighborhood Plans**

The purpose of sub-area or neighborhood plans is to address specific needs identified by residents and businesses of a specific area. They protect and enhance livability at the neighborhood level within the framework of the comprehensive plan. These plans often include measures such as park improvements or better traffic circulation in the area.

## **Emerging Issues**

In addition to the topics typically covered in the comprehensive plans, a number of new issues are gaining attention. Among these are sustainability, climate change and regional planning. Oregon's planning program and local land use plans provide a framework for communities to address these issues.

### **Sustainability**

Many local communities are considering sustainable development as a framework to meet the physical, social and economic needs of the present as well as future generations. Sustainability involves management practices that emphasize mixed use development patterns, enhanced transportation linkages, protection of natural amenities and a sense of community. Many jurisdictions are integrating the concept of sustainability into their comprehensive plans and land use regulations. Many plans have these core elements in place already.

### **Climate Change**

Scientific evidence confirms that the earth's climate is being affected by greenhouse gas emissions from cars, trucks, power plants and other human activities. The effects of climate change could have serious implications for the people, environment and economy of Oregon. The State has assessed these potential impacts and identified a range of actions to help prepare for, adapt to and mitigate the effects of too much carbon in the atmosphere. Local governments are beginning to address this issue. Resources for addressing climate change through local initiatives may be found at [www.orclimatechange.gov](http://www.orclimatechange.gov).

## Regional Planning

Many land use and natural resource issues affect areas beyond local governmental boundaries. Groundwater supplies, watershed restoration, economic development and transportation systems are examples. Regional planning can help address these and other matters through cooperation and coordination among neighboring jurisdictions and state agencies.

The State has several programs to help local jurisdictions meet regional planning needs, including intergovernmental teams and other regional problem solving approaches. Establishing urban growth boundaries and coordinating the delivery of public facilities and services inside that urban growth area is an important element of regional planning.

Specific regional programs in Oregon include the Portland Metro regional plan and urban growth boundary, estuary planning through the Oregon Coastal Management Program and planning coordination in the Columbia River Gorge National Scenic Area.

## Statewide land use Planning Goals,

The role of City and Counties over view, this section is very important on what we review and how.

**Appeals**, for us the staff section really isn't accurate because if a staff decision is appealed it then has to go somewhere, so in our situation it goes to Planning Commission and Planning Commission decisions go to the City Council for appeal.

**Coordination**, either ODOT or County the system works better when everyone is on the same page. We have not had to do a lot of coordination of effort.

**Citizen involvement**, this is what we're doing here inviting everyone to come with that there are the agenda posting requirements. Renata also prepares notice labels when making a decision and property owners are then noticed and they must receive the decision or agenda a certain amount of time before also some items/applications need to be posted in the paper and there is a timeline for that as well.

**Comprehensive Plan**, this is really our land use constitution along with title 16 the Comp Plan is more the big picture this is where the zoning comes in. Sometimes when you change one you have to change the other.

**Factual based** means we can't just make it up. This requires facts and common sense behind it. Example Bixler property, for example they were going to put a mini grocery store in there and not to worry there won't be a traffic impact and the city approved it and someone appealed it they would request to see the facts.

Goals, policy strong economy are factors as well  
Map, these are the zones.

**Implementation** is not just implemented through the code because our city has a traffic impact plan for traffic impacts as well.

**Functional plan** those are even more detailed and they must comply with the Comp Plan, such as the Main Street plan for example.

The HRB is part of the Comp Plan and is regulated as part of Comp Plan and title 17.

Visioning is separate from the Comp Plan but it complements the Comp Plan. If you were to update the Comp Plan it is a huge process and so many times we start with the visioning process before a Comp Plan is updated.

Oregon has the strictest and most rigorous State law Goals and Rules.

Ron Van Kleef, 20787 Yukon asks what are the items that your speaking about, Schaefer, let's say for example ODOT wants to have a bathroom outside of the city limits and they would need water this is a goal exception.

Another example for us to have that grocery store on property because we think there won't be a traffic impact we would need a goal exception to goal 12 ODOT would fight it all the way.

Van Kleef, I notice a few ODOT surveyors on Main Street. Are they planning on something Mayor Graupp yes they are planning on repaving a section of 99E south of the bridge heading back from Canby the bridge to 2<sup>nd</sup> street Aurora.

No more questions or comments

## **6. Old Business**

### **A. Discussion and or Action on Legislation on Regarding Recreation Marijuana**

Chair Schaefer opens with a question has anyone seen poling or the trend on where it's going, Mayor Graupp stated City of Portland is going to attempt a city tax even though the law doesn't support that. We try to avoid items that would put us in direct line of conflict.

Voting day is our next meeting, Mayor Graupp points out to the Commission that we are now 6 months into the moratorium on medical Marijuana.

Chair Schaefer for a recap the grow operation we had said in the industrial zone and sale/retail in the commercial zone not abutting residential so essentially the west side of 99E was the consensus of the Commission.

Ballot measure gives health authority to regulate sometime near 2016

So we won't be compelled to move forward quickly because there won't be regulation process.

Mayor Graupp, if it passes I think we should merge into what other cities are doing in Marion County.

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

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

Status of Development Projects within the City.

Chair Schaefer reads the report submitted by City Planner Wakeley as she was excused from the meeting for lack of necessity.

#### **Discussion items;**

- 20836 Yukon deck violations, it is still a violation/compliance issue that is ongoing at this time and being addressed. Mr. Van Kleef of Aurora summarizes the situation and asks if they had not

built the deck over 30 inches then a permit would not be needed. Correct however Schaefer points out that you can't alter grade to accommodate a structure after construction has began just to make it your way. He also states that it clearly violates our code and it has been ruled on as such. Van Kleef asks why you would not want to be welcoming Chair Schaefer it has nothing to do with that however they do need to comply with the code when applying for permits. At this point it's an ongoing situation so therefore we should not be discussing it.

- No application at this time for Non-Remonstrance agreement for 21042 Jenny Marie.

## **8. Adjourn**

**Chairman Schaefer adjourned the October 7, 2014 meeting at 7:48 pm**

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Chairman, Schaefer

**ATTEST:**

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Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, September 12, 2014, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT:                   Mary Lambert, Finance  
  Darrel Lockard, Public Works Superintendent  
  Dennis Koho, City Attorney  
  Pete Marcellais, Marion County Deputy

STAFF ABSENT:                   Kelly Richardson, City Recorder

VISITORS PRESENT:             Yvonne Ruade King, Aurora  
  Antonia Cam, Canby  
  John Berard, Aurora  
  Joseph Schaefer, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Bill Graupp at 7:00 p.m.

2. Mayor does roll call

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

3. Consent Agenda

- I. City Council Meeting Minutes – August 12, 2014, Councilor Brotherton points out two typos- Newcomber should be Newcomer and West Lynn should be West Linn. He also requested that the paragraph on pg 2 during Mayor’s report regarding Keizer be clearer.
- II. Planning Commission Meeting Minutes –August 2014
- III. Historic Review Board Minutes –June & July 2014

**Correspondence**

- I.

Motion to approve the consent agenda with changes as stated was made by Councilor Sallee and is seconded by Councilor Brotherton. Motion Approved by all.

**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.

Antonia Cam, addresses the council regarding the email she sent involving the new construction house located at 20836 Yukon Street and the current deck violations. Mayor Graupp informs Cam that the council is waiting on a final staff report from the City Planner and believes the grade of land would be set at time of construction. City Attorney Koho informs council that this could be a quasi-judicial hearing and that it should not be deliberated at this time.

**5. Public Hearing Opens at 7:11 pm**

**A. Discussion and or Action on LA-14-2 Recommendation from Staff and Planning Commission regarding Text Amendment in Commercial Zone.** Chairman Schaefer of the Planning Commission reads/explains the Planners staff report as inserted below;

# Memorandum

## MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

105 HIGH STREET S. E. SALEM, OREGON 97301-3667  
TELEPHONE: (503)588-6177 FAX: (503)588-6094

TO: Aurora City Council  
FROM: Renata Wakeley, City Planner  
RE: Legislative Amendment 2014-02 (LA-14-02)  
DATE: September 3, 2014 for presentation at September 9, 2014 hearing

### REQUESTED ACTION

The City Council's options for taking action on Legislative Amendment 14-02 include the following:

- A. Adopt the findings in the staff report and adopt Legislative Amendment 14-02:
  - 1. As presented by staff; or
  - 2. As amended by the City Council (stating revisions).
- B. Recommend that no action be taking on Legislative Amendment 14-02.
- C. Continue the public hearing:

1. To a time certain, or
2. Indefinitely.

### BACKGROUND

The Planning Commission and staff have received several solicitations and interest in allow for greater allowances of manufacturing and processing space related to fronting *retail* businesses in the commercial zone, *outside* of the historic district. The proposed revision allows greater allowances for processing of related retail goods, when a commercially zoned property does not abut a residential zone, in order to provide greater flexibility and production of retail goods while also preserving the intent of the commercial zone.

The following section of the Aurora Municipal Code (AMC) is proposed for amendment:

- 16.14 Commercial

Legislative Amendment 14-02 includes the adoption of the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~striketrough~~ format for review purposes (see Exhibit A).

### FINDING OF FACT AND CONCLUSIONS

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

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on July 15, 2014, which was 49-days prior to the first evidentiary hearing on September 2, 2014.
2. Amendments to the Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Legislative Amendments shall be made in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.
3. AMC 16.74.030 outlines notice requirements. At least ten days prior to the first public hearing, the City published notice in a newspaper of general circulation- Canby Herald on August 20, 2014.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action, not a quasi- judicial action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the Planning Commission and the decision by the City Council.

5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission reviewed the proposed legislative amendments at a September 2, 2014 public hearing. The City Council has also schedule a public hearing for September 9, 2014 to review the proposed legislative amendment.

## FINDINGS

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

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

**FINDINGS: Goal 1, Citizen Involvement:** A public hearing on the proposed amendments was held before the Planning Commission on September 2, 2014 and a second hearing will be held by the City Council on September 9, 2014. Notice was posted at City Hall and published in the Canby Herald. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff finds Goal 1 is met.

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

**Goal 3, Agricultural Lands; Goal 4, Forest lands; and Goal 5, Open Spaces and Historic Areas** are not found to be applicable **Goal 6, Air, Water and Land Resource Quality:** Goal 6 is not applicable. The proposal does not address Goal 6 resources. **Goal 7, Natural Hazards:** Goal 7 is not applicable. The proposal does not address Goal 7 resources. **Goal 8, Recreational Needs:** Goal 8 is not applicable. The proposal does not address Goal 8 resources.

**Goal 9, Economic Development:** The draft code amendments respond to a need identified within the business community. The proposed code amendments are not found to deter employment or business opportunities but rather to allow for greater economic uses of commercially zoned properties without hindering the intent of the commercial, retail zone. Staff finds Goal 9 is met.

**Goal 10, Housing:** Goal 10 is not applicable. The proposal does not address Goal 10 issues. **Goal 11, Public Facilities and Services:** Goal 11 is not applicable. The proposal does not address Goal 11 issues.

**Goal 12, Transportation** is not found to be applicable. **Goal 13, Energy Conservation:** Goal 13 is not applicable. The proposal does not address Goal 13 resources. **Goal 14, Urbanization:** Goal 14 is not applicable. The proposal does not address Goal 14 issues.

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

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

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

3. The applicable comprehensive plan policies and map; and

The following Comprehensive Plan Goals and associated policies were found to be applicable to this application:

*Goal 1- Citizen Participation: Develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

FINDINGS: A public hearing on the proposed amendments was held before the Planning Commission on September 2, 2014 and a second hearing will be held by the City Council on September 9, 2014. Notice was posted at City Hall and published in the Canby Herald. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff finds this condition is met.

*Goal 2- Planning Process: Establish a land use planning process and policy framework document (comprehensive plan) as a basis for all decisions and actions related to use of land and ensure an adequate factual base for such activities.*

FINDINGS: Adoption actions are consistent with the acknowledged AMC. Staff finds this condition is met.

*Goal 9- Economic Policies*

3. *Foster commercial and industrial activities to meet the expressed needs of City residents.*

FINDINGS: The draft code amendments respond to a need identified within the business community. The proposed code amendments are not found to deter employment or business

opportunities but rather to support commercial activities and increased economic opportunities. Staff finds this condition is met.

2. The applicable provisions of the implementing ordinances.

FINDINGS: The Commercial zone is stated as intended to provide areas for retail and service commercial uses. Manufacturing and processing are already a permitted use related to retail. The Planning Commission recommends expanding space allowance for processing of retail goods, *related to retail sales*, in order to increase production and economic viability for retail uses. Staff finds the proposed code amendments can be established in compliance with the development requirements of the Aurora Municipal Code.

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

FINDINGS: Staff does not find a change in circumstance, mistake or inconsistency in the comprehensive plan or implementing ordinances. This criterion does not apply.

EXHIBIT A- Aurora Municipal Code (AMC) section 16.14 for the Commercial zone

**Motion to adopt LA-14-2 as recommended by staff is made by Councilor Sahlin and is seconded by Councilor Sallee. 4-0 motion passes.**

6. **Mayor's Report, Mayor Graupp**

- Various Discussion Points/Topics
- Explains the SHPO presentation
- Wilsonville Chamber of Commerce is now including information for the surrounding area including Aurora, the Aurora State Airport and Hubbard. He would like to suggest a name change to reflect the more widespread area now covered.

It is the consensus of the Council to have Mayor Graupp draft a letter to the Wilsonville Chamber of Commerce in support of a more inclusive name change.

- At the School Board meeting it was suggested the security officer be armed. The council would like to have Deputy Marcellais offer his opinion on this subject.

7. **Discussion with Parks Committee**, There is a brief discussion regarding trees. Mayor Graupp and Darrel Lockard met with Mike Bruno Tree Care regarding 4 trees with fungus. They also asked for an estimate for removing 9 trees covering the walkway and to trim up the 2 trees in front of the Amphitheater. Also, an OSU student is volunteering to come up with a report and management plan for the park tree stand.

8. **Discussion with Traffic Safety Commission**, Officer Marcellais reported approximately 57 thousand cars coming into town via Ehlen and Airport Rd per the counter on the radar trailer. Mayor Graupp requests that stop lines at all 3 and 4 way stops be repainted or added and asked Public Works to get an estimate.

9. **Reports**

A. **Marion County Deputy Report – (not included in your packet)**

- There have been some thefts from porches of businesses with outside displays.
- A former reserve officer had been stopped by a Marion County Deputy and they produced an Aurora PD ID card.

Discussion regarding thefts - Mayor Graupp stated that we may need to revisit what the code language is because many of these businesses rely heavily on outside display for their success. It is suggested that we allow the businesses to offer some kind of alternative regarding displays before the council makes any decisions.

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

1. **Revenue & Expense Report**

- Brief discussion regarding increased spending in public works to stock up on parts.

No more questions from Council.

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

1. **Monthly Status Report (Storm Water)**
2. **Monthly Status Report (Water)**
3. **Parks Report, OSU Tree Report**
4. **Sewer Dept Report**

- Councilor Sallee asks if the speed bumps to divert water on Bob's and Sayer have been put in - not as of yet
- Councilor Sallee asks about the storm water master plan - is it complete? Bob Southard is going to teach Mayor Graupp how to retrieve the data.
- We may need to visit our code regarding tree height along sidewalks and roadways because some are hanging too low.
- Still working on light pole at Albers Way.

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

- Election filings done and complete
- Working with HD Supply regarding new equipment for handheld and wand.

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

- Nothing on Orchard view HOA. Discussion will continue at next month's meeting.

10. **Ordinances and Resolutions & Proclamations**

A. Discussion and or Action on Resolution Number 692, Resolution to Begin Foreclosure on 21520 Main Street Rodger Eddy Property.

A motion is made to approve Resolution Number 692 by Councilor Sahlin and is seconded by Councilor Brotherton. Passed by All.

Brief discussion and questions regarding this:

- Councilor Sallee asks if fines will continue to accrue. Dennis responds technically, yes, however they already exceed the amount of the property at this point;
- The fines total approximately \$180,000 which Mr. Eddy is responsible for;
- It takes about 1 year to complete the foreclosure process;
- Estimates \$50,000 to clean up the lot.

**11. New Business**

A. Discussion and or Action regarding Back Flow devices.

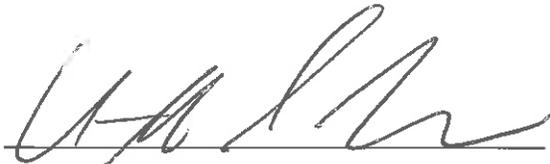
- There is a brief discussion. Mayor Graupp informs the group that Mary Howell with BMI has presented a draft Ordinance requiring customers to install and maintain a backflow device when any sprinkler system is installed.
- We will discuss next month when ORD is on the agenda.

**12. Old Business**

A. NA

**13. Adjourn**

Mayor Graupp adjourns the September 09, 2014 Council meeting at 8:14 pm.



Bill Graupp, Mayor

ATTEST:



Mary Lambert, Finance Officer

## Chapter 2: Urban, Rural and Resource Planning

Welcome to Chapter 2 – Urban, Rural and Resource Planning. The Oregon planning program relies on cities and counties to prepare and implement their local comprehensive plans and land use regulations. Oregon's planning law requires local plans and regulations to be consistent with state law and the Statewide Planning Goals, including applicable rules adopted by the Land Conservation and Development Commission or LCDC.

### Urban Planning

Cities have the primary responsibility to plan for and manage urban-scale development and provide appropriate services for areas within their urban growth boundaries or UGBs. This concept is covered in more detail later in this chapter. Cities and counties jointly manage unincorporated areas within urban growth boundaries and urban reserve areas that may eventually be added to an urban growth boundary.

#### Land Supply

Cities and counties must maintain a 20-year supply of land within an urban growth boundary to meet projected needs. This includes vacant and re-developable land with the topography and infrastructure to support residential, commercial and industrial uses. Goal 10, the state's Housing Goal and administrative rules, provide specific guidance for preparing a housing needs analysis and buildable lands inventory. Goal 9, the Economic Development Goal, provides help for preparing an Economic Opportunities Analysis\* to ensure an adequate supply of suitable sites for growth.

#### Goal 9, Economic Development\*

This statewide goal requires cities to maintain an adequate supply of suitable sites that meet their community's economic development needs, policies and objectives. This includes an adequate supply of sites of suitable sizes, types, locations and service levels for a variety of industrial and commercial uses. Local plans must include an Economic Opportunities Analysis of factors related to local, state and national trends and policies that support current and projected economic development for the next 20 years.

#### Goal 10, Housing\*

This goal requires cities to assure adequate opportunities for a variety of housing types, locations and densities that meet the community's housing needs. These are based on coordinated population projections and other factors related to local housing and employment trends. Land use regulations governing review and approval of needed housing must be clear and objective and may not be used to deny an application or reduce density. LCDC administrative rules provide guidance on how to conduct a buildable lands inventory. Within the Portland metropolitan region, housing rules specify requirements for each jurisdiction, based on its size and contribution to meeting regional housing needs.

#### Goal 11, Public Facilities and Services\*

This goal requires cities and counties to plan for and develop timely, orderly and efficient sewer, water, transportation and other infrastructure that support existing and proposed land uses. Planning for these services is a principal means by which a city can affect the location, scale, and pace of development. Other public services and facilities such as law enforcement and fire protection also should be considered. Transportation planning is explained in more detail in the urban growth section.

Each local government with more than 2,500 people must adopt a Public Facilities Plan for water, sewer and transportation facilities. These plans include an inventory of existing and needed future facilities, an estimate of the general timing, costs and potential funding sources.

### Rural/Resource Planning

In Oregon, counties are required to coordinate planning of all jurisdictions within their boundaries and undertake primary planning responsibility for areas outside cities. They are responsible for protecting natural resources and economic resource lands, and providing a framework for rural residential, commercial and industrial development.

This goal calls for each city and the surrounding county to establish a UGB. UGBs separate urbanizable land from rural land, identifying the extent of urban growth planned for the next 20 years. Urbanizable land is the area within the UGB outside developed areas suitable and available for future planned urban development and services. Annexation to a city is typically expected, but not always required as services are extended and development occurs.

Cities are required to estimate their needs for a 20-year supply of land to accommodate housing, employment and other urban uses. Public facilities, streets and roads, schools, parks, and open space also must be included in this 20-year estimate. Forecasts estimate the future population of a given area, based on historic growth and assumptions about future trends. All counties in Oregon must coordinate with their cities to develop, adopt, and maintain population forecasts for land use planning, including determining the size of UGBs. Within the Portland metropolitan region, the Metropolitan Service District, or Metro, is responsible for planning coordination and establishing the region's UGB.

If the 20-year land supply within a UGB is considered insufficient, cities are required to amend their comprehensive plans by any or all of the following:

- Planning for more redevelopment
- Providing for more infill development
- Increasing residential densities
- Expanding the UGB

### **Expanding an Urban Growth Boundary**

State rules set priorities for the types of land that can be added to an UGB. The first priority is land designated as urban reserves; areas that the city and county agree could be future urban areas. This is followed by the exception areas we just talked about and "marginal lands." Marginal lands apply only to Washington and Lane counties. If none of these areas are adequate to meet the projected 20-year land need, less productive farm or forest lands may be considered. Highly productive farm and forest lands are the last priority. Other matters to consider when contemplating a UGB expansion include the availability of urban services, the most efficient use for the land and constraints such as wetlands and steep slopes.

### **Urban Growth Management**

The quality of life in cities depends in part on how urbanizable lands are managed so they remain suitable for eventual urban development. The key document for coordinating these efforts is the urban growth management agreement signed by each county and city.

### **Linking Transportation and Land Use: Goal 12, Transportation\***

This goal guides transportation planning in the state. It requires many communities to adopt a Transportation System Plan, or TSP, and coordinate land use decisions and local transportation planning with the Oregon Department of Transportation, or ODOT. The goal of a TSP is to plan for a safe, convenient and economical network of transportation facilities for a broad range of types of travel. The TSP is a major tool for guiding the location, timing and scale of development in existing and newly urbanizing areas.

Transportation facilities have far-reaching effects on the economy, land use patterns, air quality and quality of life. The most effective regional transportation systems include a mixture of transportation modes, including automobile, truck, air, rail, mass transit, boat, pedestrian and bicycle.

The Transportation Planning Rule\* implements Goal 12 by integrating decisions about land use and transportation. Local governments must ensure that their comprehensive plans and land use regulations are consistent with and support their TSPs. They also must take appropriate action to resolve any transportation impacts of new development.

### **Natural Hazard Planning: Goal 7, Natural Hazards\***

The purpose of this goal is to protect people and property from natural disasters and hazards, such as floods,

Emergency Management can be a valuable source of information for local governments on how land uses can affect emergency preparedness.

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