

AGENDA

City of Aurora
PLANNING COMMISSION MEETING
Tuesday, October 7, 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 –September 02, 2014
- II. City Council Minutes – August, 2014
- III. Historic Review Board Minutes –

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 Information Regarding Land Use Planning Program**

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, September 02, 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
Renata Wakeley, City Planner

STAFF ABSENT:

VISITORS PRESENT:

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:01 p.m.

2. City Recorder Did Roll Call

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

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –August 05, 2014
- II. City Council Minutes – July, 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. Marion County Community Services’ Economic Development Oregon Lottery Grants program information.

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. Public Hearing, Opened at 7:04 pm

A. Discussion and or Action on Legislative Amendment 14-02

Chair Scheafer declares that he owns a small 3,000 foot lot along 99E however no development has occurred as of yet.

No questions regarding this.

Staff Report,

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 Planning Commission
FROM: Renata Wakeley, City Planner
RE: Legislative Amendment 2014-02 (LA-14-02)
DATE: August 26, 2014 for presentation at September 2, 2014 hearing

REQUESTED ACTION

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

- A. Adopt the findings in the staff report and recommend that the City Council adopt Legislative Amendment 14-02:
 1. As presented by staff; or
 2. As amended by the Planning Commission (stating revisions).
- B. Recommend that the City Council take no action on Legislative Amendment 14-02.
- C. Continue the public hearing:
 1. To a time certain, or
 2. Indefinitely.

BACKGROUND

The Planning Commission has received several solicitations to 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 for 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, adopts the following Findings of Fact and Conclusions:

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on 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 will review the proposed legislative amendments at a September 2, 2014 public hearing.

FINDINGS

- A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:
 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;

FINDINGS: Goal 1, Citizen Involvement: A public hearing on the proposed amendments was held 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 hearing. 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 seeks to expand 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

John Black, 21424 Liberty Street

Ask the Commission if there was a specific request by someone that initiated this change in the code. Chair Schaefer explains that to allow business owners a more flexible zone and it fits the area as long as it doesn't abut a residential zone as my property does. Mr. Black then asks when will this take affect and Chair Schaefer states approximately 60 days. There are a number of properties that would or could be affected by this change along 99E and allow less restrictive guidelines. City Planner Wakeley states that in recent months I have had to turn down license applications based on use restrictions.

Loretta Scott, Bobs Avenue asks the Commission if they know specifically how many lots this change would affect Chair Schaefer informs her that we believe approximately 15.

No more questions at this time.

Hearing closes at 7:18 pm Hearing no comments from Commissioners

A motion to accept the staff report and recommendation to City Council to approve LA-14-02 is made by Commissioner Gibson and is seconded by Commissioner Willman. Motion Passed by All.

6. New Business

No new business to consider

7. Old Business

There is no old business to consider.

7. Commission Action/Discussion

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

Discussion items;

- 20836 Yukon deck violations, it is the Consensus of the Planning Commission after a brief discussion is that they need to conform to the required rear yard setbacks and alter the deck accordingly.
- 21032 sign application not complete at this time
- 99E corridor study no final document at this time
- there are some documents that should be put on the web-site such as, ODA Study, Feasibility Study, and the Corridor Study along with the Oregon Main Street information.

Chair Schaefer requests that the Commission discuss legislature surrounding recreational marijuana be put on the October agenda.

8. Adjourn

Chairman Schaefer adjourned the September 2, 2014 meeting at 7:40 pm

Chairman, Schaefer

ATTEST:

Kelly Richardson, City Recorder

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

STAFF PRESENT: Kelly Richardson, City Recorder
Mary Lambert, Finance
Darrel Lockard, Public Works Superintendent
Dennis Koho, City Attorney

STAFF ABSENT: Pete Marcellais, Marion County Deputy

VISITORS PRESENT: Tom Potter, Aurora
Bill Simon, 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. City Recorder does roll call

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

3. Consent Agenda

- I. City Council Meeting Minutes – July 08, 2014, Councilor Brotherton asks that Ignosio last name and title be placed in the July minutes.
- II. Planning Commission Meeting Minutes –July 2014
- III. Historic Review Board Minutes –not available

Correspondence

I.

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

Russ Newcomer, Colony Pub owner, Wanted to know where we were at in the process with property located at 21520 Main Street as it is a nuisance. During Colony Days they were on an excavator cleaning up shrubbery and hitting the fence and producing a lot of noise and dust for our customers. The Council informs Mr. Newcomer that we have been working on this issue and trying to get it resolved.

Pastor Shipman of the North Marion Community Church asked Council what the top 3 items would be for prayer requests he would like the church to pray over these things.

- To make well informed good decisions
- For the City's aquifer to remain strong
- City to remain prosperous as a whole community.

Elaine Alomar 14962 Bob's and Amber Coggin 14942 Bob's, asks for a status on the water drainage issue that they spoke to Public Works Director Darrel Lockard about.

Currently we are proposing possibly a speed bump and the concern of Councilor Vlcek is the fact that you come to a stop there and it would be quite a bump unless something was placed there as a transition. Councilor Sahlin asked if they had done any research as to what their neighbors would think of a speed bump and they answered no but they thought since it is a stop sign it would only help to assure everyone would stop.

It is the consensus of the Council to approve Darrel going forward with this idea as long as the cost involved was not too great and that the fire dept had an opportunity to weigh in. If the cost was going to be a lot then we would need to revisit it at a later date.

5. Mayor's Report,

A. Mayor Graupp

- Various Discussion Points/Topics
- Thank you to the Aurora Fire Dept and Officer Pete regarding all their hard work during Colony Days.
- I went to the Oregon Mayors conference and a couple items came up and it was a great debate on attending Planning Commission meetings or not and there was a few that said no you shouldn't especially if there is a public hearing then no one from Council should go. City of Keizer has a liaison that sits next to the chair at their meeting. If he were to get in engaged in the conversation then we would have to declare it.
- Met Mayor of Wes Linn and they are looking into having an Inn along with a bike path near the falls and are interested in any discussion.
- Pendleton has drying beds and a press and they do not experience a lot of smell.
- Did get a call regarding the Eddy property the deal expires tomorrow and I think it will fall through? The city doesn't want to be liable for the cost of cleanup.

- There is a second offer in front of Eddy's but I have no information.

The Consensus of Council is to have a Resolution to begin the foreclosure process on September agenda.

What is the time frame you are looking at, 1 year to redeem or 1 year to become current?

Russ Newcomer, What if I write a check tomorrow and move forward. This would be another meeting at another time answers Mayor Graupp.

6. Discussion with Parks Committee, Nothing at this time however Living Color as begun taking care of the park.

7. Discussion with Traffic Safety Commission, NA

8. Reports

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

Officer Marcellais was absent due to a death in his family and the Council wanted City Recorder Richardson to send flowers.

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

1. Revenue & Expense Report

I have begun gathering various report information for the upcoming audit.

Mayor Graupp asks when he can get a final report of Colony Days income and expense. Probably near the end of the month.

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

- Everything at the plant is going well
- Currently working on rebuilding pumps
- Aquifer is doing fine so far.
- We determined that the leak at Ernie Peter's house at 21383 Liberty Street was in fact on his side of the meter. We informed him verbally and City Recorder will send a letter.

Consensus of the Council to find out more information on drying beds because we are concerned with the odor factor.

Hopefully Mayor Graupp states that at the September meeting we will have a draft ORD on the backflow situation.

Councilor Sahlin asks again about the Storm Water Master Plan status. The Mayor will call Bob.

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

- Councilor Brotherton asks about getting a voters box and is informed that Marion County came out and did a site visit and stated that they probably would not be installing one as there were other boxes near here that would be sufficient.
- Informs Council that it is time for Superintendent Lockard's 6 month review and suggest at the same time it might be a good time to as a risk management stand point do an audit of the treatment plant policies and procedures along with testing results. As this was not on the agenda as a discussion item the Mayor informed City Recorder Richardson that she would need to speak to Council liaison Brotherton about this and present it at a later date if necessary.

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

- The Eddy property at this point is still moving forward.
- Regarding the Verizon Wireless draft lease, Council asked clarification on subordination and non disturbance it was stated that it deals with mortgage issues and since you don't have a mortgage then it's not a concern. Mayor Graupp asks about anything regarding damage of other leasers property it is stated (Koho) that in section 15 this is covered.
- I have seen emails regarding a deck issue but don't have a lot of information as of yet.

10. Ordinances and Resolutions & Proclamations

- A. Discussion and or Action on Resolution Number 691 Resolution For IGA for Judicial Services.

A motion is made to approve Resolution Number 691 by Councilor Brotherton and is seconded by Councilor Sahlin. Passed by All.

11. New Business

- A. Discussion and or Action on IGA for Judicial Services. no discussion.

12. Old Business

- A. Discussion and or Action on Verizon Wireless Proposal. Wait for Staff report on this.

Mayor Graupp informs Council members about the upcoming Work Session regarding the Main Street Program, On September 2nd from 6 to 7 pm.

Councilor Vlcek informs the group that he may be out of town during the work session.

13. Adjourn

Mayor Graupp adjourns the August 12, 2014 Council meeting at 8:14 pm.

Bill Graupp, Mayor

ATTEST:

Kelly Richardson, CMC City Recorder

**HISTORIC REVIEW BOARD MINUTES
21420 MAIN ST. NE, AURORA OR 97002
August 28, 2014**

Staff Members Present: Kelly Richardson, CMC
City Recorder

Others Present: Bill Graupp, Aurora

The meeting of August 28, 2014 was called to order at 7:00 p.m. by Chair Abernathy.

Chairman Townsend takes Roll Call

Chairman Gayle Abernathy – Present
Member Bill Simon – Present
Member Merra Frochen – Present
Member Mella Dee Fraser – Present
Member Karen Townsend – Present

CONSENT AGENDA

A. Minutes

- I. Historic Review Board Minutes – July 24, 2014, pg 2 paragraph with applicant Braun make location more specific. Correct a few minor typos.
- II. City Council Minutes July 2014
- III. Planning Commission Minutes July 2014

A motion to approve the HRB minutes of June 26, 2014, with corrections made was made by Member Townsend and is seconded by Member Frochen. Passed by all.

A motion to approved the minutes of the July 24, 2014 meeting with the corrections stated was made by Member Simon and is seconded by Member Fraser. Passed by all.

CORRESPONDENCE

I.

VISITORS

Mayor Graupp reminded everyone of the upcoming work session involving all of the boards in regards to the Oregon Main Street Program.

5. New Business

A. Discussion and or Action on Sign Application for CANVAS 21561 Main Street NE, Applicant presents her application with a 4x4 free standing sign, made of wood, its two sided, applicant is asked if she will need an A-board. At this point she states no.

Title 17.24.100 F, wall sign it meets all criteria

Color two colors and background meet 17:24:070, wood, shape, color, sign graphics.

Motion to approve sign application as presented is made by Member Fraser and is seconded by Member Simon. Approved by all.

B. Discussion and or Action on Application for Giesey Store Restoration Project 21281 Main Street.

Spud Spurb, presents and Brian Asher will be the contractor, Member Townsend asks

- Do you think you will have to replace more items, no AI was a very good historic architect and I believe everything is covered.
- The goal is to preserve as many of the historic architectural features to the best of your ability not to replace items but preserve items as much as possible because these items are made here and are from the original colony. Applicant replies, railings will have some of the original elements and some will be copies on the because this is all rotten, Fascia we can repair these items, the deck will be independent of the posts so it will not sag or droop. The posts will not be sitting on the deck itself.
- Sidewalk standards are new and it will look wrong at this point. What is preference of HRB It is consensus of HRB since the west side is mostly new style it will need to match so the new standard is preferred.
- Will the vents in the soffits be visible the applicant replies no they will not be visible.
- Original pillars are staying,
- Will the steps be made of wood the applicant replies yes.

Consensus, of the board is to give the project their blessing. As there questions were all answered and it appears to all be in conformance.

Member Townsend asks a question regarding porch on the North side of the building and the 2x2 spindles that were supposed to be temporary and now have been there for aprox 15 years now. The applicant will look into this as well.

C. Discussion and or Action on Fee Schedule Recommendations.

Consensus of HRB is to keep the fee schedule as is however it was determined as \$15 an add on to city fee \$60.00 for example signs a total of 75.00 would be the appropriate fee for a Historic Review Board sign fee.

Also discussed was the potential of adding a new construction fee of \$10.00 dollars since HRB is to review prior to Planning. It is also confirmed that the special session fee is \$100.00 dollars.

City Recorder Richardson also explains the brief conversation with the Planning Commission and the Mayor regarding percentage of items allowed on display. As per code section 16 it is stated that all items must be inside the walls of the business. Since both Planning and the Mayor thought this was much larger issue this will be discussed at length during the next code update.

6. OLD BUSINESS

A. **Discussion and or action on Sign Inventory**, Member Frochen asks the board members how detailed are we supposed to get regarding this inventory.

Member Townsend informs her to fill out the form and that should be sufficient.

Fraser signs were as follows,

- Aurora Outdoor and Power, no action to be taken
 - 3 wall signs
 - 1 A-board
- 14971 First Street Architectural Salvage, no action to be taken
 - 1 wall sign
 - hanging sign facing Ehlen Rd
 - 1 A-board
- Shell Station
 - look at this one again as it wasn't complete.
- Nagel Floor Coverings, needs action
 - 2 product banners, needs action per code 17.24.080 Temp sign and 17.24.060 C section 4.
 - Reader Board (grand fathered in)

B. **Discussion and or action on Historic Inventory list**, Table until October and they will look at the guidelines corrections in November.

7. ADJOURN

Chairman Abernathy adjourned the meeting of August 28, 2014 at 8:37 pm.



Gayle Abernathy, Chairman

ATTEST:



Kelly Richardson, CMC City Recorder

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 governments 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.

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.

October 2014 Update

LAND USE APPLICATIONS

<u>Project</u>	<u>Status</u>
Building Permits/Correspondence	<ul style="list-style-type: none">• Discussion on updating the fee schedule to match current code updates• 20836 Yukon Street- update• Non-remonstrance agreement or sidewalks required for 21042 Jenny Marie Lane prior to occupancy permit approvals• 21281 Main Street - porch material direct replacement and painting• Solicitations on 21028/21030 Hwy 99E (for sale)
Sign Permits	<ul style="list-style-type: none">•
Manufactured Home Permit	
Land Use Applications	

ADDITIONAL PLANNING

<u>Project</u>	<u>Status</u>
ODOT 99E Corridor Study	<ul style="list-style-type: none">• Waiting on final adopted document
Development Code updates	
Misc.	