

AGENDA

City of Aurora
PLANNING COMMISSION MEETING
Tuesday, September 2, 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 –August 05, 2014
- II. City Council Minutes – July, 2014
- III. Historic Review Board Minutes –

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 Council could look into the matter and provide some response in the future.

5. **Public Hearing**

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

6. **New Business**

- A.**
- 7. Old Business**

- 8. Commission Action/Discussion**
 - A.** City Planning Activity (not in Your Packets) Status of Development Projects within the City.

- 9. Adjourn,**

Minutes
Aurora Planning Commission Meeting
Tuesday, August 05, 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 7:03 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	Present
Commissioner, Rhoden-Feely	Present

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –July 01, 2014
- II. City Council Minutes – June, 2014
- III. Historic Review Board Minutes – Not ready at this time.

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

Correspondence

- I. **League of Oregon Cities Legal Overview on Medical Marijuana Article.**
Chair Schaefer asks to look at this again after the election in November.

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 and or Action on Interpretation INT-14-03

This non-remonstrance agreement is for 21022 Jenny Marie there is a very brief discussion and according to the staff report the recommendation is to accept as presented.

A motion is made by Commissioner Fawcett to accept the application and take staff's recommendation and is seconded by Commissioner Willman. Motion passed by all.

B. Discussion and or Action on Main Street Program,

This is more a discussion than action. Chair Schaefer informs the Commission that the application to the Oregon Main Street Program has been accepted and we will be having a 3 board work session prior to our September Planning Commission meeting originally it was to be at 6:30 to 7:30 however because of our public hearing we would prefer it to start at 6 pm instead.

I just want to say that this is not your typical main street program, with ODOT and DLCD this is not about cars and traffic as it is when ODOT is involved this is more towards Economic Development in the downtown historic development area. Commissioner Gibson asks how does this program compare to or relate to the Aurora visioning plan. Mayor Graupp it depends on how it is all rolled out and this is more towards the Historic District and Economic Development and it is not a grant program.

Commissioner Willman informs everyone that she may be gone for the September meeting.

C. Discussion and or Action on Memo from HRB,

Brief discussion regarding the fee schedule they all thought it best to have one fee for every zone area at \$75.00.

Outdoor display of merchandise, this was not addressed in title 17 follow up question is 0% percent over night or 10% over night.

Consensus of the Planning Commission regarding the display of merchandise is to have City Council decided on enforcement or not because there was so much discussion on the table.

6. Old Business

A. Discussion and or Action regarding Medical Marijuana.

Section 58, this is on recreational marijuana and this is for City Attorney Koho to weigh in on.

Section 59 regarding explains basically what you can do in the zoning and how you could zone it. there is a brief discussion regarding section 60 regarding a petition. Chair Schaefer although I think unlikely to pass. So to recap on medical marijuana what is a grow facility we said have it in the industrial zone and the retail portion in the commercial zone.

OLCC does have a provision regarding how many are within in our town so we do have the ability to limit that. Licensing and to come up with a policy they give around a year.

No action is taken at this time.

7. Commission Action/Discussion

A. City Planning Activity (in Your Packets)

Status of Development Projects within the City.

8. Adjourn

c

Chairman Schaefer adjourned the July 1, 2014 meeting at 8:16 pm

Chairman, Schaefer

ATTEST:

Kelly Richardson, City Recorder

Minutes
Aurora City Council Meeting
Tuesday, July 08, 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
Pete Marcellais, Marion County Deputy
Mary Lambert, Finance
Darrel Lockard, Public Works Superintendent
Dennis Koho, City Attorney

STAFF ABSENT: None

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 – June 10, 2014
- II. Planning Commission Meeting Minutes –June 2014
- III. Historic Review Board Minutes –May 2014

Correspondence

- I. Oregon's Medical Marijuana Program Overview from League of Oregon Cities General Council.

Motion to approve the consent agenda as presented 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.

Byron Schriever 14980 Seal Rock, Presents to the Council a much lighter filter in color and cleaner than in times past and informs the council that he is presently surprised and encouraged that it will continue for the better.

Mayor Graupp comments that we are still working on water quality at all times.

Ron VanKleef, 20787 Yukon Street. speaks to the council regarding the Keil Park road situation again and asks if there is any updated information regarding when the roads will be finished in the subdivision. Councilor Sahlin informs the couple that after the last time they brought it to council he looked at the development agreement and it is open ended there is nothing in there regarding a timeline other than when the subdivision is completed. City Recorder Richardson did contact him last time and they gave an estimated completion date in 2015 nothing more specific than that.

Richardson is asked to contact G.Cam again to see if they have any more information regarding the issue.

5. Mayor's Report,

A. Mayor Graupp

Presents to the Council the Oregon Main Street concept and agreement it is a great program that can help us and guide us in economic development in the Historic District. They have three levels of participation exploring, doing and participating So with that said I am asking for the consensus of the council to form a committee and begin exploring and start reviewing our options and sign the agreement as such. Let me make clear this is not a grant program this is a training type atmosphere.

The Council gives consent for the Mayor to sign the agreement with Main Street Oregon.

Also the Planning Commission has brought forth their recommendation to move forward with the proposed text amendment in the commercial zone. The council agrees to move forward.

6. Discussion with Parks Committee, Nothing at this time.

7. Discussion with Traffic Safety Commission, NA

8. Reports

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

- We successfully executed our Safety Enforcement over the weekend focusing on red light violators along with pedestrian enforcement and cell phone violations.

- We will be having our National Night Out for those of you interested in attending.

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

1. Revenue & Expense Report
- 2.

We are gearing up for audit I have contacted Ignacia Palacios, CPA to get an idea of when we can begin.

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
- as far as our water we are running 6 to 7 hours a day I would say we would need to see 12 or higher before we start having issues.
- Our part time employee is working out well

Councilor Sallee asks about job descriptions and Lockard informs her that we are still working on a balance.

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

- Informs Council that noxious vegetation letters are beginning to be sent out and Councilor Vlcek clarifies that our house needs to be in order as well.

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

- The Eddy property at this point is still moving forward.
- Orchard View Development there has been some paperwork that has not been properly filed regarding HOA and this is something that needs to be done before any work there can be done.

10. Ordinances and Resolutions & Proclamations

- A. Discussion and or Action on Resolution Number 690 Resolution For New Bank Account Signers.

A motion is made to approve Resolution Number 690 by Councilor Sahlin and is seconded by Councilor Brotherton. Passed by All.

11. New Business

- A. Discussion and or Action on RFP for Park and Planter Strips Maintenance.

A motion to approve the park RFP from Living Color at \$935 a month with a full year schedule including park and triangle areas on 99E. is made by Councilor Sahlin and seconded by Councilor Brotherton. Passed by all.

Councilor Vlcek, asks if it is the same 935 a month even in the slower months. (yes)
Do we have auto renewal, no not at this time.

12. Old Business

A. NA

There is a brief discussion regarding updating various job descriptions.

13. Adjourn

Mayor Graupp adjourns the July 08, 2014 Council meeting at 7:53 pm.



Bill Graupp, Mayor

ATTEST:



Kelly Richardson, CMC City Recorder

From: Wakeley, Renata [renatac@mwvcog.org]
Sent: Thursday, August 28, 2014 8:32 AM
To: recorder; Joseph Schaefer
Subject: FW: Economic Development Grants Available

Kelly, Please include the information below under PC correspondence. It should also be included in the CC packets as well.

Thanks, Renata

From: Sarah Cavazos [<mailto:SCavazos@co.marion.or.us>]
Sent: Monday, August 25, 2014 2:26 PM
To: Doug Rux; Bill Cummins; Terri Frohnmayr; A. Nash; Bob Hill; James Rasmussen; Jay Kemble; Thomas Chambers; Lesa Goff; Wakeley, Renata; Chad Freeman; Mitchell Gee; Morris, Angie
Cc: Tamra Goettsch
Subject: Economic Development Grants Available

Good afternoon EDAB members,

The Marion County Community Services' Economic Development Oregon Lottery Grants program is now accepting applications for grant requests up to \$50,000 for projects which will help employers within Marion County create or retain jobs, and/or expand their products or services. Applications are due by Wednesday, October 15, 2014.

Additional information regarding eligible projects and the downloadable application packet can be found online at:
<http://www.co.marion.or.us/CS/EconomicDevelopment>

Please forward this email to your contacts as appropriate. Thanks in advance for helping spread the word!

Sarah Cavazos
Management Analyst
Marion County Community Services
(503) 589-3234

CONFIDENTIALITY NOTICE: This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive information for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, please advise the sender immediately by reply email and delete this message. Thank you

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 ~~strikethrough~~ 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

Chapter 16.14

C COMMERCIAL ZONE

Sections:

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

16.14.010 Purpose.

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

16.14.020 Permitted uses.

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

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

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

16.14.030 Conditional uses.

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

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

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

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

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

D. Retail or wholesale business with not more than fifty (50) percent of the floor area used for the manufacturing, processing or compounding of products in a manner which is clearly ~~incidental-associated with to~~ the ~~retail primary~~ business conducted on the premises; (Ord _____, § 2014)

E. On lots that do not abut a residential zone, retail or wholesale business with not more than seventy-five (75) percent of the floor area used for the manufacturing, processing or compounding of products in a manner which is clearly associated with the retail business conducted on the premises; (Ord _____, § 2014)

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

16.14.040 Development standards.

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

B. There is no minimum lot width or depth.

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

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

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

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

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

E. Parking shall be in accordance with Chapter 16.42.

F. Landscaping shall be in accordance with Chapter 16.38.

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

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

16.14.050 Open inventory display.

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

1. Off-street parking or loading;

2. Drive-through windows;

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

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

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

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

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



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Aurora**

Local file no.: **LA-2014-02**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Renata Wakeley, Planner

Phone: 503-588-6177 E-mail: renatac@mwvcog.org

Street address: 100 High Street SE, Suite 200 City: Salem Zip: 97301-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The proposed amendments for application LA-14-02 include revising conditional uses under the Commercial (C) zone to allow greater manufacturing and processing floor space related to on-site retail businesses when the property does not abut residential zones.

Date of first evidentiary hearing: 09/02/2014

Date of final hearing: 09/09/2014

- This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL): City of Aurora

List affected state or federal agencies, local governments and special districts: DLCD

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or.xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

- (1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
- (2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the

local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Tuesday, September 2, 2014 at 7:00 p.m. at Aurora City Hall, 21420 Main Street NE**, the Aurora Planning Commission will conduct a public hearing regarding Legislative Amendment 14-01 (LA-14-02) which would amend sections of the Aurora Municipal Code.

At the conclusion of the public hearing, the Planning Commission will make a recommendation to the Aurora City Council regarding the proposed amendments. The City Council will conduct a public hearing to consider adoption of the proposed amendments. That hearing is scheduled for **Tuesday, September 9, 2014 at 7:00 p.m., Aurora City Hall, 21420 Main Street NE.**

The proposed amendments for application LA-14-02 includes revising conditional uses under the Commercial (C) zone to allow more floor space to be used for the manufacture and processing of products that are associated with on-site retail sales and business when the property does not abut a residential zone.

Person wishing to participate in the public hearing may appear in person or by representative at the date and time listed above. Written comments may also be submitted by mailing information to 21420 Main Street NE, Aurora, OR 97002.

One week prior to the meeting a copy of amendments will be available for inspection at no cost or copies may be purchased at a reasonable cost.

For further information, please contact the City of Aurora at (503) 678-1283.

September 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
Sign Permits	<ul style="list-style-type: none">• 21032 Hey 99E- Twisted Mane
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/HRB updates	
Misc.	