

**AGENDA**  
**Aurora Planning Commission Meeting**  
Tuesday, March 3, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

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**1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING**

**2. CITY RECORDER DOES ROLL CALL**

**3. CONSENT AGENDA**

- a) Planning Commission – February, 2015
- b) City Council Minutes – January, 2015
- c) Historic Review Board Meeting Minutes – NA

**4. CORRESPONDENCE –**

- a) Email Correspondence with City Planner

**5. VISITORS**

Anyone wishing to address the Aurora 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 Aurora Planning Commission could look into the matter and provide some response in the future.

**6. PUBLIC HEARING**

- a) Hearing on Conditional Use Permit 2015-01 [CUP-15-01] Christ Lutheran Church.
- b) Hearing on Site Development Review 15-01 Christ Lutheran Church.

**7. NEW BUSINESS**

- a) Discussion and or Action on Senate Bill 534 Provisions For City Services to an Airport.

**8. OLD BUSINESS**

- a) None

**9. Commission Action/Discussion**

- a) City Planning Activity (In Your Packets) Status of Development Projects within the City.

**10. ADJOURN**

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, February 03, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT** Kelly Richardson, City Recorder

**STAFF ABSENT;** Renata Wakeley, City Planner

**VISITORS PRESENT:** None

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**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Chairman Schaefer at 7:00 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Schaefer  
Commissioner Graham  
Commissioner Fawcett  
Commissioner Gibson  
Commissioner Rhoden-Feely – came in late at 7:10  
Commissioner Weidman  
Commissioner Willman - Absent

**3. CONSENT AGENDA**

- a) Planning Commission – January, 2015
- b) City Council Meeting Minutes – December, 2014
- c) Historic Review Board Minutes – November, 2014

Motion to approve the consent agenda as presented was made by Commissioner Gibson and is seconded by Commissioner Fawcett. Motion approved by all.

**4. CORRESPONDENCE - NA**

**5. VISITORS**

Anyone wishing to address the Aurora 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 Aurora Planning Commission could look into the matter and provide some response in the future.

No comments were made during this section.

**6. NEW BUSINESS**

- a) None

**7. OLD BUSINESS**

- a) Discussion and or Action Chapter 5 Training Material Land Use and Development. The training material was briefly discussed there were no questions.
- b) Discussion and or Action on Marijuana Regulations. Chair Schaefer explains the items within the packet regarding medical dispensaries. The Commissioners discuss the potential language changes for the pending code changes. Some of the items discussed were as follows;
- Home Occupations all agreed not a good idea in residential zone.
  - Employee screen, all agree that a background check should be done.
  - Annual Permit Review, all agree that the permit expire at the end of the year. Renewal would then be based on what is in affect at that time. Incase changes to the law occur so that nothing is grandfathered in.
  - School K-12 grade 500 feet.
  - Parks, adjacent.
  - Church, adjacent.
  - Not within 1,000 feet of another dispensary.
  - Residential Zone, adjacent
  - Hours of Operation 10-7pm
  - No Drive thru
  - No security gate necessary
  - Historic Commercial zone, if allowed by board
  - Security nothing extra
  - Secure Garbage containers
  - Must be in a Permanente Structure.

**8. Commission Action/Discussion**

- a) City Planning Activity ( in Your Packets) Status of Development Projects within the City  
It is the consensus of the commission to enforce both (21200 Hwy 99E and 20848 Hwy 99E) of the code violations.

**9. ADJOURN**

Chair Schaefer adjourned the February 3, 2015 Aurora Planning Commission Meeting at 8:11 P.M.

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Chair Schaefer

ATTEST:

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Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, January 13, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT**        Mary Lambert, Finance Officer  
                                 Darrel Lockard, Public Works Superintendent  
                                 Pete Marcellais, Marion County Deputy

**STAFF ABSENT:**        Kelly Richardson, City Recorder  
                                 Dennis Koho, City Attorney

**VISITORS PRESENT:**    Kevin Cameron, Marion County Commissioner  
                                 Robert Graham, Aurora Planning Commission

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**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Mayor Bill Graupp at 7:03 pm

**2. CITY RECORDER DOES ROLL CALL**

Mayor Graupp- Present  
Councilor Sallee-Present  
Councilor Brotherton-Present  
Councilor Sahlin - Present  
Councilor Vlcek - Present

**3. CONSENT AGENDA**

- a) City Council Meeting Minutes December, 2014
- b) Planning Commission Minutes, December, 2014
- c) Historic Review Board Minutes, Not Available

Motion to approve the consent agenda as presented was made by Councilor Sallee and is seconded by Councilor Vlcek. Motion approved by all.

**4. CORRESPONDENCE - NA**

**5. VISITORS**

Anyone wishing to address the Aurora 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 Aurora City Council could look into the matter and provide some response in the future. No comments were made during this section.

Kevin Cameron Marion County Commissioner thanked the entire group for their volunteer efforts and serving their community.

Councilor Vlcek rescinds his resignation from Council and asks to be excused from 3 upcoming council meetings and wants to continue his commitment.

#### **6. APPOINTMENT OF NEW COUNCILORS**

- a) Appointment of Mayoral Candidate Bill Graupp accepted his nomination and signed his oath.
- b) Appointment of Council Candidate Jason Sahlin accepted his nomination and signed his oath.
- c) Appointment of Council Candidate Kris Sallee accepted her nomination and signed her oath.
- d) Appointment of Council President, Consensus of the Council was for Councilor Sahlin to remain the Council President.

Due to City Recorder Richardson's absence the verbal oath of office will be given prior to the next council meeting.

#### **7. ASSIGNMENTS OF NEW COUNCIL LIAISON POSITIONS**

- a) Administration Dept, Councilor Sallee
- b) Public Works, Councilor Brotherton
- c) Police Contracts, Councilor Vlcek
- d) Parks, Councilor Sahlin
- e) Budget, Mayor Graupp

#### **8. REPORTS**

##### **a) Mayor Bill Graupp**

- Mayor report, Informs Council the Pudding River Water Council has a few dollars for Aurora to improve the water ways.  
I have a meeting with Senator Girard tomorrow regarding the recent Bill introduced to allow the Airport the ability to regulate water and sewer.

**Council discussed**, the Pudding River Water Council dollars to improve the edge of the river. It was agreed that river are clean up would be the best use of the dollars. One suggestion is cleaning up the proposed Dog Park, adding a walking path, planting native plants and creating a bee pollination area. We can continue this discussion at a later time.

**ACTION: Action to be.....**

##### **b) Marion County Deputy**

- Deputy report, I have discovered that the code has some overlap regarding animals that I will be looking into and working with the City Recorder to get cleaned up and make recommendation to Council. It either needs to be at local level or with Marion County but not both.

**Council discussed**, Councilor Sahlin likes the idea of keeping the animal control at the local level.

**ACTION: NA**

c) Traffic Safety Committee

- Traffic report, We held a 3 hour safety awareness session in hopes to slow traffic on Liberty Street there were approximately 5 cites given along with some warnings.

No Council discussion

**ACTION: NA**

d) Finance Officer

- Finance officer report, Informs Council that the Building Permits revenue is down from last year. Councilor Sallee asks if there is anything Finance Officer Lambert is concerned with. Lambert's response is a few legal fees appropriations are the main concern and I don't see any in trouble at this point.

**Council discussed** briefly that Aurora Colony Days was about 1,000 dollars short to cover expenses and Councilor Vlcek asks Lambert the status of Verizon Wireless she replies that City Recorder Richardson and City Planner Wakeley are still working on it and is moving forward.

**ACTION: NA**

e) Public Works

- Public Works report, we believe that the alarm situation has been fixed at the water plant. We are still tracking down a few alarms at the sewer treatment plant and are looking into purchasing a boat for the treatment plant. The sink hole on Main Street has been taken care of.

**Council discussed**, the situation along Ottaway Rd regarding the brush Councilor Sahlin has issue with us doing the work he would rather see the County work crew do the work if there is no charge. Councilor Sallee asks Superintendent Lockard if he has comp time accruals under control at this point Lockard states that they are however we did have employee Lowe recently take vacation on 40 hours of comp. Sallee states she would like to see this under control.

**ACTION:** send a letter to the property owner on Ottaway Rd outlining the authority of the city and have legal look at it. Look into the status of the Storm Water Master Plan.

f) Parks Committee

- Park report, Councilor Sahlin states at this point the committee is dormant.

**Council discussed**, we still need to get branches picked up when weather allows.

**ACTION:** Branches in the park.

g) City Recorder

- Recorder report, is read very basic see attached.

**Council discussed**, What can be done with dilapidated home on 99E lets look into the file to see what the issue was regarding HRB not wanting it taken down.

**ACTION:** Look into files regarding dilapidated house along 99E

h) City Attorney

- City Attorney report, City Attorney Koho is absent and is excused.

**Council discussed**, that there is an offer pending on the Eddy property and at this point Mr. Eddy has paid to have a tier 2 environmental study done.

**ACTION:** NA

**9. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- a) NA

**10. NEW BUSINESS**

- a) Discussion and or Action on New OLCC license for Christa Café.

A motion is made by Councilor Sahlin to approve the new OLCC license Christa Café and is seconded by Councilor Brother. Passed by all.

- b) Discussion and or Action Regarding the Documents Requested for the Assumption of the State Buildings Code.

It is the consensus of the Council to sign the documents requested by the state and provide the information they are looking for.

**OLD BUSINESS**

- a) NA

**11. ADJOURN**

The Council meeting of January 13, 2015 was adjourned by Mayor Graupp at 8:13 pm.



Bill Graupp, Mayor

ATTEST:



Mary Lambert  
Finance Officer

From: Joseph Schaefer  
Sent: Friday, February 20, 2015 7:57 AM  
To: Wakeley, Renata; mayor; recorder  
Subject: RE: text amendment

what I sent is straight from the PC which is why we aren't going to change it

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From: Wakeley, Renata [RWakeley@mwvcog.org]  
Sent: Thursday, February 19, 2015 10:47 AM  
To: Joseph Schaefer  
Cc: mayor; recorder  
Subject: RE: text amendment

Joseph,

My concern is whether the PC has reviewed this draft before we take the issue to them in a hearing format where they should already be familiar with the proposed code changes. I have not been party to the code conversations and want to represent the Planning Commission in drafting the staff report.

I kindly request the email correspondence below and my comments be included in the March PC packets. This does not need to be a discussion item in respect to your time concerns but I would like the PC to have this information in the packets to review on their own time.

Thanks for understanding my concerns.  
Renata

-----Original Message-----

From: Joseph Schaefer [mailto:JSchaefer@ci.aurora.or.us]  
Sent: Thursday, February 19, 2015 9:16 AM  
To: Wakeley, Renata  
Cc: mayor; Kelly Richardson  
Subject: RE: text amendment

Thanks Renata, my comments are inserted following your questions below -

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From: Wakeley, Renata [RWakeley@mwvcog.org]  
Sent: Wednesday, February 18, 2015 7:57 PM  
To: Joseph Schaefer  
Cc: mayor; recorder  
Subject: RE: text amendment

Hi Joseph,

Thanks for the update today. I have provided some comments below on the proposed Medical Marijuana Dispensary (MMD) language that I received from you.

a) You propose allowing MMD's in the Commercial and Historic Commercial zone only. My recollection is that the PC discussed this as potentially permitted in the C and I zones. I also recall they did not want these in the historic district. Has the PC had an opportunity to review your proposed text below? If not, I would like to include the draft text be a discussion item for the March

meeting. I know I have not been at the past 2-3 meetings but this seems contrary to our last conversations.

OK as is, they changed their mind. Marijuana will not be on the March agenda, to leave room for the church hearing and the airport.

b) MMD's need to be defined in section 16.02. I am happy to suggest some text from other jurisdictions but if you had a preferred sample code you were reviewing, can you send me that sample definition?

I have no sample text handy, so please provide.

c) Senate Bill 1531 already prohibits MMD's from being located within 1000 feet of public and private schools and 1000 feet of other MMD's. Rather than add this to the code, I would suggest we simply refer to the ORS since you are not proposing a buffer larger than that required by the State. Did you intend to reduce the buffer around schools to 500 feet? If so, the proposed code does not meet state law.

Please leave the text as is, for administrative reasons; it is too hard for people to find the ORS and they should be able to see all the rules in our code. (yes, I hear you laughing)

d) According to everyone I have spoken with, the City can add a buffer (say 1000 feet) around parks or where children congregate. Does the City really intend to only prohibit MMD's adjacent to parks. If the City could adopt a reasonable buffer around parks (say 1000 feet), are they not interested in doing so?

Please leave the text as is. This was the PC decision, though of course it is open to alteration later on.

e) Who will be responsible for completing the background checks? There is a cost to this and even if the City requires this, a tremendous amount of staff time as well. Who will enforce all employees (every week, once a year?), etc.

There is a huge annual application fee, so we can pay staff to do this. Good question to keep in mind as it will not be in the code but we will need staff to stay on top of it.

f) I appreciate the aesthetic concerns on security grates over windows but does the City prohibit this for any other businesses in town? There does not seem to be an argument for prohibiting this for MMD's but permitting for any/all others businesses. I also wonder how police departments would feel about this prohibition?

Good questions, but please leave the text as is.

g) Regarding off-site disposal, I would caution against pre-emptively adopting "manner restrictions" because the OLCC will almost certainly address such concerns and effective enforcement may prove difficult to current City staffing resources and expertise. Even without additional manner restrictions, Measure 91 explicitly prohibits "noisy, lewd, disorderly, or insanitary" facilities.

Yes enforcement will be a challenge, but please leave it in.

I have also cc'd the Mayor and Kelly on my comments on the draft language you propose below as an FYI. I will send the notice to DLCD tomorrow but want to make sure I have the dates correct: April 7th Planning Commission hearing and May 12th City Council decision and emergency ordinance reading (this does leave a 12 day gap between the moratorium expiration and may 12th effective date).

Those dates are correct.

Renata

-----Original Message-----

From: Joseph Schaefer [mailto:JSchaefer@ci.aurora.or.us]

Sent: Wednesday, February 18, 2015 1:21 PM

To: Wakeley, Renata

Subject: text amendment

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:

(F) Medical Marijuana Dispensary, subject to the following standards:

(1) Buffers

Elementary, middle or high school 500 ft.

Day care 100 ft.

Other medical marijuana business 1000 ft.

May not be adjacent to a residential zone, a park or a church.

(2) The use must be located within a permanent, enclosed structure.

(3) The use may not be allowed as a home occupation.

(4) Applicant and all employees must pass a criminal background check.

(5) The term of a conditional use approval may not exceed one year.

(6) Waste materials containing any amount of marijuana or by products must be disposed of off site.

(7) Doors and windows may not be covered with security grates.

(8) Hours of operation are limited to 10 am to 7 pm.

(9) Drive through windows are prohibited.

ALSO IN 16.22.030

(D) Medical Marijuana Dispensary, subject to the following standards:

(1) Buffers

Elementary, middle or high school 500 ft.

Day care 100 ft.

Other medical marijuana business 1000 ft.

May not be adjacent to a residential zone, a park or a church.

(2) The use must be located within a permanent, enclosed structure.

(3) The use may not be allowed as a home occupation.

(4) Applicant and all employees must pass a criminal background check.

(5) The term of a conditional use approval may not exceed one year.

(6) Waste materials containing any amount of marijuana or by products must be disposed of off site.

- (7) Doors and windows may not be covered with security grates.
- (8) Hours of operation are limited to 10 am to 7 pm.
- (9) Drive through windows are prohibited.

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From: Wakeley, Renata [RWakeley@mwvcog.org]  
Sent: Wednesday, February 18, 2015 1:20 PM  
To: Joseph Schaefer  
Subject: test

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**CITY OF AURORA  
PLANNING COMMISSION**

**STAFF REPORT:** Conditional Use Permit 2015-01 [CUP-15-01]  
**DATE:** February 25, 2015 (for the March 3, 2015 Planning Commission meeting)

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**APPLICANT/OWNER:** Christ Lutheran Church  
15029 2<sup>nd</sup> Street NE, Aurora OR 97002

**REQUEST:** Conditional Use Permit approval for church uses, religious classes, and daycare and associated uses.

**SITE LOCATION:** 15029 2<sup>nd</sup> Street NE, Aurora OR  
Map 041.W.12CD, Tax Lot 2600

**SITE SIZE:** 19,602 square feet or 0.45 acres

**DESIGNATION:** Zoning: Residential (R-1) with Historic Residential Overlay (HRO)

**CRITERIA:** Aurora Municipal Code (AMC) Chapters 16.20 Historic Residential Overlay and 16.60 Conditional Uses

**ENCLOSURES:** Exhibit A: Assessor Map  
Exhibit B: Application and site plan  
Exhibit C: Historic Review Board minutes (November 20, 2014)  
Exhibit D: Request for Comments (RFC) responses  
Exhibit E: Conditional Use Permit Approval File No. CU-96-4-9659

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**I. REQUEST**

Conditional Use Permit approval for church uses, religious classes, and daycare and associated uses as the existing conditional use permit on file is related to daycare uses in the parsonage only.

**II. PROCEDURE**

The application was determined by staff to be subject to a Conditional Use (CU) application as the proposed/current uses are only permitted with conditional use approval and a conditional use permit for the church and associated church uses is not on file with the City of Aurora. CU applications are processed as Quasi-Judicial Decisions under AMC 16.76. AMC 16.60 provides the criteria for reviewing Conditional Uses.

The application was received and fees paid on February 2, 2015. The application was determined complete by Staff and notice was mailed to surrounding property owners on February 11, 2015. The City has until **June 11, 2014**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

### III. APPEAL

Appeals are governed by AMC 16.76.260. An appeal of the Planning Commission's decision shall be made, in writing, to the City Council within 15 days of the Commission's final written decision.

### IV. CRITERIA AND FINDINGS

*The applicable review criteria for Conditional Use Permits are found in AMC Chapter 16.60-Conditional Uses.*

#### **16.60 Conditional Uses**

*A. The planning commission may approve a conditional use permit only when the applicant has shown that all of the following conditions exist:*

*1. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;*

**FINDING:** The property is currently used as a church and the applicant is seeking to memorialize the condition use as permitted for the church and related uses, religious classes, and a daycare within the church building and parsonage. The applicant has a conditional use permit on file for operation of a daycare within the parsonage (See Exhibit E). According to the applicant, there will be no new use on the property to that which is already occurring on site.

According to the applicant, the proposed addition will not create additional need for parking and accessibility and circulation will be improved by the proposed on site improvements to the front access.

Staff finds the current use of the property has been found to be suitable to date. Notice of the CUP application was mailed to property owners within 200 feet of the subject property and published in the Canby Herald.

Staff finds this criteria is met.

*2. All required public facilities have adequate capacity to serve the proposal and are improved to the standards in Chapter 16.34;*

**FINDING:** Lot 2600 fronts onto a public street on its south side, which is improved with 6 foot sidewalks along the frontage which are found by staff to be in good condition. The frontage does not have curbs, gutters or paved parking along the frontage but is rather gravel. The 2009 Transportation System Plan identifies 2<sup>nd</sup> Street as a local residential, requiring 54 feet of right-of-way, 32 feet of pavement width, and 5 foot sidewalks. 2<sup>nd</sup> Street has 90 feet of ROW and additional dedication is not required. Staff finds this criteria is met.

The proposed conditional uses are those currently being served on site and according to the applicant,

AMC section 16.28- Parking District Overlay only applies to properties located in the historic commercial overlay.

Staff finds the uses proposed for conditional use approval may lead to additional traffic or impacts to the site. However, according to the applicant, the proposed uses are currently already occurring on site. Staff does not recommend the conditional use application require frontage improvements to address required parking and impacts. The applicant has submitted a concurrent Site Development Review application (File No. SDR-2015-01) which reviews impacts to the site related to the additional development and on-site changes proposed. Site Development Review applications must show compliance with the AMC.

Staff finds this criteria is met.

*3. The requirements of the zoning district are met;*

**FINDING:** AMC 16.20.030.A allows churches as a conditional use and when authorized by the planning commission, "provided that all building setbacks shall be a minimum of thirty (30) feet from any property line". The existing structure meets setback requirements for the zone with the exception of the required thirty (30) foot minimum setback from the front property line required for churches in the zone. The minimum front setback in the HRO zone is fifteen (15) feet for other permitted uses. Staff finds the structure, shown by the County Assessor as constructed in 1952, is not increasing the non-conformity of the structure. Indeed, the application proposes to reduce the front setback by removing the main entrance porch which is constructed to the front property line and revises the structure to be setback twelve (12) feet from the front property line.

Staff finds that while this criteria cannot be met, the structure can be considered a pre-existing non-conforming use. Staff recommends a condition of approval of the condition use permit include that the applicant cannot increase the non-conforming setbacks as required by code.

A sign permit application was not included with the application. The applicant does include text in the site plan stating, "relocate sign" but no additional information or measurements were provided. If new or revised signage is proposed, the applicant shall be required to submit a sign permit application. This is included as a recommended condition of approval.

Additional development or uses on Lot 2600 not included with the application may be subject to additional land use requirements or applications. Staff finds this criteria can be met, with conditions.

*4. The use is compatible with surrounding properties or will be made compatible by imposing conditions;*

**FINDING:** Surrounding properties are residentially zoned and the use is permitted upon receipt of conditional use permit approval under 16.20.030.A. The use has been underway for some time and the applicant seeks to memorialize the conditional use permit for current uses for the file. Notice was mailed to property owners within 200 feet of the subject property and published in the Canby Herald in advance of the public hearing. Staff finds this criterion is met.

5. All parking and loading areas are designed and improved in accordance with the requirements set forth in Chapter 16.42;

**FINDING:** No additional parking or loading areas are proposed. Staff finds the uses proposed for conditional use approval may lead to additional traffic or impacts to the site. However, according to the applicant, the proposed uses are currently already occurring on site. The applicant has submitted a concurrent application for Site Development Review which reviews impacts related to the on-site development and changes. These are also summarized below.

Parking shall be in conformance with the HRO zone, Title 17, and 16.42. The HRO zone is not included in the Parking District Overlay (AMC 16.28) which may exempt some properties from meeting parking standards. AMC 16.42.030.B.1 requires one (1) space per four (4) seats or eight (8) feet of bench length. According to the applicant, the break out below summarizes the total square footage for the subject structure (see Exhibit B).

Large Assembly Space/Circulation:	6,347 SF
Vertical Circulation:	1045 SF
Small Classrooms:	1213 SF
Office:	313 SF
Restrooms:	758 SF
Food Preparation:	440 SF
Sanctuary Benches:	239 LF

Staff has attempted to break out the square footage requirements into the various components in compliance with AMC 16.42.040.A., “In the event several uses occupy a single structure or parcel of land, the total requirements of the several uses should be computed separately”.

USE	16.42 REQUIREMENT	SUBJECT APPLICATION	SPACES NEEDED
Sanctuary benches	16.42.100.B.1. Church or meeting rooms: 1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet	239 linear feet (6347 sf ft of assembly space)	Minimum of 30 parking spaces
Small Classrooms	16.42.100.B.1 above of 1 space per 60 sq ft; or 16.42.100.B.2 for Library, reading room: 1 space per 400 square feet; or 16.42.100.B.5 for pre-school nursery or kindergarten: 5 spaces plus 1 space per classroom	1,213 sq ft	Between 3, 6, or 20 parking spaces depending upon interpretation of use
Office	16.42.100.C.2: Retail, bank, office, medical, dental: 1 space per 400 square feet but not less than 3 spaces per establishment	313 square feet (1 new office)	3 spaces minimum

Using the table above, a **minimum of 36 spaces** should be available for use by the church. This calculation does not include the parsonage. According to the applicant, the gravel parking lot is above to accommodate eleven (11) parking spaces on site. According to AMC 16.42.130, one can assume ten (10)

feet of curb length is needed per 90 degree on-street parking space. The subject property also has approximately 120 feet of frontage along 2<sup>nd</sup> Street, minus access drives, which could accommodate an additional twelve (12) parking spaces. **This still leaves a deficit of 13 parking spaces, at a minimum.**

No ADA parking is indicated on-site on the abutting public street. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on-street or on site. If ADA parking is required, it shall be constructed in accordance with the Uniform Building Code, in conformance with AMC 16.42.100. This is included as a recommended condition of approval.

16.42.050.A. states, "All parking and maneuvering surfaces shall have a durable, hard and dustless surface such as asphalt, concrete, cobblestone, unit masonry, scored and colored concrete, grasscrete, compacted gravel, or combinations of the above". Staff finds the parking areas along the street, required to be meet the minimum parking requirements for the structure, are in poor condition. The parking lot to the east of the structure is also in poor to very poor condition.

16.42.050.J states, "J. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street right-of-way". 16.42.050.K requires, "The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height, and at least three feet from the lot line or any required fence. Staff recommends the on-street parking and parking lot to the east be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. This is included as a recommended condition of approval.

According to the applicant, the existing parking lot and on-street parking are adequate for the existing church and the proposed addition/remodel does not create the need for additional parking.

Alternatively, the Planning Commission can choose to waive some of the AMC parking requirements for the property and/or require that the applicant provide all 36 parking spaces on-site, with no on-street improvements to the gravel on-street parking.

Staff finds this criteria can be met, with conditions.

*6. All landscaping is designed and improved in accordance with the requirements set forth in Chapter 16.38;*

**FINDING:** Beyond the frontage improvements for access and paving, no additional landscaping is proposed.

The lot measures 19,602 square feet. According to the Marion County Assessor, the on site improvements include 5,623 sq ft for the main level of the existing church. The parsonage is not included on the Marion County Assessor records. Based upon the site plan provided and the proposed additional impervious surfacing, it does not believe the 50 percent impervious surface limitation has been exceeded.

If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2. This is included as a recommended condition of approval.

*7. All public improvements are designed and constructed in accordance with the requirements set forth in Chapter 16.34;*

**FINDING:** See AMC 16.60.A.2. *summarized above.* Staff finds this criterion is met.

*8. All facilities for the handicapped are designed in accordance with the requirements set forth in the ADA requirements;*

**FINDING:** The applicant has submitted a concurrent application for Site Development Review (File No. SDR-2015-01) for improvement to pedestrian and ADA accessibility to the site. Staff finds this criteria can be met with SDR approval.

*9. The provisions of all applicable chapters of this title are satisfied; and*

**FINDING:** Staff finds the applicant can meet the zone criteria under the HRO, with conditional use approval.

*10. Properties located in the historic commercial or historic residential overlay comply with the requirements set forth in Title 17 of the Aurora Municipal Code. A certificate of appropriateness approved by the historic review board shall satisfy this requirement.*

**FINDING:** The property is located in the Historic Residential Overlay and is identified as the Christ Lutheran Church (Historic Non-Contributing, Secondary Significant, Resource #80) in the Aurora Historic Building Inventory from 1985 and is listed as constructed in 1903 and extensively remodeled in the 1950's.

The Historic Review Board (HRB) reviewed the proposed Site Development Review approval on November 20, 2014. See Exhibit C.

The HRB provided the following comments: (1) the flat roof shall be screened with a parapet. Proposed conditions of approval to address HRB comments are included as recommended conditions of approval below.

*B. In reviewing an application for a conditional use, the commission shall consider the most appropriate use of the land and the general welfare of the people residing or working in the neighborhood. In addition to the general requirements of this title, the commission may impose any other reasonable conditions deemed necessary. Such conditions may include, but are not limited to:*

- 1. Limiting the manner in which the use is to be conducted, including restrictions on the hours of operation;*
- 2. Establishing additional setbacks or open areas;*
- 3. Designating the size, number, location and nature of vehicle access points;*

4. *Limiting or otherwise designating the number, size, location, height and lighting of signs;*
5. *Requiring fences, sight-obscuring hedges or other screening and landscaping to protect adjacent properties;*
6. *Protecting and preserving existing soils, vegetation, wildlife habitat or other natural resources.*

**FINDINGS:** The property abuts residential properties to the north, south, east and west. The uses have been ongoing for a number of years and notice of the conditional use permit application was mailed to property owners within 200 feet and published in the Canby Herald.

Staff has included as a recommended condition of approval that any changed or additional signage shall be subject to a sign permit application.

The Aurora nuisance code (AMC section 8.04.040) provides limitations of noise generally between 7 a.m. and 10 p.m. Staff finds the city nuisance code is sufficient to restrict impacts upon surrounding properties.

Staff finds the criteria for Conditional Use approval under AMC 16.60.B can be met, with conditions as recommended below.

## **V. CONCLUSIONS AND RECOMMENDATIONS**

Based on the findings in the staff report, staff recommends that the Planning Commission **approve** the application for Conditional Use Permit (CUP-2015-01) based upon the following:

- 1) The applicant cannot increase non-conforming setbacks, as required by the AMC 16.20.030.A, as part of their conditional use permit approval.
- 2) If additional or revised signage is proposed, the applicant shall be required to submit a sign permit application.
- 3) The Conditional Use permit approve shall be remain valid for the length of ownership by the current property owner but may be revoked upon transfer of ownership, suspension of use as a church for more than two years, or noncompliance with any of the conditions of approval as part of this application, pursuant AMC 16.60.090. Additional development or uses on Lot 2600 not included with this application may subject the property to additional land use requirements or applications.
- 4) The on-street parking fronting upon Lot 2600 and the on-site parking area to the east of the existing structures shall be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. Final inspection of the improvements by the City of Aurora shall be required prior to final occupancy approval.
- 5) The flat roof shall be screened with a parapet.
- 6) If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2

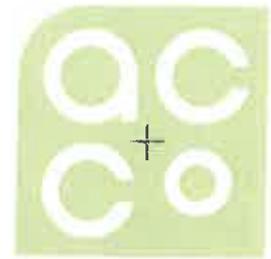
**VI. PLANNING COMMISSION ACTION**

- A. Approve the conditional use permit (CUP-2015-01) for
  - 1. As recommended by staff, or
  - 2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for a conditional use permit approval for CUP 15-01 stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).



February 2, 2015

City of Aurora  
Planning Commission  
Renata Wakeley  
Community Development Director  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, Oregon 97301



ARCHITECTURE  
COMMUNITY

363 State Street  
Salem, OR 97301-3533  
P: 503.581.4114  
www.accoac.com

RE: Christ Lutheran Church - Aurora  
15029 2<sup>nd</sup> Street NE  
Conditional Use Permit  
Architect's Project No. 2014.0044

[renatac@mwvcoq.org](mailto:renatac@mwvcoq.org)

Dear Renata:

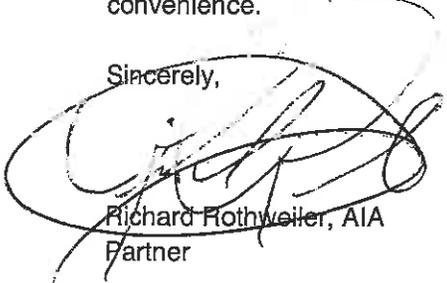
We wish to express our appreciation for the City of Aurora's review of the Christ Lutheran Church Property. Specifically in reference for the Conditional Use Permit for the church, it's religious classes and it's day care functions. The property currently has Conditional Use granted for day care use in the Parsonage as per attached. No Conditional Use is found on file for the church itself.

In addition to the Conditional Use request for the church proper, this request also included the proposed addition of a new stair and entry tower. The proposed project also includes building and site accessibility improvements.

In reference to the Conditional Use Approval Standards and Conditions (attached), please refer to the Applicant's Narrative (attached).

As demonstrated herein, the Conditional Use for the Christ Lutheran Church is appropriate for the subject property. Based upon the presented supportive findings and conclusions, the proposed request is consistent and in compliance with applicable Planning Standards and Conditions. We look forward to your approval of the attached request. Should you have any questions, please contact us at your convenience.

Sincerely,



Richard Rothweiler, AIA  
Partner

RR:kc

Encl.

cc: Pastor Craig Johnson, Christ Lutheran Church

Exhibit B1

February 2, 2015

## APPLICANT'S NARRATIVE

Conditional Use Permit Application for Property located at 15029 2<sup>nd</sup> Street, Aurora, Oregon

**APPLICANT:** Christ Lutheran Church, 15029 2<sup>nd</sup> Street, Aurora, OR 97002

**REPRESENTATIVE:** Richard Rothweiler, AIA of AC + Co Architecture | Community, 363 State Street, Salem, OR 97301

### SECTION 16.60.030 ADMINISTRATION AND APPROVAL PROCESS

The proposed application is in accordance with Chapter 16.76 (Ordinance 415 7.130.020, 2002) Municipal Code Title 16 and Title 17 for non-contributing properties located in the Aurora Colony Historic District

### SECTION 16.60.030 PHASED DEVELOPMENT OR EXISTING DEVELOPMENT

- A. All construction work is schedule to take place within an approximate period of eighteen (18) months.
- B. Construction will be phased in order to provide occupant access to public facilities at Christ Lutheran Church throughout construction. Provision of temporary public facilities will not be necessary.

### SECTION 16.60.040 APPROVAL STANDARDS AND CONDITIONS

- A1. The existing conditions of the site, including its size, shape, location, topography and natural features, support the existing church building, and will support the proposed addition and renovation work, which will be located within the extents of existing development.
- A2. The proposed renovations to existing public facilities will improve their accessibility and comply with the occupancy standards set forth in Aurora's Municipal Building Code.
- A3. The renovation and new addition design proposal complies with the Historic Preservation zoning requirements for non-contributing properties located within the boundaries of the Aurora Colony Historic District.
- A4. The permitted existing use of the Christ Lutheran Church property will continue. There will be no new use on the property.
- A5. No changes are proposed for the existing gravel parking and loading areas on the property. The existing size and scope of the parking lot is adequate for the existing church. The proposed addition will not create additional need for parking. Pedestrian accessibility and circulation to and from these areas will comply with Chapter 16.42 and ADA design guidelines.
- A6. The proposed landscaping improvements comply with area, screening, and fencing requirements in Municipal Code Chapters 16.38 and 17.44. While the proposal reduces the existing landscaping on the property by 2.8%, well over 30% of the property remains landscaped. All proposed landscape improvements are located on the south (front) face of the building. There will be no work in landscape buffer areas between neighboring properties.

Exhibit B2

- A7. The proposed improvements comply with Municipal Code Chapter 16.34. There will be no changes to the existing lot's size or shape. The sidewalk adjacent to the south property line will be widened and improved to provide better storm drainage, accessibility, and safe pedestrian circulation between building entrances and street/on-site parking areas. All construction work shall be carried out in accordance with City regulations.
- A8. All improvements to the property will comply with ADA design guidelines and accessibility requirements.
- A9. The proposed improvements are in accordance with provisions set forth in Aurora Municipal Code Titles 16 and 17
- A10. Christ Lutheran Church is a noncontributing property in the Aurora Colony Historic District. The proposed improvements comply with Aurora Municipal Code Title 17 design guidelines, including and have been approved by the Historic Review Board.

**SECTION 16.60.050 MAJOR MODIFICATION TO APPROVED PLANS OR EXISTING DEVELOPMENT**

- A. The proposed improvements do not involve any of the changes listed in Chapter 16.60.050 defining a major modification. There will be no change in property use or vehicular traffic generation, circulation and parking. The increase in lot coverage by the addition of a stair tower is well below 10%. The existing landscape coverage will be reduced by 2.8%, leaving over 30% of the property landscaped. The maximum height of the new stair and entry tower is thirty-five (35) feet per development standards in Chapter 16.22.040 and Historic Preservation design guidelines in Chapter 17.40.110. The entry and stair tower addition is located within four (4) feet of the front setback of the neighboring structure per Chapter 17.40.160.

**SECTION 16.60.060 MINOR MODIFICATIONS TO APPROVED PLANS OR EXISTING DEVELOPMENT**

- A. The proposed improvements to the existing property do not include the changes described in Chapter 16.60.050 defining a major modification and are, therefore, classified as a minor modification.

# City of Aurora Building /Planning Application

(Check appropriate box)

- |   |   |
|---|---|
| <input type="checkbox"/> SITE DEVELOPMENT REVIEW (AMC 16.58)<br><input type="checkbox"/> FLOOD PLAN DEV. PERMIT (AMC 16.18)<br><input type="checkbox"/> HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)<br><input type="checkbox"/> Certificate of Appropriateness<br><input type="checkbox"/> Demolition Permit<br><input type="checkbox"/> Sign Review<br><input type="checkbox"/> MANUFACTURED HOME PARK (AMC 16.36)<br><input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT (AMC 16.80)<br><input type="checkbox"/> Text <input type="checkbox"/> Map<br><input type="checkbox"/> ZONING ORDINANCE AMENDMENT (AMC 16.80)<br><input type="checkbox"/> Text <input type="checkbox"/> Map | <input checked="" type="checkbox"/> CONDITIONAL USE (AMC 16.60)<br><input type="checkbox"/> VARIANCE (AMC 16.64)<br><input type="checkbox"/> HOME OCCUPATION (AMC 16.46)<br>Type I      Type II<br><input type="checkbox"/> NON-CONFORMING USE (AMC 16.62)<br><input type="checkbox"/> LAND DIVISION<br><input type="checkbox"/> Subdivision (AMC 16.72)<br><input type="checkbox"/> Partition (AMC 16.70)<br><input type="checkbox"/> Property Line Adjustment (AMC 16.68)<br><input type="checkbox"/> APPEAL TO _____ (AMC 16.74-16.78)<br><input type="checkbox"/> OTHER _____ |
|---|---|

**APPLICANT GENERAL INFORMATION**

Applicant CHRIST LUTHERAN CHURCH Phone 503.078.5135  
 Mailing Address 15029 2ND STREET, AURORA, OREGON 97002  
 Property Owner CHRIST LUTHERAN CHURCH Phone 503.078.5135  
 Mailing Address 15029 2ND STREET, AURORA, OREGON 97002  
 Contact person if different than applicant RICHARD ROTHWEILER Phone 503.581.4114  
 Mailing Address 303 STATE STREET, SALEM, OREGON 97301

**PROPERTY DESCRIPTION**

Address 15029 2ND STREET Tax Map # \_\_\_\_\_ Tax Lot # \_\_\_\_\_  
 Legal Description (attach add'l sheet if necessary) \_\_\_\_\_  
 Total Acres or Sq. Ft. \_\_\_\_\_ Existing Land Use \_\_\_\_\_  
 Existing Zoning \_\_\_\_\_ Proposed Zoning (if applicable) \_\_\_\_\_  
 Proposed use \_\_\_\_\_

**ACTION REQUESTED: (use additional sheets as needed)**

ALLOW CONDITIONAL USE OF EXISTING CHURCH ON SITE.

**ATTACHMENTS:**

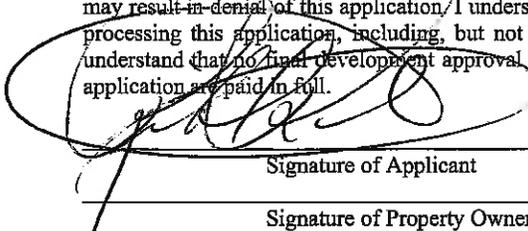
- A. Plot plan of subject property- show scale, north arrow, location of all existing and proposed structures, road access to property, names of owners of each property, etc. Plot plans can be submitted on tax assessor maps which can be obtained from the tax assessor's office in the Marion County Courthouse, Salem OR.
- B. Legal description of the property as it appears on the deed (metes and bounds). This can be obtained at the Marion County Clerk's office in the Marion County Courthouse, Salem OR.

**ADDITIONAL INFORMATION**

In order to expedite and complete the processing of this application, the City of Aurora requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete. The submittal requirement relative to this application may be obtained from the specific sections of the Aurora Municipal Code pertaining to this application. If there are any questions as to submittal requirements, contact the City Hall prior to formal submission of the application.

In submitting this application, the applicant should be prepared to give evidence and information which will justify the request and satisfy all the required applicable criteria. The filing fee deposit must be paid at the time of submission. This fee in no way assures approval of the application and is refundable to the extent that the fee is not used to cover all actual costs of processing the application.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application. I understand that the original fee paid is only a deposit and I agree to pay all additional actual costs of processing this application, including, but not limited to, all planning, engineering, City attorney and City administration fees & costs. I understand that no final development approval shall be given and/or building permit shall be issued until all actual costs for processing this application are paid in full.

  
 \_\_\_\_\_  
 Signature of Applicant

01.28.15  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of Property Owner      \_\_\_\_\_  
 Date

Office Use Only:	Received By: _____	Date: _____	
	Fee Paid \$ _____	Receipt # _____	Case File # _____
Planning Director Review (if applicable): _____		Date: _____	

EXHIBIT B4



**PROPOSED ENTRY**  
**CHRIST LUTHERAN CHURCH, AURORA**

**ARCHITECTURE**  
**COMMUNITY**  
363 State Street  
Salem, OR 97301-3533  
P: 503.581.4114

B5



**PROPOSED ENTRY AND STAIR TOWER  
CHRIST LUTHERAN CHURCH, AURORA**



**ARCHITECTURE  
COMMUNITY**

363 State Street  
Salem, OR 97301-3533  
P. 503.581.4114

B6



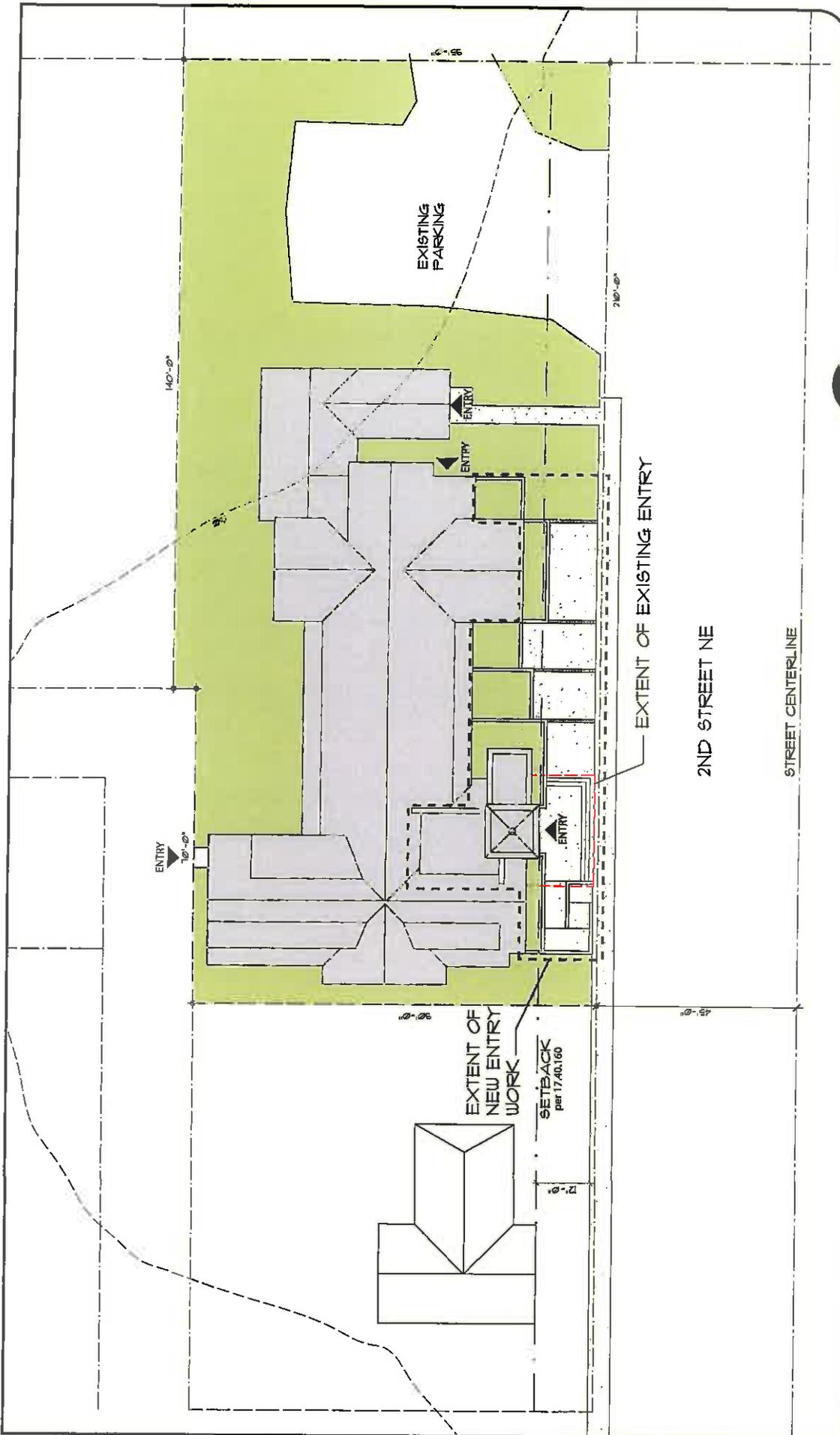
**PROPOSED ENTRY  
CHRIST LUTHERAN CHURCH, AURORA**

B7



**ARCHITECTURE  
COMMUNITY**

363 State Street  
Salem, OR 97301-3533  
P: 503.581.4114



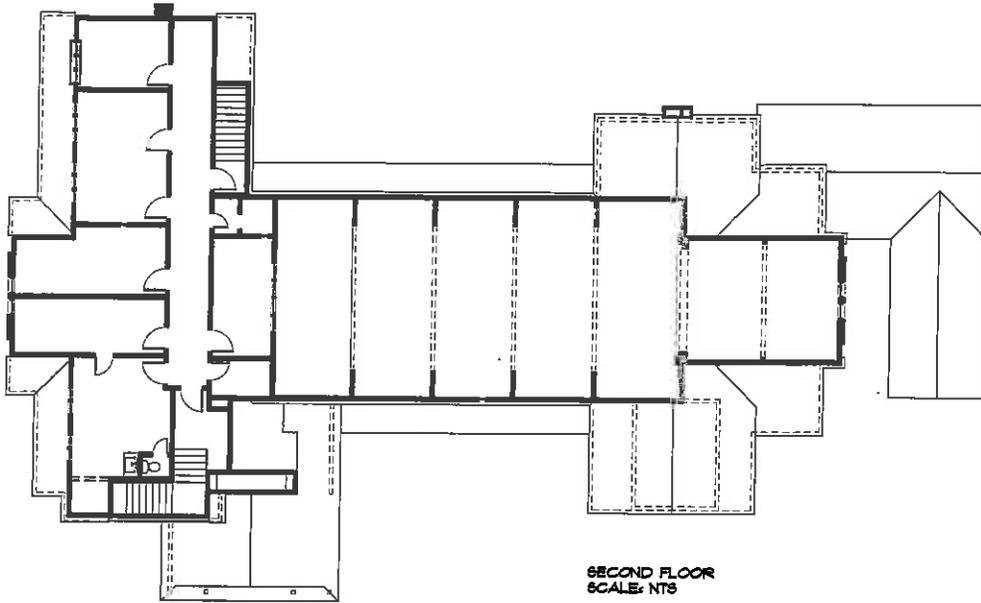
PROPOSED SITE PLAN  
 AURORA CHRIST LUTHERAN CHURCH  
 SCALE: NTS



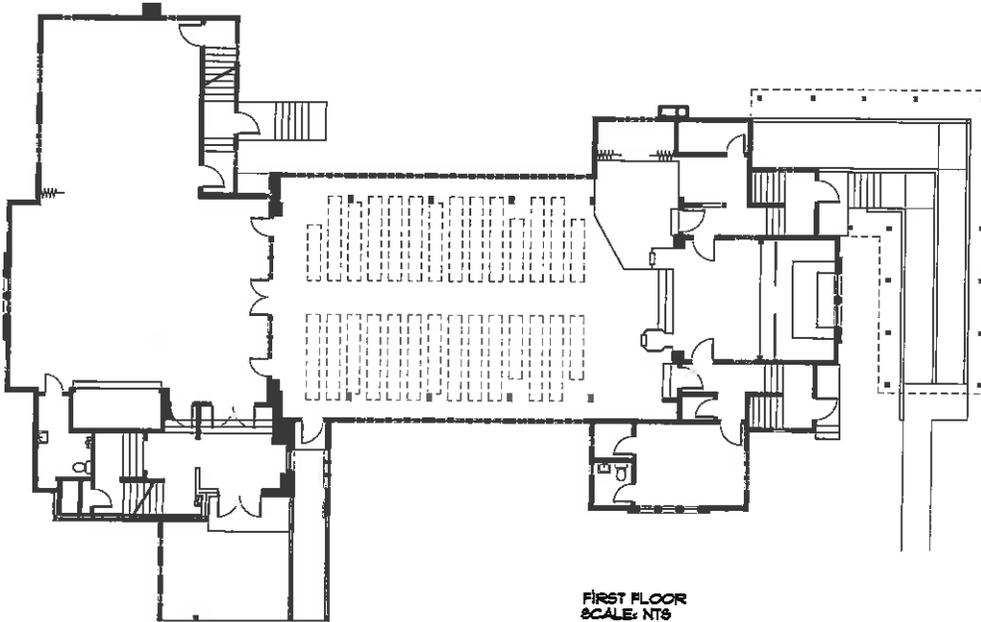
**OC** ARCHITECTURE  
**CC** COMMUNITY

343 State Street  
 Salem, CA 97301-8523  
 503.661.4114  
 www.ocarch.com

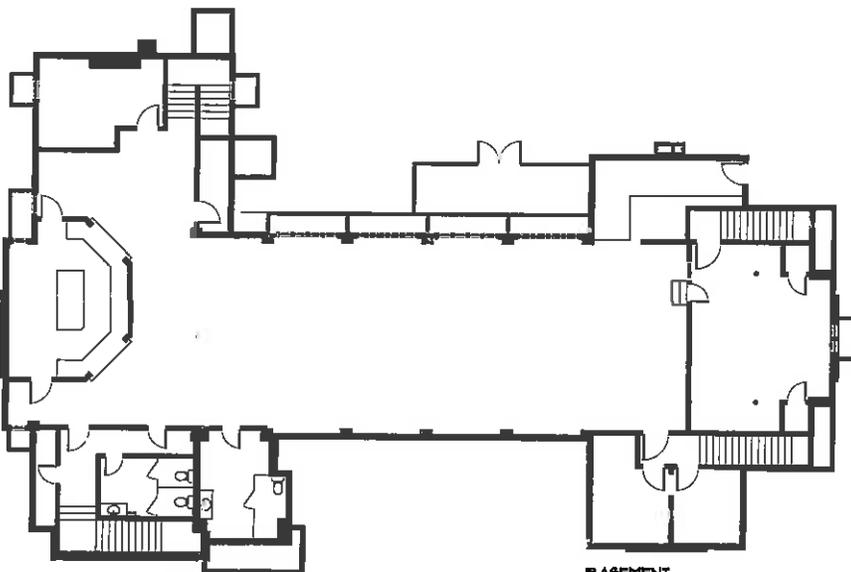
BS



SECOND FLOOR  
SCALE: NTS



FIRST FLOOR  
SCALE: NTS



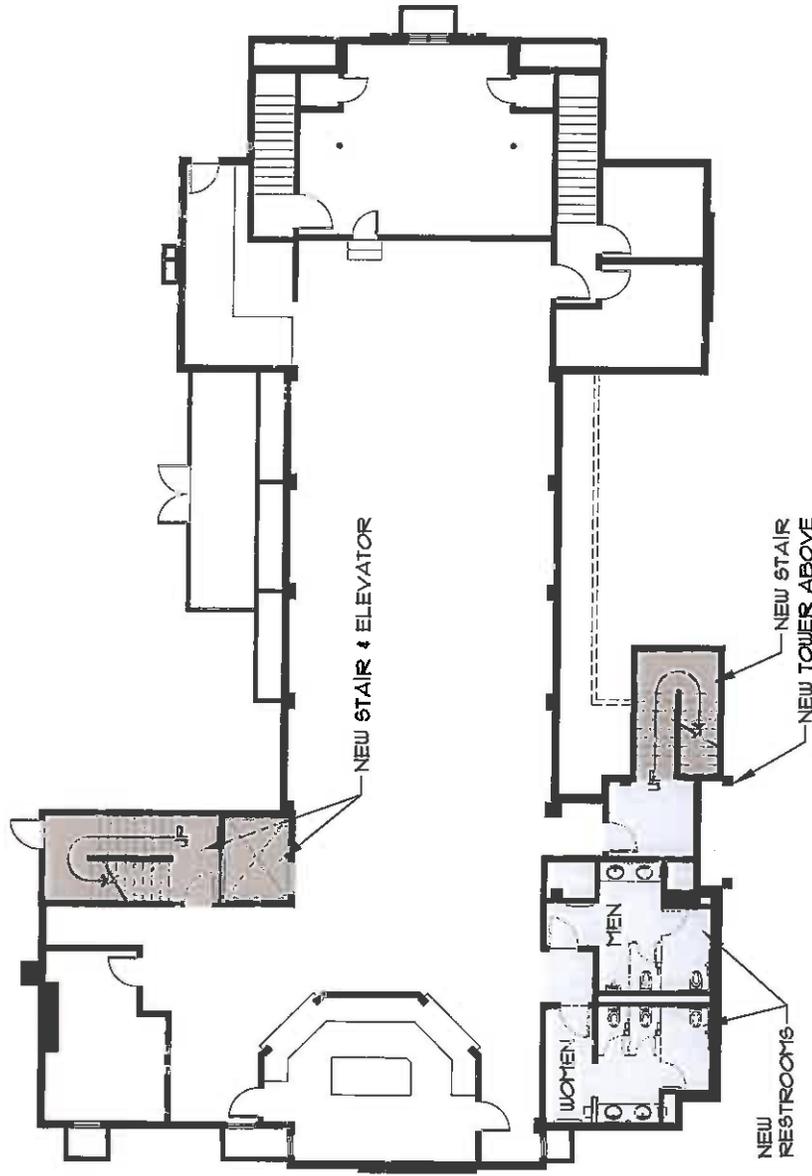
BASEMENT  
SCALE: NTS

EXISTING FLOOR PLAN  
CHRIST LUTHERAN CHURCH  
AURORA, OREGON



ARCHITECTURE  
COMMUNITY  
363 State Street  
Salem, OR 97301-8833  
P: 503-531-4114  
www.accomm.com

Exhibit *89*



PROPOSED BASEMENT FLOOR PLAN

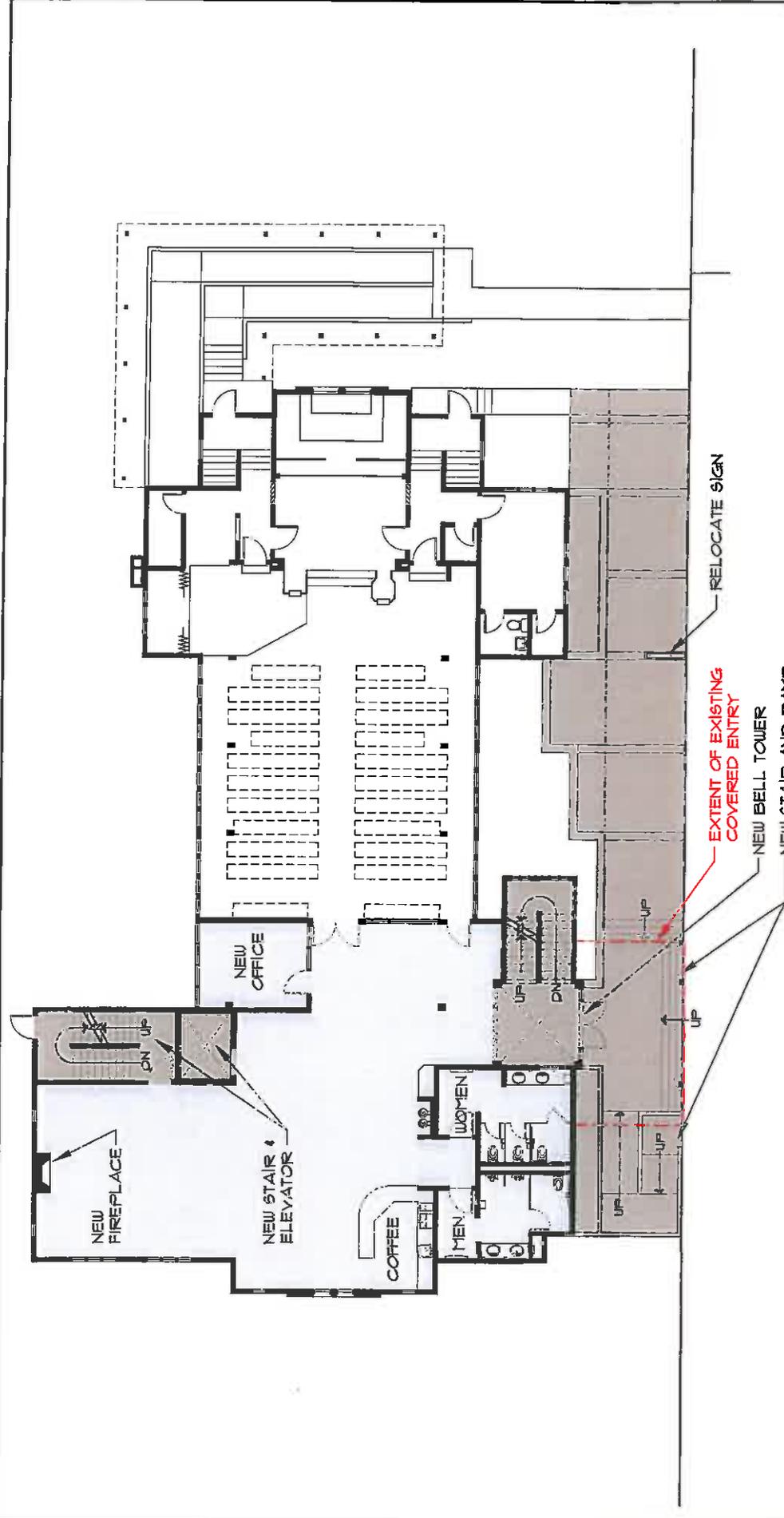


- NEW CONSTRUCTION
- REMODEL/RENOVATION

CHRIST LUTHERAN CHURCH  
 AURORA, OREGON  
 2014.02.14.02

**ARCHITECTURE  
 COMMUNITY**  
 563 State Street  
 Astoria, OR 97103-5835  
 P: 503.325.4111  
 www.aceccap.com

B10



1 PROPOSED FIRST FLOOR PLAN



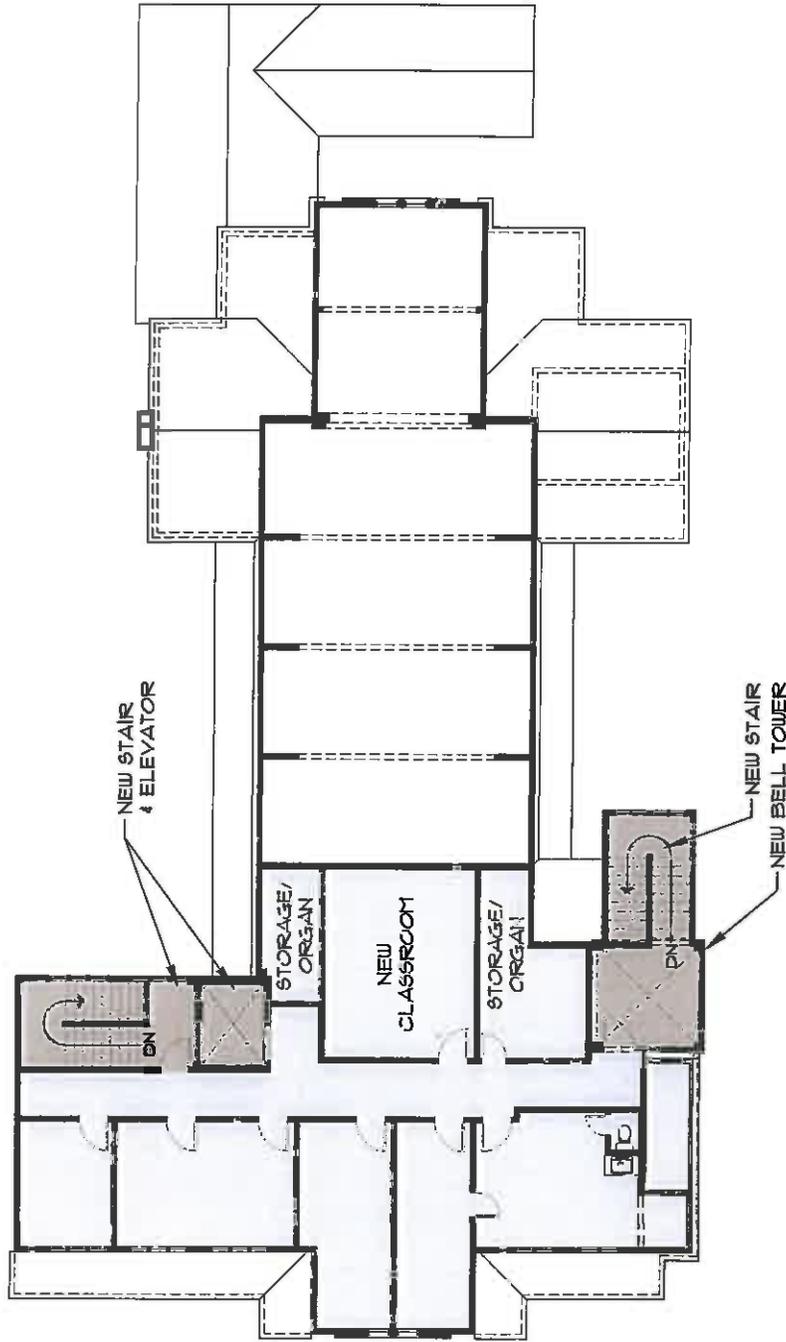
ARCHITECTURE  
COMMUNITY  
343 State Street  
Bismarck, ND 58101-5633  
www.accomm.com

NEW CONSTRUCTION  
REMODEL/RENOVATION



CHRIST LUTHERAN CHURCH  
AURORA, OREGON  
2014.0044.000

91

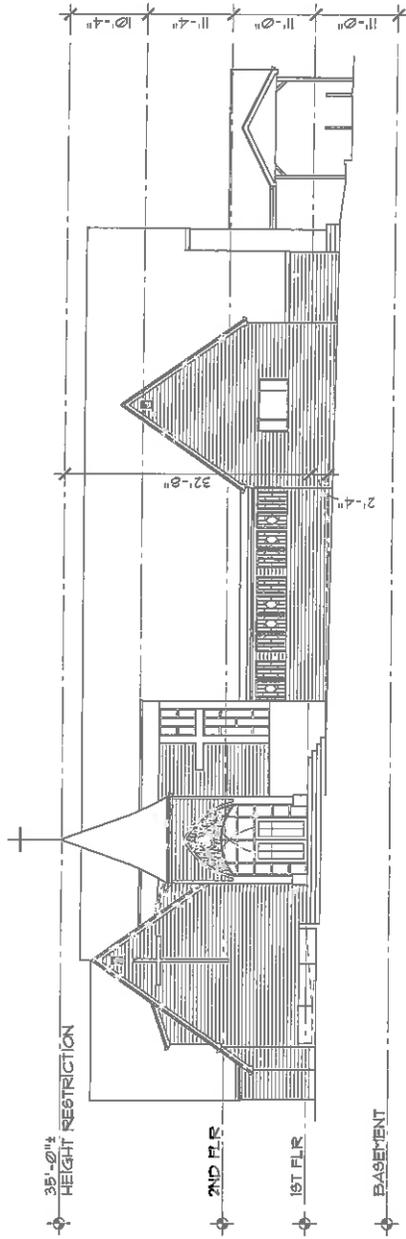


2 PROPOSED SECOND FLOOR PLAN



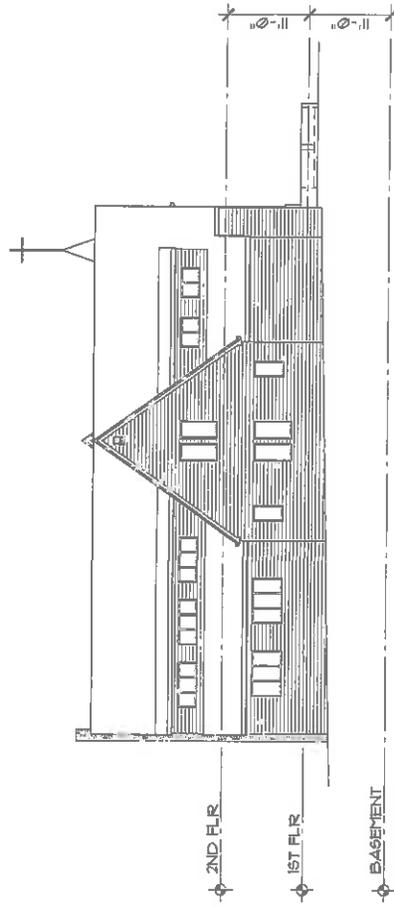
- NEW CONSTRUCTION
- REMODEL/RENOVATION

B12



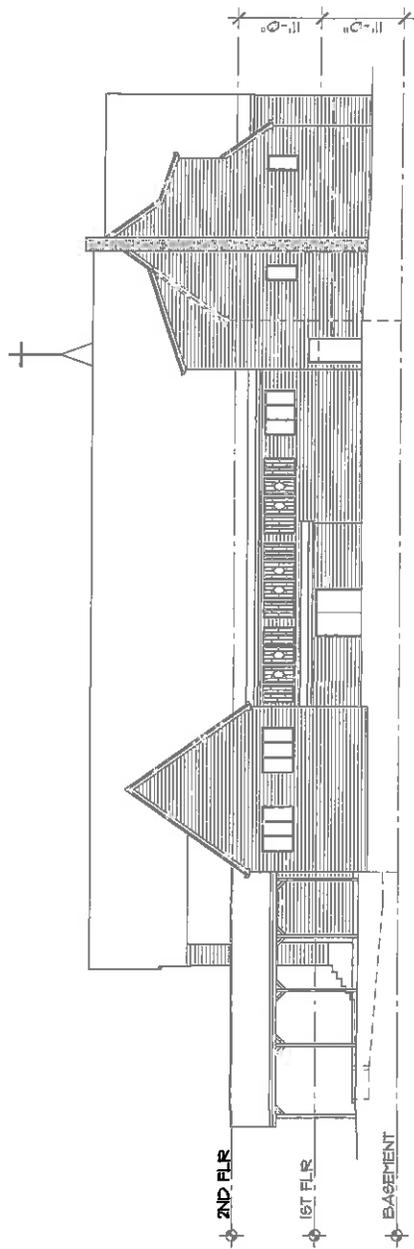
1 SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



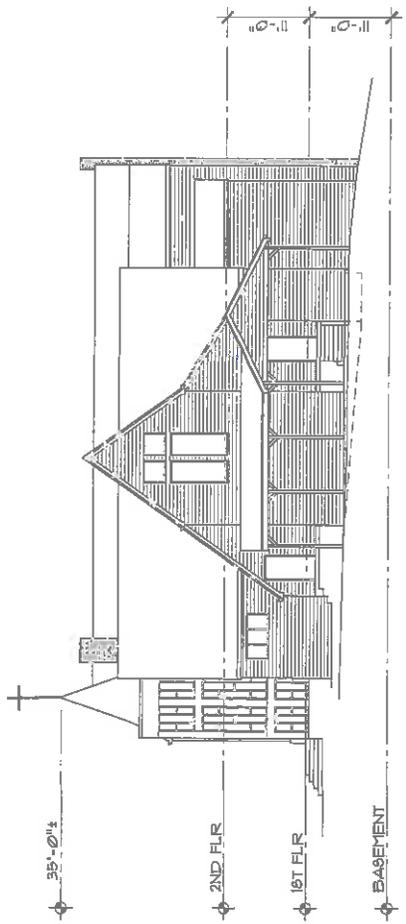
2 WEST ELEVATION

SCALE: 1/16" = 1'-0"



**3 NORTH ELEVATION**

SCALE: 1/16" = 1'-0"



**4 EAST ELEVATION**

SCALE: 1/16" = 1'-0"

B14

## Wakeley, Renata

---

**From:** Lexie Costic <lcostic@accoac.com>  
**Sent:** Tuesday, February 24, 2015 5:05 PM  
**To:** Wakeley, Renata  
**Subject:** RE: Christ Lutheran Church, City of Aurora  
**Attachments:** 1444-MSite-Exst.pdf; 1444-MSite\_012915.pdf

Renata,

Here are the area calculations for the habitable spaces per the final phase floor plan.

Large Assembly Space/Circulation:	6,347 SF
Vertical Circulation:	1045 SF
Small Classrooms:	1213 SF
Office:	313 SF
Restrooms:	758 SF
Food Preparation:	440 SF
Sanctuary Benches:	239 LF



Attach are the existing and proposed site plans that show the landscaping alterations along the south edge of the building. It's less than a 3% reduction in landscaping.

I will see how many parking spaces the gravel lot provides tomorrow and will let you know ASAP.

Lexie

-----Original Message-----

**From:** Wakeley, Renata [mailto:RWakeley@mwvcog.org]  
**Sent:** Tuesday, February 24, 2015 3:16 PM  
**To:** Lexie Costic  
**Subject:** FW: Christ Lutheran Church, City of Aurora

Hi Lexie,

Thanks for your response. Please see email below regarding on-site parking and square footage.

Regards,  
Renata

-----Original Message-----

**From:** Wakeley, Renata  
**Sent:** Tuesday, February 24, 2015 2:57 PM  
**To:** 'Richard Rothweiler'  
**Subject:** RE: Christ Lutheran Church, City of Aurora

Richard,

## Wakeley, Renata

---

**From:** Lexie Costic <lcostic@accoac.com>  
**Sent:** Wednesday, February 25, 2015 8:26 AM  
**To:** Wakeley, Renata  
**Subject:** RE: Christ Lutheran Church, City of Aurora

It looks like the Church's gravel parking lot can fit 11 standard parking stalls.

11

-----Original Message-----

**From:** Wakeley, Renata [mailto:RWakeley@mwvcog.org]  
**Sent:** Tuesday, February 24, 2015 5:44 PM  
**To:** Lexie Costic  
**Subject:** Re: Christ Lutheran Church, City of Aurora

Thank you! Once I plug in this data, the staff reports will be complete.  
Renata

> On Feb 24, 2015, at 5:05 PM, Lexie Costic <lcostic@accoac.com> wrote:  
>  
> Renata,  
>  
> Here are the area calculations for the habitable spaces per the final  
> phase floor plan.  
>  
> Large Assembly Space/Circulation: 6,347 SF  
> Vertical Circulation: 1045 SF  
> Small Classrooms: 1213 SF  
> Office: 313 SF  
> Restrooms: 758 SF  
> Food Preparation: 440 SF  
>  
> Sanctuary Benches: 239 LF  
>  
> Attach are the existing and proposed site plans that show the  
> landscaping alterations along the south edge of the building. It's  
> less than a 3% reduction in landscaping.  
>  
> I will see how many parking spaces the gravel lot provides tomorrow  
> and will let you know ASAP.  
>  
> Lexie  
>  
>  
> -----Original Message-----

**NOTICE OF FINAL DECISION  
APPLICATION APPROVED BY THE HISTORIC REVIEW BOARD  
CITY OF AURORA, OREGON**

**Date application was heard by HRB: November 20, 2014**

**Date this Notice is mailed: January 22, 2015**

**Name of Applicant: Christ Lutheran Church**

**Applicant's Mailing Address: 15029 2<sup>nd</sup> Street Aurora, OR 97002**

**Project Description: New Entry Way**

**Subject Property Address: 15029 2<sup>nd</sup> Street Aurora, OR 97002**

**Findings: As per the revised set of plans presented everything is in compliance to the code. It is the Historic Review Boards recommendation to approve and move forward.**

**This application is approved per the Aurora Municipal Code  
17.40.100, 17.40.150, 17.40.160**

**Comments/Recommendation:**

**It was agreed the flat roof would be screened with a parapet.**

**The findings and conclusions on which this decision is based are contained in the minutes for the HRB meeting at which this decision was made and audio-tape record of the HRB's meeting and deliberations. The minutes and audio-taped record are available at Aurora City Hall, 503.678.13283, 21420 Main Street, Aurora, Oregon.**

**The Historic Review Board's decision is final on the date that this notice is mailed. Any party with standing may appeal this decision with the City of Aurora Municipal Code which provides that a written appeal, together with the required fee, shall be filed with the City Recorder within fifteen (15) calendar days of the date the Notice of Decision was mailed. The appeal fee schedule and forms are available from the City Recorder at City Hall, 214209 Main Street NE, Aurora, Oregon 97002.**

This decision is approved and this Notice of Decision serves as the Certificate of Appropriateness subject to the conditions set forth above.

  
Chair, Aurora Historic Review Board

Jan 22, 2015  
Date of Signature

**Minutes**  
**Aurora Historic Review Board Meeting**  
Thursday, November 20, 2014, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

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

**STAFF ABSENT:** None

**VISITORS PRESENT:** Bill Graupp, Mayor  
Alexander Costic, Salem  
Richard Rothweiler, Salem  
Barry Webb, Aurora  
Craig Johnson, Aurora  
Deyther Walter, Aurora

---

**1. CALL TO ORDER OF THE HISTORIC REVIEW BOARD MEETING**

The meeting of November 20, 2014 was called to order by Chair Abernathy at 7:01 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Abernathy – Present  
Member Simon – Present  
Member Frochen – Present  
Member Fraser – Present  
Member Townsend – Present

**3. CONSENT AGENDA**

- a) Historic Review Board Meeting Minutes – October 23, 2014, Place Kuri Gill as a visitor and fix a few typo's on page 2 and remove the sentence that begins with unfortunately.
- b) City Council Minutes – October, 2014
- c) Planning Commission – October, 2014

A motion to approve the HRB minutes of October 23, 2014, with corrections made was made by Member Townsend and is seconded by Member Fraser. Passed by all.

**4. CORRESPONDENCE - NA**

**5. VISITORS**

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

**6. NEW BUSINESS**

- a) None

**7. OLD BUSINESS**

- a) Continuation Discussion and or Action on Christ Lutheran Church Entry Remodel and Elevator Proposal 15029 2<sup>nd</sup> Street. The applicant’s architecture firm presents to the board a revision of the original plans with the reworking of the elevations bringing the steeple into compliance of the code along with reworking the flat roof to be screened by a parapet. Over all the board is very pleased with the revisions that are made. Pastor Craig will bring in samples of the materials at the appropriate time.

Consensus of the Board is to recommend the revised set of plans to the Planning Commission for approval. At this time we have no more concerns.

- b) Discussion and or Action on Sign Inventory,
  - Member Townsend presents her information to the board; regarding Christa Café, Back Porch Vintage, American Legion Hall, The Colony Pub, and Colony Grocery. The information is placed in the files for use at a later date.

There is no discussion regarding Members Townsends report.

**Action: None**

- c) Discussion and or Action on Historic Inventory List, no discussion at this time.

**ACTION ITEM:** Board Member Townsend asks the board if we should discuss the projects that we would like to see for the upcoming grant period and what we would recommend to City Council. The board decides on a few projects as listed;

- Historic Guidelines printing of revisions including new section, picket fences.
- Any dollars left over would be set aside for pre-application conferences for projects with limited resources available to them.
- Historic inventory, add previous text and any updates and photos to new corrected inventory.

/ / / /

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/ / / /

## Wakeley, Renata

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**From:** John Rasmussen <jrasmussen@co.marion.or.us>  
**Sent:** Friday, February 13, 2015 3:07 PM  
**To:** Wakeley, Renata  
**Subject:** Re: FW: Aurora Lutheran Church

Hi Renata,

MCPW Eng will not have comments for this case.....John

>>> "Wakeley, Renata" <RWakeley@mwvcog.org> 2/10/2015 12:09 PM >>>  
See attached Request for Comments.

Please phone if you have questions or concerns or need additional information to respond to this request.

Renata Wakeley, Community Development Director  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, OR 97301  
(ph) 503-540-1618  
(fx) 503-588-6094

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

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\*\*\*\*\*



# Oregon

John A. Kitzhaber, MD, Governor



3040 25th Street, SE  
Salem, OR 97302-1125  
Phone: (503) 378-4880  
Toll Free: (800) 874-0102  
FAX: (503) 373-1688

February 18, 2015

Renata Wakeley  
Planner  
Mid-Willamette Valley CoG  
100 High St. SE, Suite 200  
Salem, OR 97301

SUBJECT: Christ Lutheran Church SDR-15-01/CUP-15-01, City of Aurora

This letter is in response to the city of Aurora's application for an expansion of the Christ Lutheran Church located in the Low Density Residential zone located at 15029 2<sup>nd</sup> Street NE, Aurora, OR 97002. After a preliminary review of the proposed application the Oregon Department of Aviation (ODA) has prepared the following comments.

The proposed use and expansion of the church is classified under "Places of Public Assembly" according to Table 3-4: Compatible Land Uses per FAR Part 77 Surfaces and FAA Safety Areas, as located in the Airport Land Use Compatibility Guidebook (January 2003) (see attached). The proposed use and expansion is classified as a generally compatible land use due to its location and distance to the runway (Runway 17-35) at the Aurora State Airport.

The Department was able to determine the site is approximately one (1) mile from the end of Runway 35; which places the project within the "Conical Surface" area, as defined by AMC 16.24.020 – "Conical Surface". By cross referencing this information with Table 3-4 in the Airport Land Use Compatibility Guidebook, ODA finds that the use and proposed expansion of the church is generally compatible with airport development.

In addition, due to the proposed height of the church structure (+/- 181' ASL) and the airport elevation (198' ASL) the applicant will not need to file a FAA form 7460-1 with ODA or the FAA.

Thank you for allowing ODA to comment on this development proposal. If you have any questions or need further information please feel free to contact me at 503-378-2529 or [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us) or Heather Peck – Projects and Planning Manager at 503-378-3168 or [Heather.Peck@aviation.state.or.us](mailto:Heather.Peck@aviation.state.or.us).

Sincerely,

Jeff Caines, AICP  
Aviation Planner

Exhibit D2

COPY

JOHN A. RANKIN  
Planning Consultant / Attorney at Law  
22151 S.W. 55th Avenue  
Tualatin, Oregon 97062  
Phone (503) 638-2428 / Fax (503) 538-7059

NOTICE OF DECISION

June 17, 1996

Ms. Heather Wechter  
Christ Lutheran Church  
P.O. Box 220  
Aurora, OR 97002

Re: Notice of Decision for Conditional Use Application; CU 96-4-9659.

Dear Ms. Wechter:

Please accept this notice of decision as preliminary Planning Commission approval for the Conditional Use Application, as approved on June 4, 1996.

After the 15 day appeal period, Planning Commission approval will be official subject to the following conditions of approval:

1. The applicant/owner shall comply with all applicable City and County ordinance standards and limitations of the R-1 zone relative to the location and placement of the any future improvements. Any future improvements on the subject property may be subject to city design review and/or public works approval as well as DEQ, ODOT and Marion County review. (Contact: John Rankin @ 638-2428).
2. The applicant/owner shall be allowed to conduct child day care activities in the existing church and parsonage residence subject to the State of Oregon Department of Human Resources - Children's Services Division approval and certification, and Marion County Sanitarian.
3. The applicant/owner shall comply with the applicable requirements regarding signage.
4. The applicant/owner shall install sight obscuring fencing or hedge along property lines abutting existing residences. (Contact: John Rankin @ 638-2428).
5. The applicant/owner shall agree to not remonstrate

Exhibit E1

against the formation of a local improvement district or other assessment district or the assessment for the construction of any infrastructure improvements, including right-of-way dedication, paving, curbs, sidewalks and bikepaths, sanitary sewer and water lines, and storm drainage improvements along the entire Second Street frontage of the subject property. The applicant/owner shall agree to pay that portion of the cost of such improvement which is applicable to the property's frontage on the improved road when the improvements are completed, and which benefits the property in any other way. The applicant/owner's share of project costs shall be based on the method of assessment selected by the City to distribute costs to other benefitted users of the project. (Contact: John Rankin @ 638-2428)

6. The decision rendered on the subject application by the Planning Commission may be appealed by the filing of a written notice of appeal with the city recorder within fifteen (15) days from the date of this approval.

If you have any questions, please contact me.

Thank you.

Very truly yours,



John A. Rankin  
Planning Consultant

pc: Melody Thompson, City Recorder ✓

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Exhibit E2

COPY

JOHN A. RANKIN  
Planning Consultant/City Attorney  
22151 S.W. 55th Avenue  
Tualatin, Oregon 97062  
(503) 638-2428 • Fax (503) 638-7059

June 17, 1996

Ms. Heather Wechter  
Christ Lutheran Church  
P.O. Box 220  
Aurora, OR 97002

Re: Approval Letter, Development Agreement and Final Order  
Conditional Use Application, File No. CU 96-3-9659.

Dear Ms. Wechter:

Please accept this letter as preliminary City of Aurora approval  
for the above described application.

Enclosed please find the Development Agreement required by this  
approval of your application.

Please following the steps outlined below to secure final  
approval:

1. Read the improvement conditions carefully and sign the  
original Development Agreement in the presence of a notary  
public and have the notary acknowledge the signature in the  
spaces provided.
2. Attach to the Development Agreement a copy, marked as  
"Exhibit A", of the legal description for your property.
3. Return the original Agreement to Melody Thompson, City  
Recorder, at City Hall, P.O. Box 100, Aurora, Oregon 97002,  
for the mayor's signature and attestation. The City will  
then return it to you for recording.
4. Record the original Agreement with the Marion County Clerk's  
office, and send a copy of the recorded Agreement to City  
Hall at the above address.
5. Construct the required public improvements or provide  
assurance as described in the conditions of approval.

To speed the processing of any future building permit  
applications, please be prepared to:

1. Submit the recorded copy of the Development Agreement,

Exhibit

E3

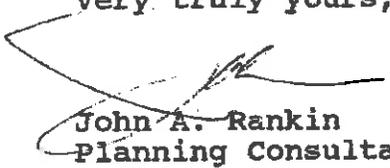
Page 2 - Approval Letter  
CU 96-4-9659

2. Pay all development fees, including any design review, and system development charge, and normal building permit fees,
3. Prepare preliminary construction drawings and specifications for all required public improvements, and submit them to Dick Johnson, Superintendent of Public Works, for his review.
4. Pay any outstanding planning review fees, and
5. Check all conditions of your approval for any additional requirements necessary before issuance of your building permit.

If you have any questions or we can help further, please contact me.

On behalf of the City, I wish you well in your future plans.

Very truly yours,



John A. Rankin  
Planning Consultant

Enclosure: Development Agreement and Final Order.

cc: Guy Sperb, Planning Commission Chairperson  
Dick Johnson, Public Works Superintendent  
Melody Thompson, City Recorder ✓

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Exhibit E4

After Recording, Return to:

Recording Sticker Here

City of Aurora  
P.O. Box 100  
Aurora, OR 97002

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**DEVELOPMENT AGREEMENT**

**CITY OF AURORA**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between CHRIST LUTHERAN CHURCH ("APPLICANT/OWNER"), and the CITY OF AURORA, ("CITY").

**WITNESSETH**

WHEREAS, the APPLICANT/OWNER is the owner of certain real property, identified as Tax Lot 900, Tax Map No. 4-1W-12D and Tax Lot 2600, Tax Map No. 4-1W-12CD, and is more particularly described as being at the east end of Second Street in Aurora, Marion County, Oregon with the address of 15029 Second Street. Please see the attached map for more detailed information, and attached "Exhibit A" for the legal description.

WHEREAS, the APPLICANT/OWNER submitted a Conditional Use Application, File No. CU 96-4-9659 ("Application") to the CITY for approval, which Application and respective files are hereby incorporated by this reference. The application received preliminary approval from the Planning Commission on June 4, 1996.

WHEREAS, the CITY is willing to provide final approval for the Application upon the condition that the APPLICANT/OWNER undertakes and maintain certain improvements and satisfy certain requirements as specified below.

NOW, THEREFORE, IN CONSIDERATION of mutual covenants and

Exhibit E5

agreements herein contained as conditions precedent to the granting of final approval for said Application by the CITY, the APPLICANT/OWNER hereby agrees as follows:

IMPROVEMENT AND MAINTENANCE PROVISIONS:

1. The applicant/owner shall comply with all applicable City and County ordinance standards and limitations of the R-1 zone relative to the location and placement of the any future improvements. Any future improvements on the subject property may be subject to city design review and/or public works approval as well as DEQ, ODOT and Marion County review. (Contact: John Rankin @ 638-2428).
2. The applicant/owner shall be allowed to conduct child day care activities in the existing church and parsonage residence subject to the State of Oregon Department of Human Resources - Children's Services Division approval and certification, and Marion County Sanitarian.
3. The applicant/owner shall comply with the applicable requirements regarding signage.
4. The applicant/owner shall install sight obscuring fencing or hedge along property lines abutting existing residences. (Contact: John Rankin @ 638-2428).
5. The applicant/owner shall agree to not remonstrate against the formation of a local improvement district or other assessment district or the assessment for the construction of any infrastructure improvements, including right-of-way dedication, paving, curbs, sidewalks and bikepaths, sanitary sewer and water lines, and storm drainage improvements along the entire Second Street frontage of the subject property. The applicant/owner shall agree to pay that portion of the cost of such improvement which is applicable to the property's frontage on the improved road when the improvements are completed, and which benefits the property in any other way. The applicant/owner's share of project costs shall be based on the method of assessment selected by the City to distribute costs to other benefitted users of the project. (Contact: John Rankin @ 638-2428)
6. The decision rendered on the subject application by the Planning Commission may be appealed by the filing of a written notice of appeal with the city recorder within fifteen (15) days from the date of this approval.

ENFORCEMENT OF THIS AGREEMENT:

1. If the APPLICANT/OWNER fails to keep and execute the terms of this agreement, the CITY may, after 30 days written notification, perform the terms and conditions including, but not limited to, the improvement and maintenance of the provisions described above, and may charge the same as a valid and enforceable lien upon the property described above. In enforcing this agreement, the City Council of the CITY may use any of the remedies proscribed in the General Ordinances of the City of Aurora or may make a determination of the probate cost of the improvement and/or maintenance and shall give the APPLICANT/OWNER a period of 30 days in which to complete said improvements and/or maintenance. If the APPLICANT/OWNER does not execute such improvements and /or maintenance within the time limit, then the City Council may pass an ordinance requiring the same to be let out for bid by the lowest responsible bidder. The cost, plus any additional costs incurred by the CITY in enforcing performance shall be charged as a lien against the property described above, and shall be collectable as other CITY liens.
2. This agreement shall be binding upon the heirs, executors, administrators and assigns of both parties, and is a condition and covenant running with the land and binding upon the above described real property.
3. If suit or action is brought to maintain or enforce any of the rights or obligations of either party arising out of or in connection with this agreement, the prevailing party in such suit or action shall be entitled to recover its reasonable attorney's fees, including attorney's fees on appeal.

FOR THE APPLICANT/OWNER:

FOR THE CITY OF AURORA:

MS. HEATHER WECHTER  
CHRIST LUTHERAN CHURCH  
Applicant/Owner

LORETTA SCOTT, MAYOR  
CITY OF AURORA

ATTEST:

Melody Thompson  
City Recorder

APPROVED AS TO FORM:



JOHN A. RANKIN  
City Attorney

Mailing Addresses:

Christ Lutheran Church  
P.O. Box 220  
Aurora, OR 97002

City of Aurora  
P.O. Box 100  
Aurora, OR 97002

C:\WP51\AURORA\9659DEV.AGR

STATE OF OREGON  
COUNTY OF MARION

)  
) ss.  
)

THIS INSTRUMENT IS PERSONALLY ACKNOWLEDGED BEFORE ME THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 1996.

NOTARY PUBLIC SEAL:

Notary Public State of Oregon.  
My commission expires: \_\_\_\_\_

Exhibit EB

BEFORE THE  
PLANNING COMMISSION  
OF THE CITY OF AURORA

IN THE MATTER OF THE CONDITIONAL )  
USE APPLICATION FOR THE CHRIST )  
LUTHERAN CHURCH )

FINAL FINDINGS AND ORDER  
File No. CU 96-4-9659

**I. APPLICABLE CRITERIA:**

The following criteria are applicable to the subject application:

- A. Section 9.10 of the Development Code Ordinance 315 (Ord. 315), Single-Family Residential District (R-1),
- B. Section 11.00 of Ord. 315, General Regulations and Standards,
- C. Section 11.50 of Ord. 315, Parking, Loading and Access,
- D. Section 12.90 of Ord. 321, Child Day Care,
- E. Section 14.00 of Ord. 315, Conditional Uses, and
- F. Article 7 of Ord. 315, Administration.

**II. FINDINGS OF FACT:**

- A. Location: Property identified as Tax Lot 900, Tax Map No. 4-1W-12D and Tax Lot 2600, Tax Map No. 4-1W-12CD, and is more particularly described as being at the east end of Second Street in Aurora, Marion County, Oregon with the address of 15029 Second Street. Please see the attached map for more detailed information.
- B. Comprehensive Plan Designation: The land use plan designation of the subject property is Low Density Residential. All adjacent property to the north, west, east, and south is designated Low Density Residential.
- C. Zoning: The zoning designation of the subject property is Single-family Residential (R-1). All adjacent property to the north, west, east, and south is of the same designation.
- D. Existing Improvements: The subject property currently contains the Christ Lutheran Church parsonage residence.
- E. Availability of Public Services: The subject property

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presently contains an individual well and existing septic tank and drainfield systems. The property does have direct access to Second Street, a local public street maintained by the city.

- F. Proposed Application: The applicant/owner is requesting a Conditional Use Application to allow the use of the daylight basement in the existing house as a day care, and use part of the existing church building for a pre-school. Both the existing house and day care/pre-school programs are church owned and sponsored. The pre-school/day care facilities shall be named the Christ Lutheran Church Early Child Development Center.
- G. Adjacent Land Uses: All adjacent property to the west, east and north contains single family residential uses. Adjacent property to the south contains a single family residence which is being used for the Aurora Inn/Bed and Breakfast.

### III. AGENCY RECOMMENDATIONS:

Agency referrals were mailed to all affected agencies and organizations as well as adjacent property owners within 300 feet of the subject property.

The Public Works Director visited the site and addressed needed changes, in a letter to Heather Wechter of Christ Lutheran Church dated April 24, 1996, as follows: "for the safety of the children, there needs to be a second exit, on the south wall, to the outside. For the room where the exit is, the door needs to be removed and an exit sign over the doorway".

All notified agencies and organizations and adjacent property owners either had no objection or failed to comment before the drafting of this administrative decision/staff report.

### IV. REVIEW CRITERIA AND EVALUATION

#### A. PERMITTED USES

Section 9.10 of the City of Aurora Development Code describes permitted uses under the R-1 zone designation.

#### Findings:

Single-family dwellings are an out-right permitted use in the R-1 zone. "Child day care facilities licensed

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by the State of Oregon" are permitted as a conditional use in the R-1 zone and shall be addressed under that criteria stated below.

- B. Section 11.00 of Ordinance 315, General Regulations and Standards, describes standards for minimum lot area; width and depth; setbacks; percentage of coverage; and building height requirements for each zone.

**Findings:**

The following general regulations are required for buildings in the R-1 zone: Minimum lot area of 7,500 square feet; minimum lot width of 70 feet and depth 90 feet; maximum lot coverage of 40%; front yard setbacks of 20 feet, side yard setbacks of 5 feet, and rear yard setbacks of 10 feet; and maximum height of buildings of 35 feet.

The subject application satisfies all of the above requirements with the existing residence placement. No changes to the exterior of the existing residence shall occur with this development application.

- C. Section 11.50 of Ordinance 315, Parking, Loading and Access, states the requirements for off-street parking for places of public assembly such as child day care facilities.

**Findings:**

Required off-street parking for pre-school, nursery or kindergarten day care facilities is one (1) space per employee plus one (1) space per four (4) children. The subject day care facility will be caring for approximately ten (10) pre-school age children, and 10 to 15 day care children on any given business day which will require, per Section 11.50, approximately two (2) off-street parking spaces for employees and twelve (12) spaces for customers. The subject application complies with this requirement because the existing parsonage residence contains approximately two (2) off-street parking spaces, and the remainder of the needed parking space can be provided by the adjoining church property parking lot where a portion of the pre-school facilities will be situated.

- D. Section 12.90 of Ord. 321, Child Day Care, adopts the Children's Services Division's "Rules for the Certification of Group Day Care Homes" which regulates all child day care facilities with more than six (6) children being cared for during business hours.

3/11/11 E11

**Findings:**

The applicant/owner shall be required to make application and gain approval for their proposed child day care facility through the State of Oregon Department of Human Resources - Children's Services Division.

**E. CONDITIONAL USES**

In addition to the general requirements of this Ordinance, Section 14.00 lists other reasonable conditions which are required by the Commission.

**Findings:**

The Commission may require the following conditional use standards for the subject application: limiting the manner in which the use is to be conducted, including restrictions on the hours of operation; establishing additional setbacks; designating the size, number, location, and nature of vehicle access points; limiting or otherwise designating the number, size, location, height, and lighting of signs; requiring fences, sight-obscuring hedges or other screening and landscaping to protect adjacent properties; and protecting and preserving existing trees, vegetation, wildlife habitat or other natural resources.

The subject property contains an existing church and parsonage residence which has wire fencing around the north and east sides, and a portion of the south side of the property. Proposed hours of operation for the proposed use are as follows:

Church:

Monday - Friday                      8:30 am - 11 am

Monday, Wednesday,  
and Friday                              1 pm - 3:30 pm

Parsonage House:

Monday - Friday                      7 am - 6 pm

**Conclusion:**      With the appropriate conditions of approval, the proposed conditional use appears to have satisfied all of the above review criteria.

*E12*

**IV. RECOMMENDATION.**

Based upon the findings contained in this staff report, the application packet submitted by the applicant and testimony before the Planning Commission, approval is hereby recommended for the Conditional Use Application submitted by Christ Lutheran Church, subject to the following conditions of approval:

1. The applicant/owner shall comply with all applicable City and County ordinance standards and limitations of the R-1 zone relative to the location and placement of the any future improvements. Any future improvements on the subject property may be subject to city design review and/or public works approval as well as DEQ, ODOT and Marion County review. (Contact: John Rankin @ 638-2428).
2. The applicant/owner shall be allowed to conduct child day care activities in the existing church and parsonage residence subject to the State of Oregon Department of Human Resources - Children's Services Division approval and certification, and Marion County Sanitarian.
3. The applicant/owner shall comply with the applicable requirements regarding signage.
4. The applicant/owner shall install sight obscuring fencing or hedge along property lines abutting existing residences. (Contact: John Rankin @ 638-2428).
5. The applicant/owner shall agree to not remonstrate against the formation of a local improvement district or other assessment district or the assessment for the construction of any infrastructure improvements, including right-of-way dedication, paving, curbs, sidewalks and bikepaths, sanitary sewer and water lines, and storm drainage improvements along the entire Second Street frontage of the subject property. The applicant/owner shall agree to pay that portion of the cost of such improvement which is applicable to the property's frontage on the improved road when the improvements are completed, and which benefits the property in any other way. The applicant/owner's share of project costs shall be based on the method of assessment selected by the City to distribute costs to other benefitted users of the project. (Contact: John Rankin @ 638-2428)
6. The decision rendered on the subject application by the Planning Commission may be appealed by the filing of a

written notice of appeal with the city recorder within fifteen (15) days from the date of this approval.

ORDERED this Tenth day of July, 1996.

---

Guy Sperb  
Planning Commission Chairperson

**Motion:** I move that the Planning Commission adopt the Final Findings and Order for the Conditional Use Application as submitted by Christ Lutheran Church as approved on June 4, 1996.

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E14

**CITY OF AURORA  
PLANNING COMMISSION**

**STAFF REPORT:** Site Development Review 2015-01 [SDR-15-01]  
**DATE:** February 25, 2015 (for the March 3, 2015 Planning Commission meeting)

---

**APPLICANT/OWNER:** Christ Lutheran Church  
15029 2<sup>nd</sup> Street NE, Aurora OR 97002

**REQUEST:** Site Development Review approval for modification to the existing structure to improve pedestrian circulation and ADA improvements, such as to the restrooms, stairs, and front entrance. The proposal also includes the addition of a new entry tower.

**SITE LOCATION:** 15029 2<sup>nd</sup> Street NE, Aurora OR  
Map 041.W.12CD, Tax Lot 2600

**SITE SIZE:** 19,602 square feet or 0.45 acres

**DESIGNATION:** Zoning: Residential (R-1) with Historic Residential Overlay (HRO)

**CRITERIA:** Aurora Municipal Code (AMC) Chapters 16.20 Historic Commercial Overlay and 16.58 Site Development Review

**ENCLOSURES:** Exhibit A: Assessor Map  
Exhibit B: Application and site plan  
Exhibit C: Historic Review Board minutes (November 2, 2014)  
Exhibit D: Request for Comments (RFC) responses

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**I. REQUEST**

Site Development Review approval for modification to the existing structure to improve pedestrian circulation and ADA improvements, such as to the restrooms, stairs, and front entrance. The proposal also includes the addition of a new entry tower.

**II. PROCEDURE**

The application was determined by staff to be subject to Site Development Review (SDR) as the application proposed a height increase of more than 35 feet and the potential remodel/revisions could be considered to intensify the use of the property. SDR applications are processed as Limited Land Use decisions under AMC 16.78. The application was also determined by staff to be subject to a Conditional Use (CU) application as the proposed use is only permitted with conditional use approval. CU applications are processed as Quasi-Judicial Decisions under AMC 16.76. AMC 16.58 provides the criteria for reviewing Site Development Reviews.

The application was received and fees paid on February 2, 2015. The application was determined complete by Staff and notice was mailed to surrounding property owners on February 11, 2015. The City

has until **June 11, 2014**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

### **III. APPEAL**

Appeals are governed by AMC 16.78.120. An appeal of the Planning Commission's decision shall be made, in writing, to the City Council within 15 days of the Commission's final written decision.

### **IV. CRITERIA AND FINDINGS**

*The applicable review criteria for Site Development Review are found in AMC 16.58.*

#### **16.58.100 Approval Standards**

*The review of a Site Plan shall be based upon consideration of the following:*

##### **A. Provisions of all applicable chapters;**

FINDINGS: The subject parcel is zoned Residential (R-1) with a Historic Residential Overlay (HRO). The applicant has submitted a concurrent application for conditional use approval (CUP-2015-01) along with site development review approval. AMC section 16.20.030.A. permits churches as a conditional use, pending planning commission approval and provided that all building setbacks shall be a minimum of thirty (30) feet from any property line. While the existing structure has a zero (0) front yard setback, the application proposed to remove the main entrance porch/portico for a new front setback of twelve (12) feet. While this does not meet the requirement of the zone, it does reduce the front yard setback to twelve (12) feet to better align with the primary buildings footprint and neighboring parsonage. Staff finds this criterion can be met.

16.20.040.J requires all properties, uses, and structures in the HRO to meet the requirements of Title 17, Historic Preservation. Comments from the Historic Review Board are included under Exhibit C. Staff finds this criterion is met.

##### **B. Buildings shall be located to preserve topography and natural drainage and shall be located outside areas subject to ground slumping or sliding;**

FINDINGS: The site is an already developed site that has been in place since 1903 with major revisions made on site around 1953. The subject application makes minor revisions to elements outside of the existing footprint of the current structure for increase accessibility, including new stairs and ADA ramp. Significant changes to topography and slope will not occur and staff finds minor impacts to drainage may occur with the 2.8% increase in impervious surface, according to the applicant. Staff finds this criteria does not apply.

##### **C. Privacy and noise;**

- 1. Buildings shall be oriented in a manner which protects private spaces on adjoining residential properties from view and noise;**
- 2. On site uses which create noise, lights, or glare shall be buffered from adjoining residential uses;**

FINDINGS: The applicant is not proposing the creation of private spaces beyond the gathering area fronting upon 2<sup>nd</sup> Street which currently serves as the main entrance to the structure. Staff finds this criteria does not apply.

According to the applicant, the new entry tower and ADA accessibility improvements will including lighting to illuminate public access areas. A lighting plan was not included with the subject application. A lighting plan in conformance with criteria 16.58.100.C.2. and I.3-4. shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid.

Staff finds this criteria can be met, with conditions.

*D. Residential private outdoor areas:*

FINDINGS: Staff finds this criteria does not apply.

*E. Residential shared outdoor recreation areas:*

FINDINGS: Staff finds this criteria does not apply.

*F. Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;*

FINDINGS: The applicant is not proposing the creation of outdoor recreation space beyond the gathering area fronting upon 2<sup>nd</sup> Street which currently serves as the main entrance to the structure. Staff finds this criteria does not apply.

*H. Demarcation of public, semipublic, and private spaces;*

FINDINGS: Staff finds this criteria does not apply as the space is private property.

*I. Crime prevention and safety:*

*3. Exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime;*

*4. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.*

FINDINGS: Criteria I.1 and I.2 are related to residential development and found not to apply. A lighting plan for the site was not provided by the applicant. A lighting plan in conformance with the above criteria shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid. The lighting plan must also show that lighting shall not reflect onto surrounding properties. This is included as a recommended conditional of approval.

*J. Access and circulation;*

1. *The number of allowed access points for a development shall be as determined by the City Engineer in accordance with standard engineering practices for city rights-of-way, as determined by Marion County for county rights-of-way, and as determined by the Oregon Department of Transportation for access to Highway 99E.*
2. *All circulation patterns within a development shall be design to accommodate emergency vehicles.*

FINDINGS: The subject property is currently developed and in use. A Request for Comments was submitted to the Aurora Rural Fire District and State Fire Marshall on February 10, 2015 and no comments were returned at the time of this staff report. Staff finds this criteria is met.

**K. Public transit;**

FINDINGS: Pedestrian access to the property is proposed via 2<sup>nd</sup> Street which contains six (6) foot sidewalks in good condition. No transit stops abut or are adjacent to the subject properties. Staff finds this criterion does not apply.

**L. All parking and loading requirements shall be design in accordance with the requirements set forth in Chapter 16.42.**

FINDINGS: Parking shall be in conformance with the HRO zone, Title 17, and 16.42. The HRO zone is not included in the Parking District Overlay (AMC 16.28) which may exempt some properties from meeting parking standards. AMC 16.42.030.B.1 requires one (1) space per four (4) seats or eight (8) feet of bench length. According to the applicant, the break out below summarizes the total square footage for the subject structure (see Exhibit B).

Large Assembly Space/Circulation:	6,347 SF
Vertical Circulation:	1045 SF
Small Classrooms:	1213 SF
Office:	313 SF
Restrooms:	758 SF
Food Preparation:	440 SF
Sanctuary Benches:	239 LF

Staff has attempted to break out the square footage requirements into the various components in compliance with AMC 16.42.040.A., “In the event several uses occupy a single structure or parcel of land, the total requirements of the several uses should be computed separately”.

USE	16.42 REQUIREMENT	SUBJECT APPLICATION	SPACES NEEDED
Sanctuary benches	16.42.100.B.1. Church or meeting rooms: 1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet	239 linear feet (6347 sf ft of assembly space)	Minimum of 30 parking spaces
Small Classrooms	16.42.100.B.1 above of 1 space per 60 sq ft; or 16.42.100.B.2 for Library, reading room: 1 space per 400 square feet; or 16.42.100.B.5 for pre-school nursery or kindergarten: 5 spaces plus 1 space per classroom	1,213 sq ft	Between 3, 6, or 20 parking spaces depending upon interpretation of use

Office	16.42.100.C.2: Retail, bank, office, medical, dental: 1 space per 400 square feet but not less than 3 spaces per establishment	313 square feet (1 new office)	3 spaces minimum
--------	--	--------------------------------	------------------

Using the table above, a **minimum of 36 spaces** should be available for use by the church. This calculation does not include the parsonage. According to the applicant, the gravel parking lot is above to accommodate eleven (11) parking spaces on site. According to AMC 16.42.130, one can assume ten (10) feet of curb length is needed per 90 degree on-street parking space. The subject property also has approximately 120 feet of frontage along 2<sup>nd</sup> Street, minus access drives, which could accommodate an additional twelve (12) parking spaces. **This still leaves a deficit of 13 parking spaces, at a minimum.**

No ADA parking is indicated on-site on the abutting public street. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on-street or on site. If ADA parking is required, it shall be constructed in accordance with the Uniform Building Code, in conformance with AMC 16.42.100. This is included as a recommended condition of approval.

16.42.050.A. states, “All parking and maneuvering surfaces shall have a durable, hard and dustless surface such as asphalt, concrete, cobblestone, unit masonry, scored and colored concrete, grasscrete, compacted gravel, or combinations of the above”. Staff finds the parking areas along the street, required to be meet the minimum parking requirements for the structure, are in poor condition. The parking lot to the east of the structure is also in poor to very poor condition.

16.42.050.J states, “J. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street right-of-way”. 16.42.050.K requires, “The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height, and at least three feet from the lot line or any required fence. Staff recommends the on-street parking and parking lot to the east be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. This is included as a recommended condition of approval.

According to the applicant, the existing parking lot and on-street parking are adequate for the existing church and the proposed addition/remodel does not create the need for additional parking.

Alternatively, the Planning Commission can choose to waive some of the AMC parking requirements for the property and/or require that the applicant provide all 36 parking spaces on-site, with no on-street improvements to the gravel on-street parking.

Staff finds this criteria can be met, with conditions.

*M. All landscaping shall be designed in accordance with the requirements set forth in Chapter 16.38.*

**FINDINGS:** A preliminary landscape plan was not provided by the applicant. Additional impervious surface is proposed along from the frontage. According to the applicant, this will reduce the landscape

coverage by 2.8%, leaving over 30% of the property landscaped. The HRO zone states impervious surfaces shall not cover more than fifty (50) percent of a lot or parcel. The lot measures 19,602 square feet. According to the Marion County Assessor, the on site improvements include 5,623 sq ft for the main level of the existing church. The parsonage is not included on the Marion County Assessor records. Based upon the site plan provided and the proposed additional impervious surfacing, it does not believe the 50 percent impervious surface limitation has been exceeded.

If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2. This is included as a recommended condition of approval.

*N. All public improvements shall be designed in accordance with the requirements of Chapter 16.34.*

FINDINGS: The subject property is generally considered developed extension of water, sewer, or storm drainage improvements are not required. The application shall be subject to City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval.

While street improvements are not required as additional right-of-way dedication is not required at this time and the Site Development Review application does not require completion of a Traffic Impact Analysis as the proposed application is not determined by staff to intensify the use of the property by more than twenty-five (25) percent (AMC 16.58.060.A.5), the property does use on-street parking in order to meet the minimum parking requirements for the use according to AMC 16.42. Parking is discussed under criteria L. above with recommended conditions of approval for the on-site and on-street diagonal parking.

Staff finds this criterion can be met, with conditions.

*O. All facilities for handicapped shall be designed in accordance with the requirements set forth in the ADA requirements;*

FINDINGS: The subject application include ADA improvements to the existing restrooms, pedestrian access, and installation of an elevator. Remodel and construction shall be required to comply with all City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval. Staff finds this criterion can be met, with conditions.

*P. All of the provisions and regulations of the underlying zone shall apply.*

FINDINGS: Staff finds the applicant meets the zone criteria under the HRO, pending conditional use approval by the planning commission, and can meet the criteria for Site Development Review approval, with recommended conditions of approval. The application meets the minimum side and rear yard setbacks and meets the height limitation of 35 feet. While the application does not meet the minimum front yard setback of 35 feet for churches as a conditional use in the HRO zone, the applicant is proposing to reduce the non-conformity of the pre-existing non-conforming use.

Staff finds this criterion is met.

## **V. CONCLUSIONS AND RECOMMENDATIONS**

Based on the findings in the staff report, staff recommends that the Planning Commission **approve** the application for Site Development Review (SDR-2015-01) based upon the following:

- 1) Develop the subject property in accordance with plans approved by the city.
- 2) Comply with all City of Aurora and State of Oregon development, building and fire codes.
- 3) A lighting plan in conformance with AMC 16.58.100.I. shall be submitted for City review and approval prior to business license approval. The lighting plan shall also show that lighting shall not reflect onto surrounding properties. A lighting plan in conformance with criteria 16.58.100.C.2. and I.3-4. shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid. The lighting plan shall show that lighting shall not reflect upon surrounding properties.
- 4) The on-street parking fronting upon Lot 2600 and the on-site parking area to the east of the existing structures shall be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. Final inspection of the improvements by the City of Aurora shall be required prior to final occupancy approval.
- 5) If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2.

## **VI. PLANNING COMMISSION ACTION**

- A. Approve the site development review application (SDR 2015-01) for minor additions, remodel and addition of the steeple:
  1. As recommended by staff, or
  2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for site development review approval for SDR 15-01 stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).



February 2, 2015

City of Aurora  
Planning Commission  
Renata Wakeley  
Community Development Director  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, Oregon 97301



ARCHITECTURE  
COMMUNITY

363 State Street  
Salem, OR 97301-3533  
P: 503.581.4114  
www.accoac.com

RE: Christ Lutheran Church – Aurora  
15029 2nd Street NE  
Site Development Review  
Architect's Project no. 2014.0044

[renatac@mwvcog.org](mailto:renatac@mwvcog.org)

Dear Renata:

We wish to express our appreciation for the City of Aurora's review of the Christ Lutheran Church Property. Specifically in reference to the request for Site Development Review for the new stair and entry tower to the church, inclusive of building and site accessibility improvements.

In reference to the Site Development Review Approval Standards (attached), please refer to the Applicant's Narrative (attached).

As demonstrated herein, the Site Development Review for the Christ Lutheran Church is appropriate for the subject property. Based upon the presented supportive findings and conclusions, the proposed request is consistent and in compliance with applicable Planning Approval Standards. We look forward to your approval of the attached requests. Should you have any questions, please contact us at your convenience.

Sincerely,

Richard Rothweiler, ATA  
Partner

RR:kc

Encl.

cc: Pastor Craig Johnson, Christ Lutheran Church

Exhibit B1

February 2, 2015

## **APPLICANT'S NARRATIVE**

Site Development Review Application for Property located at 15029 2<sup>nd</sup> Street, Aurora, Oregon

**APPLICANT:** Christ Lutheran Church, 15029 2<sup>nd</sup> Street, Aurora, OR 97002

**REPRESENTATIVE:** Richard Rothweiler, AIA of AC + Co Architecture | Community, 363 State Street, Salem, OR 97301

### **SECTION 16.58.010 PURPOSE OF THE APPLICATION**

This is a request for the approval of plans for a minor modification to the existing Christ Lutheran Church building to improve pedestrian accessibility and circulation. The subject property is currently developed with a 7,266 square-foot church and gravel parking lot owned by members of Christ Lutheran Church. Built in 1900, the church was expanded and greatly modified in 1950 and currently bears no resemblance to its original architectural style or scale. The proposed entry tower addition reestablishes some of the church's original design features.

The proposed site development involves interior renovations to existing restrooms, stairs, and circulation areas, as well as exterior renovations to the main entry porch, sidewalk and landscape areas along 2<sup>nd</sup> Street (south property line). This development proposal also includes the addition of a stairwell and entry tower on the south face of the church.

Christ Lutheran Church submits the following information and justification for compliance of the above reference application with the approval criteria of the City of Aurora.

### **SECTION 16.58.040 PHASED DEVELOPMENT**

- A. All construction work is schedule to take place within an approximate period of eighteen (18) months.
- B. Construction will be phased in order to provide occupant access to public facilities at Christ Lutheran Church throughout construction. Provision of temporary public facilities will not be necessary.

### **SECTION 16.58.060 MAJOR MODIFICATION TO APPROVED PLANS OR EXISTING DEVELOPMENT**

- A. The proposed improvements do not involve any of the changes listed in Chapter 16.60.050 defining a major modification. There will be no change in property use or vehicular traffic generation, circulation and parking. The increase in lot coverage by the addition of a stair tower is well below 10%. The existing landscape coverage will be reduced by 2.8%, leaving over 30% of the property landscaped. The maximum height of the new stair and entry tower is thirty-five

(35) feet per development standards in Chapter 16.22.040 and Historic Preservation design guidelines in Chapter 17.40.110. The entry and stair tower addition is located within four (4) feet of the front setback of the neighboring structure per Chapter 17.40.160.

#### **SECTION 16.58.070 MINOR MODIFICATION TO APPROVED PLANS OR EXISTING DEVELOPMENT**

- A. The proposed improvements to the existing property do not include the changes described in Chapter 16.60.050 defining a major modification and are, therefore, classified as a minor modification.

#### **SECTION 16.58.090 SITE DEVELOPMENT PLANS**

- A. The new stair and entry tower will not be affecting the existing site, and will basically be built within the existing building footprint. The majority of this section's requirements are not applicable. Please refer to attached conceptual site plan.

#### **SECTION 16.58.100 APPROVAL STANDARDS**

- A. Not applicable.
- B. The new stair and entry tower will allow for front ADA accessibility improvements and will improve the topography and natural drainage for the site.
- C. Privacy and Noise: Not applicable, existing building and use.
- D. Residential Outdoor Areas: Not applicable.
- E. Residential Shared Outdoor Areas: Not applicable.
- F. No criteria listed.
- G. No criteria listed.
- H. Demarcation of Public/Semi-Public/Private Spaces: The proposed improvements include frontage sidewalk and ADA accessibility improvements. The public access and definition will be clearly defined with the new entry tower.
- I. Crime Prevention/Lighting: The new entry tower and ADA accessibility improvements will include lighting to illuminate public access areas.
- J. Vehicular Access: Not applicable, no revisions proposed.
- K. Public Transit: Not applicable.
- L. Parking and Loading Areas: No changes are proposed to the existing gravel parking and loading areas on the site. The existing site and scope of the parking lot is adequate for the existing church. The proposed addition to the building will not create additional need for parking.
- M. Landscaping: All new landscaping will comply with Chapter 16.38.
- N. Public Improvements: Not applicable.
- O. ADA Requirements: All improvements to the property will comply with ADA design guidelines and accessibility requirements.
- P. Underlying Zone: All provisions will be complied to for the underlying zone.

Q. Christ Lutheran Church is a noncontributing property in the Aurora Colony Historic District. The proposed improvements comply with Aurora Municipal Code Title 17 design guidelines, including and have been approved by the Historic Review Board.

# City of Aurora Building / Planning Application

(Check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> SITE DEVELOPMENT REVIEW (AMC 16.58)<br><input type="checkbox"/> FLOOD PLAN DEV. PERMIT (AMC 16.18)<br><input type="checkbox"/> HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)<br><input type="checkbox"/> Certificate of Appropriateness<br><input type="checkbox"/> Demolition Permit<br><input type="checkbox"/> Sign Review<br><input type="checkbox"/> MANUFACTURED HOME PARK (AMC 16.36)<br><input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT (AMC 16.80)<br><input type="checkbox"/> Text <input type="checkbox"/> Map<br><input type="checkbox"/> ZONING ORDINANCE AMENDMENT (AMC 16.80)<br><input type="checkbox"/> Text <input type="checkbox"/> Map | <input type="checkbox"/> CONDITIONAL USE (AMC 16.60)<br><input type="checkbox"/> VARIANCE (AMC 16.64)<br><input type="checkbox"/> HOME OCCUPATION (AMC 16.46)<br>___ Type I    ___ Type II<br><input type="checkbox"/> NON-CONFORMING USE (AMC 16.62)<br><input type="checkbox"/> LAND DIVISION<br><input type="checkbox"/> Subdivision (AMC 16.72)<br><input type="checkbox"/> Partition (AMC 16.70)<br><input type="checkbox"/> Property Line Adjustment (AMC 16.68)<br><input type="checkbox"/> APPEAL TO _____ (AMC 16.74-16.78)<br><input type="checkbox"/> OTHER _____ |
|--|--|

**APPLICANT GENERAL INFORMATION**

Applicant Christ Lutheran Church Phone (503) 678-5135  
 Mailing Address 15029 2nd Street NE / Aurora, OR 97002  
 Property Owner Christ Lutheran Church Phone (503) 678-5135  
 Mailing Address 15029 2nd Street NE / Aurora, OR 97002  
 Contact person if different than applicant RICHARD ROTHWEILER Phone 503.581.4114  
 Mailing Address 303 STATE STREET, SALEM, OR 97301

**PROPERTY DESCRIPTION**

Address 15029 2ND ST. NE Tax Map # \_\_\_\_\_ Tax Lot # \_\_\_\_\_  
 Legal Description (attach add'l sheet if necessary) \_\_\_\_\_

Total Acres or Sq. Ft. \_\_\_\_\_ Existing Land Use \_\_\_\_\_  
 Existing Zoning \_\_\_\_\_ Proposed Zoning (if applicable) \_\_\_\_\_  
 Proposed use \_\_\_\_\_

**ACTION REQUESTED: (use additional sheets as needed)**

ADDITION AND RENOVATION TO EXISTING BUILDING

**ATTACHMENTS**

- A. Plot plan of subject property- show scale, north arrow, location of all existing and proposed structures, road access to property, names of owners of each property, etc. Plot plans can be submitted on tax assessor maps which can be obtained from the tax assessor's office in the Marion County Courthouse, Salem OR.
- B. Legal description of the property as it appears on the deed (metes and bounds). This can be obtained at the Marion County Clerk's office in the Marion County Courthouse, Salem OR.

**ADDITIONAL INFORMATION**

In order to expedite and complete the processing of this application, the City of Aurora requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete. The submittal requirement relative to this application may be obtained from the specific sections of the Aurora Municipal Code pertaining to this application. If there are any questions as to submittal requirements, contact the City Hall prior to formal submission of the application.

In submitting this application, the applicant should be prepared to give evidence and information which will justify the request and satisfy all the required applicable criteria. The filing fee deposit must be paid at the time of submission. This fee in no way assures approval of the application and is refundable to the extent that the fee is not used to cover all actual costs of processing the application.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application. I understand that the original fee paid is only a deposit and I agree to pay all additional actual costs of processing this application, including, but not limited to, all planning, engineering, City attorney and City administration fees & costs. I understand that no final development approval shall be given and/or building permit shall be issued until all actual costs for processing this application are paid in full.

Signature of Applicant \_\_\_\_\_

01-07-15

Date \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_

1-6-2015

Date \_\_\_\_\_

Office Use Only: Received By: _____	Date: _____	Fee Paid \$ _____
Receipt # _____	Case File # _____	Planning Director Review _____
		Date: _____



**PROPOSED ENTRY  
CHRIST LUTHERAN CHURCH, AURORA**



**ARCHITECTURE  
COMMUNITY**  
363 State Street  
Salem, OR 97301-3533  
P: 503.581.4114

*BB*



**PROPOSED ENTRY AND STAIR TOWER  
CHRIST LUTHERAN CHURCH, AURORA**

**ARCHITECTURE  
COMMUNITY**  
363 Sialu Street  
Salem, OR 97301-3533  
P. 503.581.4114



BA



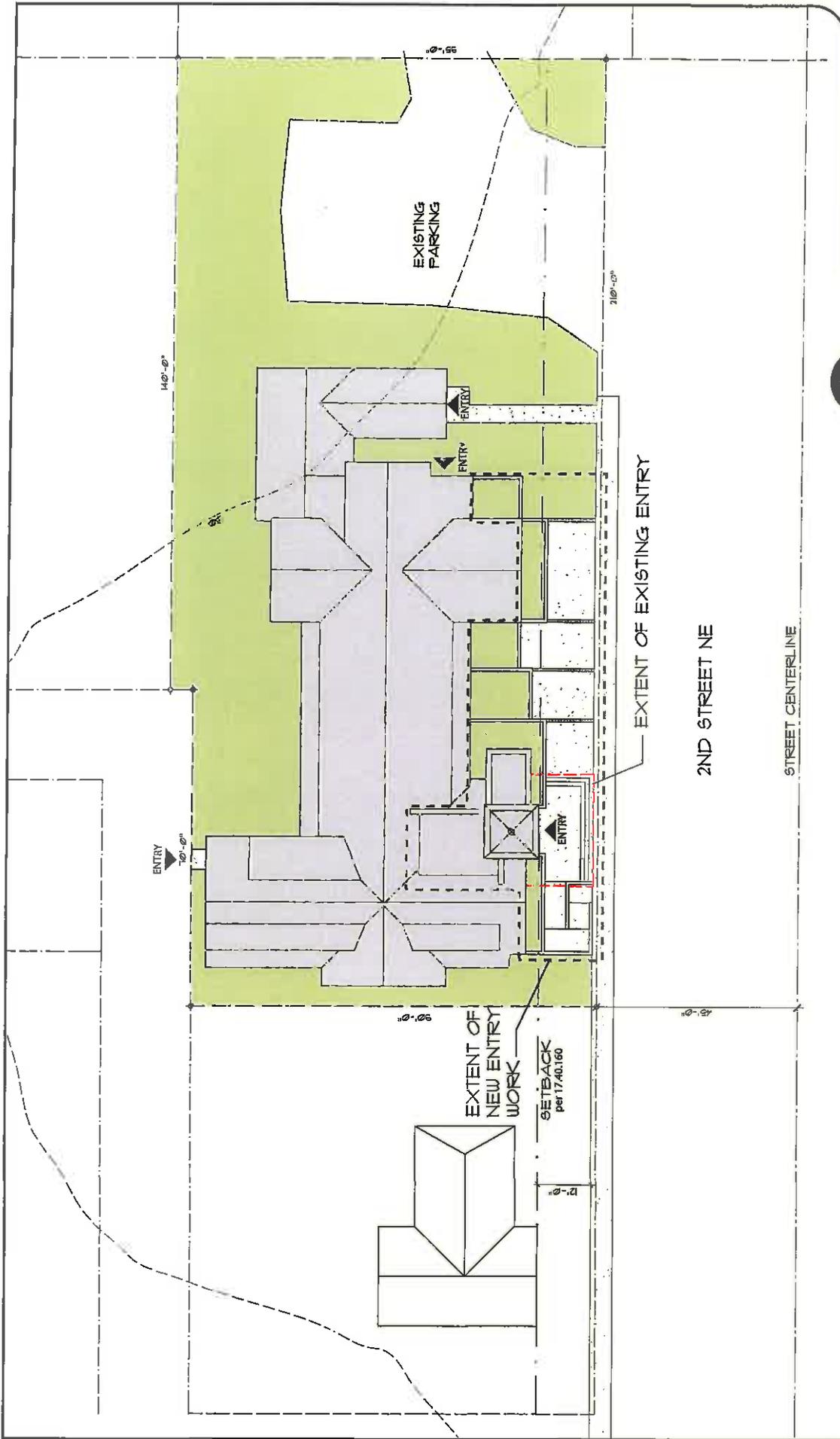
**PROPOSED ENTRY  
CHRIST LUTHERAN CHURCH, AURORA**

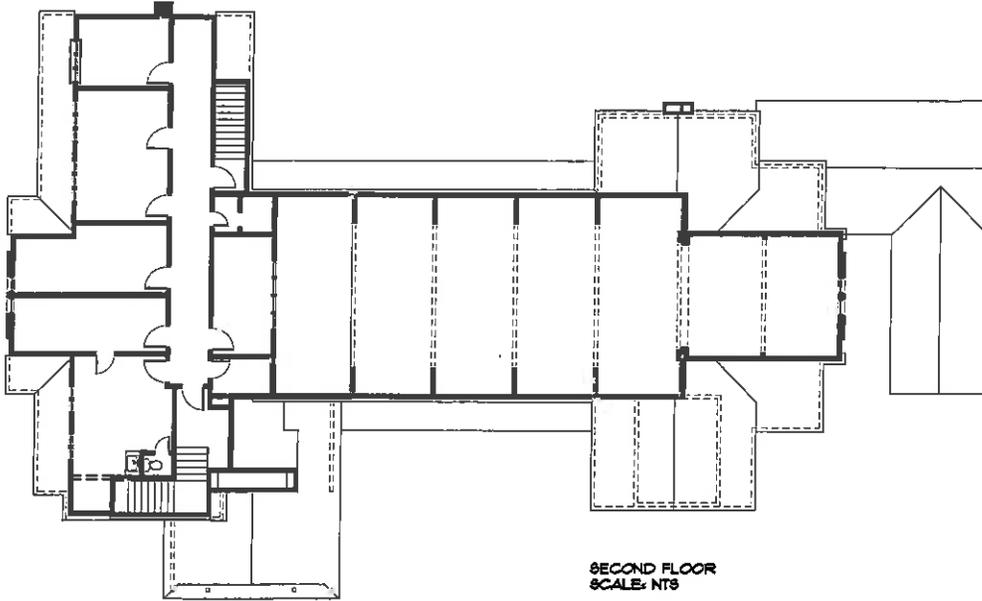
**ARCHITECTURE  
COMMUNITY**

363 Siche Street  
Salem, OR 97301-3533  
P: 503.661.4114

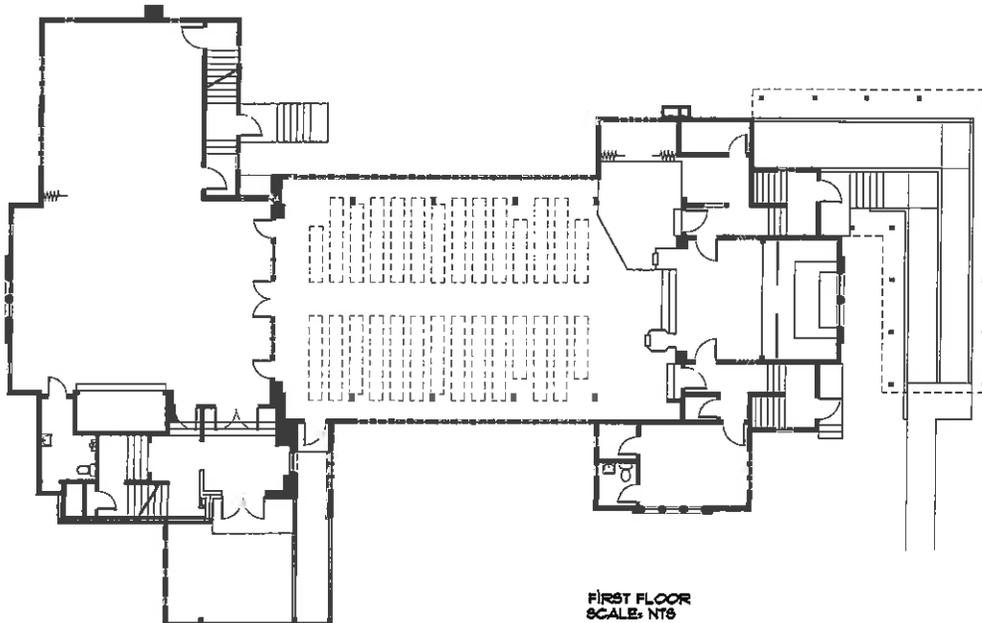


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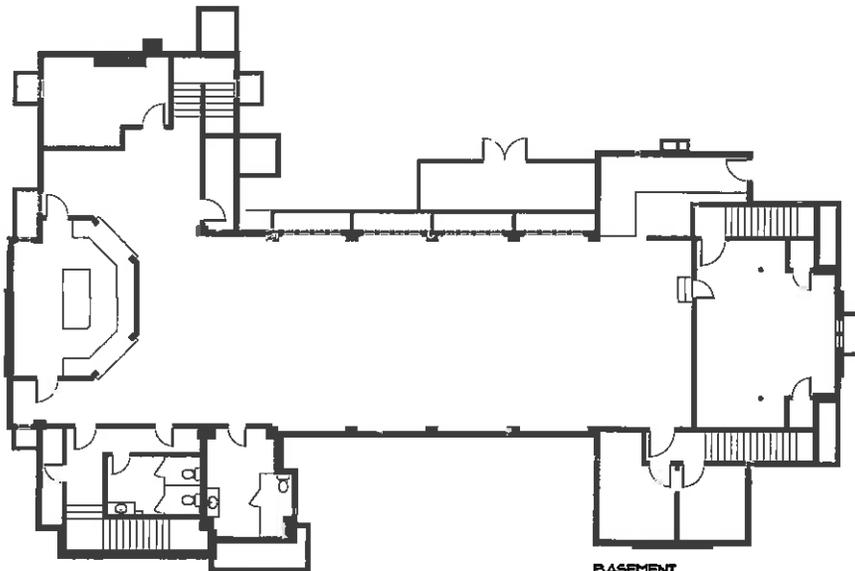




SECOND FLOOR  
SCALE: NTS



FIRST FLOOR  
SCALE: NTS



BASEMENT  
SCALE: NTS

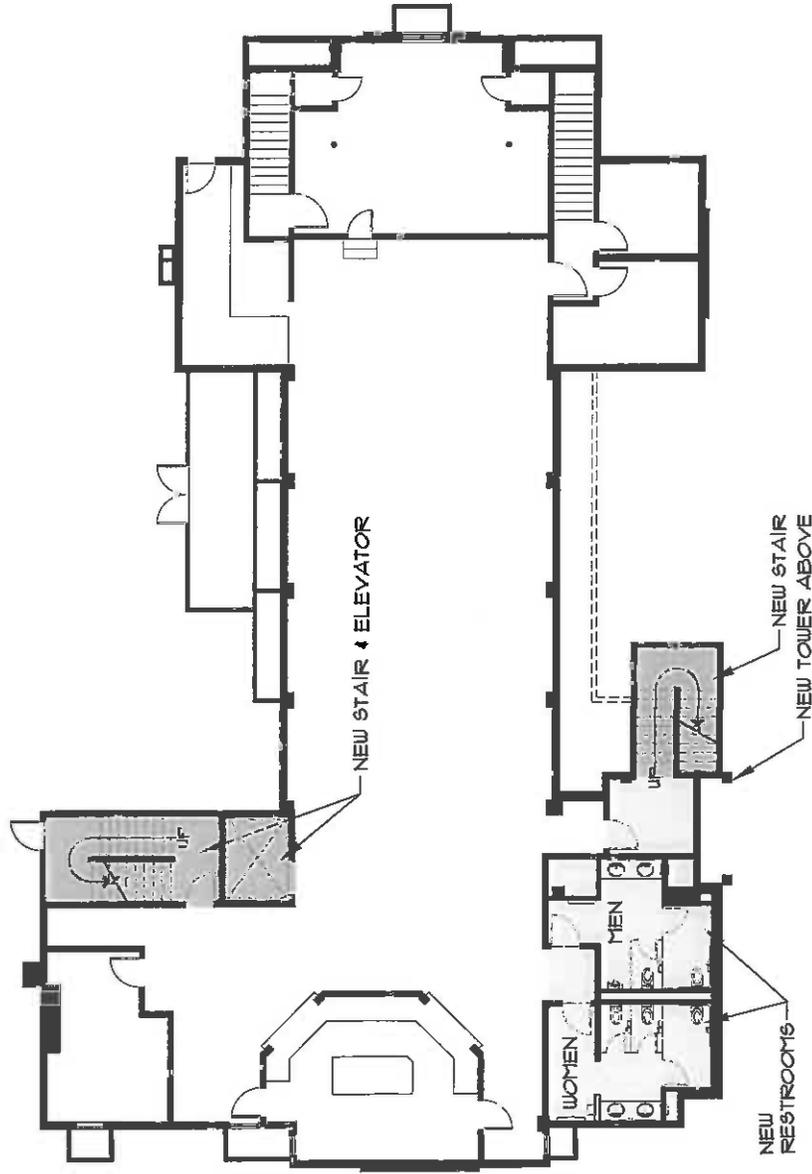
EXISTING FLOOR PLAN  
CHRIST LUTHERAN CHURCH  
AURORA, OREGON



**AC**  
**CO**

**ARCHITECTURE  
COMMUNITY**  
363 State Street  
Salem, OR 97301-1533  
P: 503.581.4114  
www.acooco.com

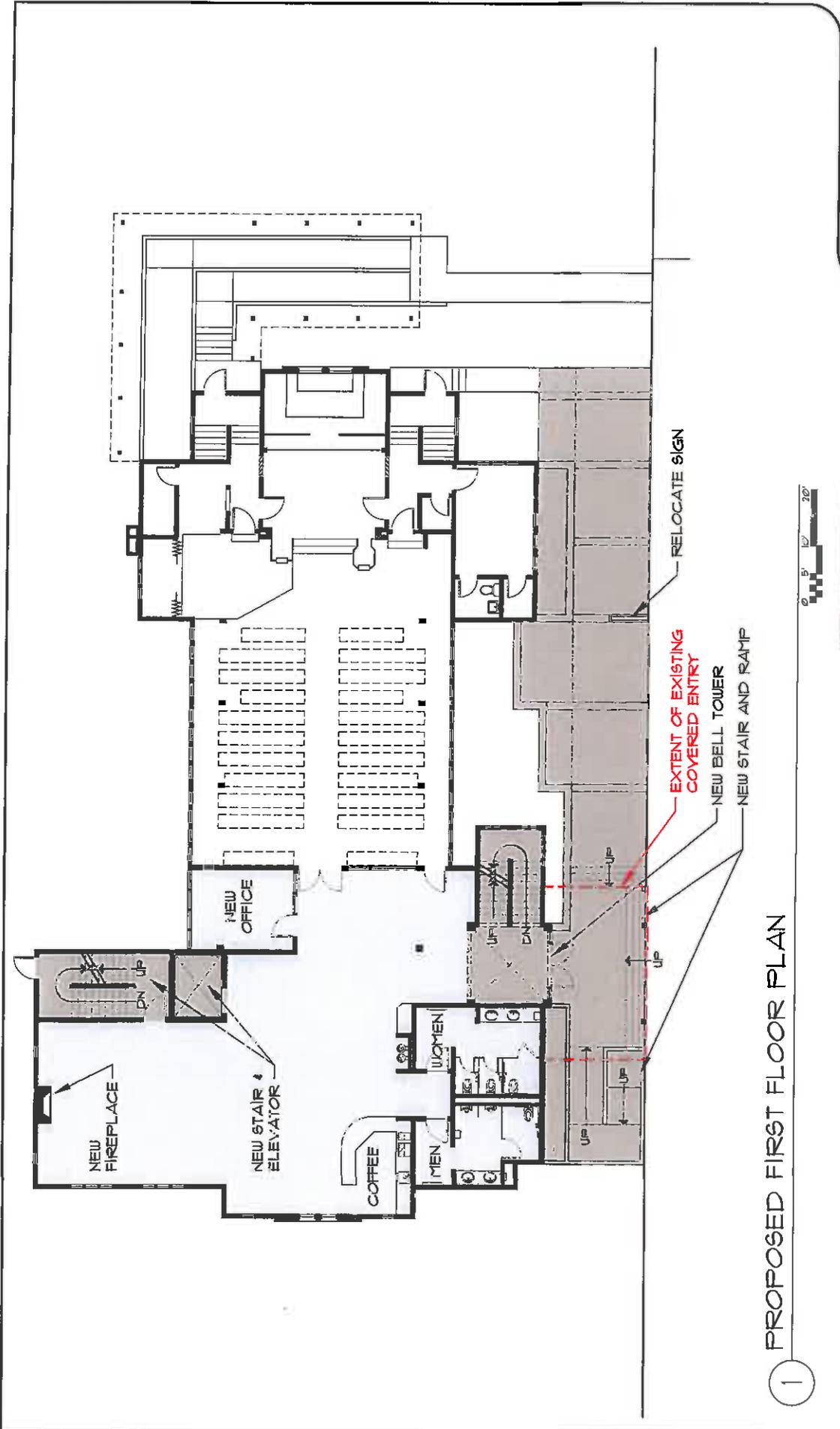
Exhibit BD



PROPOSED BASEMENT FLOOR PLAN




 ■ NEW CONSTRUCTION  
 □ REMODEL/RENOVATION



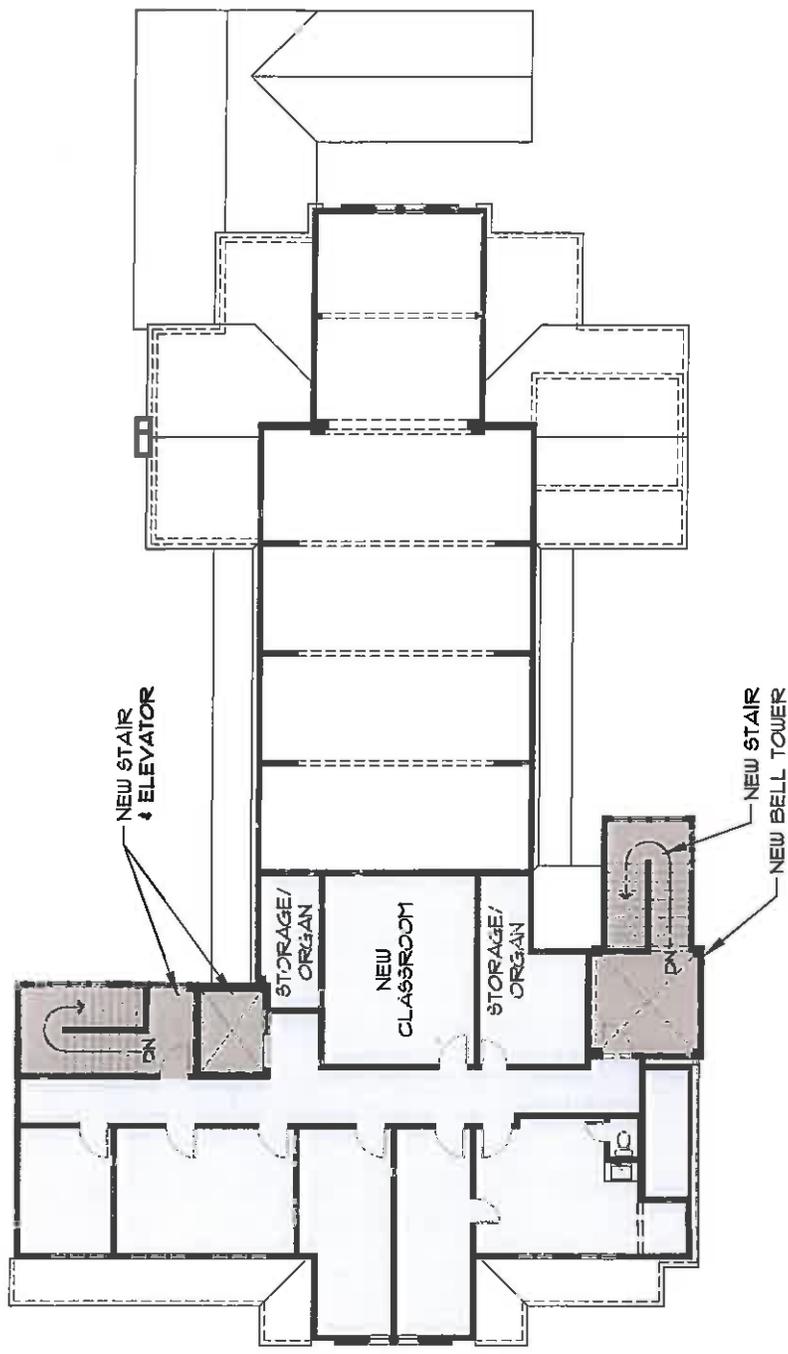
1 PROPOSED FIRST FLOOR PLAN

NEW CONSTRUCTION  
 REMODEL/RENOVATION



CHRIST LUTHERAN CHURCH  
 AURORA, OREGON  
 2014.02.11.000

B12



2 PROPOSED SECOND FLOOR PLAN

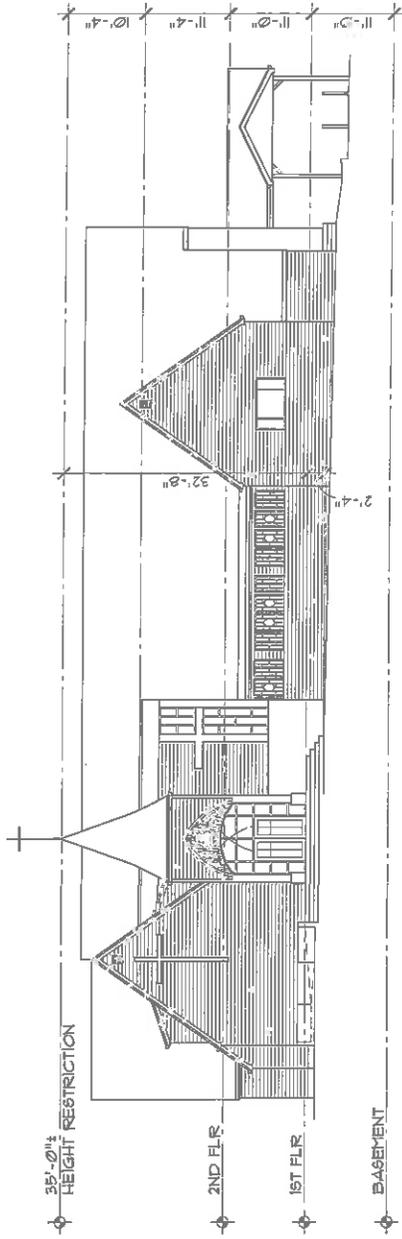
NEW CONSTRUCTION  
 REMODEL/RENOVATION



**ARCHITECTURE  
 COMMUNITY**  
 343 South Park  
 Aurora, OR 97001-3832  
 P: 503.881.4114  
 www.accomm.com

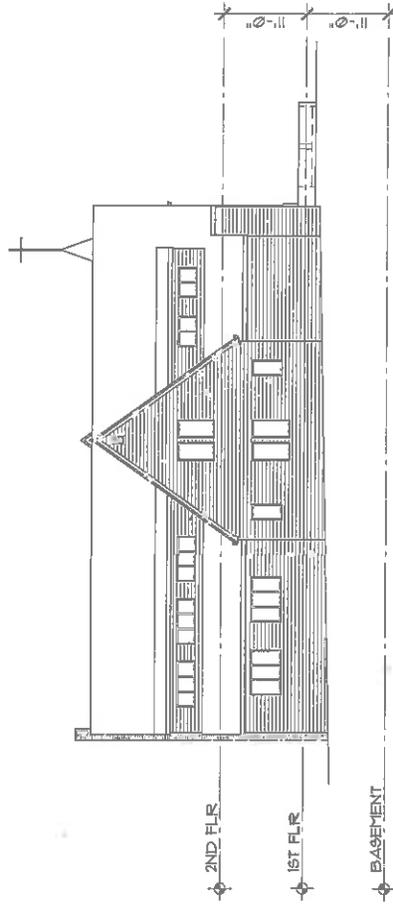
CHRIST LUTHERAN CHURCH  
 AURORA, OREGON  
 2014.0044.000

B43



1 SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



2 WEST ELEVATION

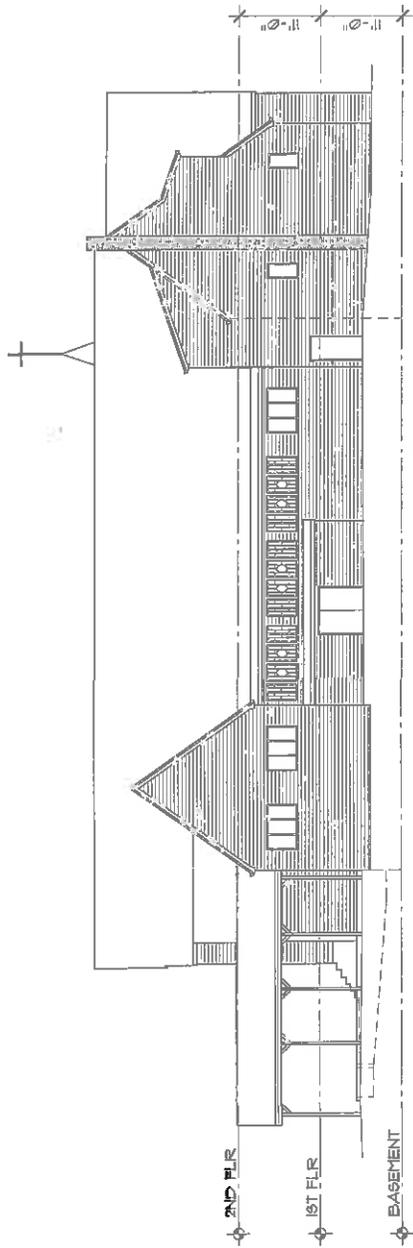
SCALE: 1/16" = 1'-0"



ARCHITECTURE  
COMMUNITY  
3000 N. W. 20th St.  
Salem, OR 97307-3533  
P: 503.581.4114  
www.accommunity.com

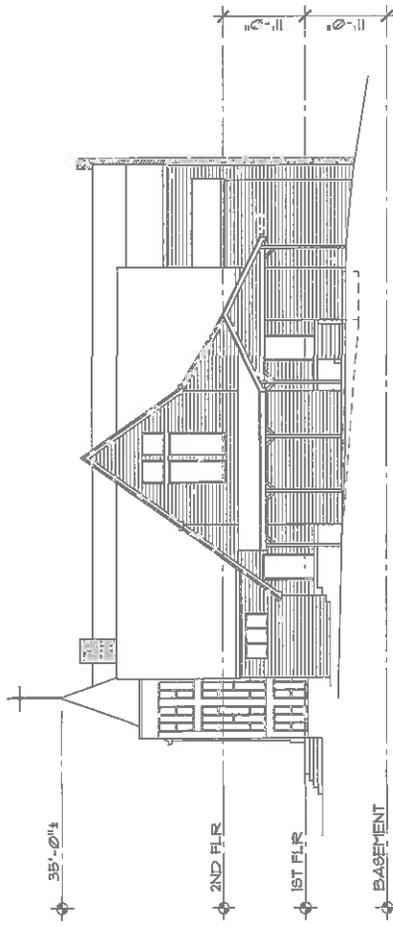
CHRIST LUTHERAN CHURCH  
AURORA, OREGON  
2014.03.24.0100

B14



3 NORTH ELEVATION

SCALE: 1/16" = 1'-0"



4 EAST ELEVATION

SCALE: 1/16" = 1'-0"

**NOTICE OF FINAL DECISION  
APPLICATION APPROVED BY THE HISTORIC REVIEW BOARD  
CITY OF AURORA, OREGON**

**Date application was heard by HRB: November 20, 2014**

**Date this Notice is mailed: January 22, 2015**

**Name of Applicant: Christ Lutheran Church**

**Applicant's Mailing Address: 15029 2<sup>nd</sup> Street Aurora, OR 97002**

**Project Description: New Entry Way**

**Subject Property Address: 15029 2<sup>nd</sup> Street Aurora, OR 97002**

**Findings: As per the revised set of plans presented everything is in compliance to the code. It is the Historic Review Boards recommendation to approve and move forward.**

**This application is approved per the Aurora Municipal Code  
17.40.100, 17.40.150, 17.40.160**

**Comments/Recommendation:**

**It was agreed the flat roof would be screened with a parapet.**

**The findings and conclusions on which this decision is based are contained in the minutes for the HRB meeting at which this decision was made and audio-tape record of the HRB's meeting and deliberations. The minutes and audio-taped record are available at Aurora City Hall, 503.678.13283, 21420 Main Street, Aurora, Oregon.**

**The Historic Review Board's decision is final on the date that this notice is mailed. Any party with standing may appeal this decision with the City of Aurora Municipal Code which provides that a written appeal, together with the required fee, shall be filed with the City Recorder within fifteen (15) calendar days of the date the Notice of Decision was mailed. The appeal fee schedule and forms are available from the City Recorder at City Hall, 214209 Main Street NE, Aurora, Oregon 97002.**

This decision is approved and this Notice of Decision serves as the Certificate of Appropriateness subject to the conditions set forth above.

  
Chair, Aurora Historic Review Board

Jan 22, 2015  
Date of Signature

**Minutes**  
**Aurora Historic Review Board Meeting**  
Thursday, November 20, 2014, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

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

**STAFF ABSENT:** None

**VISITORS PRESENT:** Bill Graupp, Mayor  
Alexander Costic, Salem  
Richard Rothweiler, Salem  
Barry Webb, Aurora  
Craig Johnson, Aurora  
Deyther Walter, Aurora

---

**1. CALL TO ORDER OF THE HISTORIC REVIEW BOARD MEETING**

The meeting of November 20, 2014 was called to order by Chair Abernathy at 7:01 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Abernathy – Present  
Member Simon – Present  
Member Frochen – Present  
Member Fraser – Present  
Member Townsend – Present

**3. CONSENT AGENDA**

- a) Historic Review Board Meeting Minutes – October 23, 2014, Place Kuri Gill as a visitor and fix a few typo's on page 2 and remove the sentence that begins with unfortunately.
- b) City Council Minutes – October, 2014
- c) Planning Commission – October, 2014

A motion to approve the HRB minutes of October 23, 2014, with corrections made was made by Member Townsend and is seconded by Member Fraser. Passed by all.

**4. CORRESPONDENCE - NA**

**5. VISITORS**

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

**6. NEW BUSINESS**

- a) None

**7. OLD BUSINESS**

- a) Continuation Discussion and or Action on Christ Lutheran Church Entry Remodel and Elevator Proposal 15029 2<sup>nd</sup> Street. The applicant’s architecture firm presents to the board a revision of the original plans with the reworking of the elevations bringing the steeple into compliance of the code along with reworking the flat roof to be screened by a parapet. Over all the board is very pleased with the revisions that are made. Pastor Craig will bring in samples of the materials at the appropriate time.

Consensus of the Board is to recommend the revised set of plans to the Planning Commission for approval. At this time we have no more concerns.

- b) Discussion and or Action on Sign Inventory,
  - Member Townsend presents her information to the board; regarding Christa Café, Back Porch Vintage, American Legion Hall, The Colony Pub, and Colony Grocery. The information is placed in the files for use at a later date.

There is no discussion regarding Members Townsends report.

**Action: None**

- c) Discussion and or Action on Historic Inventory List, no discussion at this time.

**ACTION ITEM:** Board Member Townsend asks the board if we should discuss the projects that we would like to see for the upcoming grant period and what we would recommend to City Council. The board decides on a few projects as listed;

- Historic Guidelines printing of revisions including new section, picket fences.
- Any dollars left over would be set aside for pre-application conferences for projects with limited resources available to them.
- Historic inventory, add previous text and any updates and photos to new corrected inventory.

/ / / /

/ / / /

/ / / /

## Wakeley, Renata

---

**From:** John Rasmussen <jrasmussen@co.marion.or.us>  
**Sent:** Friday, February 13, 2015 3:07 PM  
**To:** Wakeley, Renata  
**Subject:** Re: FW: Aurora Lutheran Church

Hi Renata,

MCPW Eng will not have comments for this case.....John

>>> "Wakeley, Renata" <RWakeley@mwvcog.org> 2/10/2015 12:09 PM >>>  
See attached Request for Comments.

Please phone if you have questions or concerns or need additional information to respond to this request.

Renata Wakeley, Community Development Director  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, OR 97301  
(ph) 503-540-1618  
(fx) 503-588-6094

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\*\*\*\*\*



# Oregon

John A. Kitzhaber, MD, Governor



3040 25th Street, SE  
Salem, OR 97302-1125  
Phone: (503) 378-4880  
Toll Free: (800) 874-0102  
FAX: (503) 373-1688

February 18, 2015

Renata Wakeley  
Planner  
Mid-Willamette Valley CoG  
100 High St. SE, Suite 200  
Salem, OR 97301

SUBJECT: Christ Lutheran Church SDR-15-01/CUP-15-01, City of Aurora

This letter is in response to the city of Aurora's application for an expansion of the Christ Lutheran Church located in the Low Density Residential zone located at 15029 2<sup>nd</sup> Street NE, Aurora, OR 97002. After a preliminary review of the proposed application the Oregon Department of Aviation (ODA) has prepared the following comments.

The proposed use and expansion of the church is classified under "Places of Public Assembly" according to Table 3-4: Compatible Land Uses per FAR Part 77 Surfaces and FAA Safety Areas, as located in the Airport Land Use Compatibility Guidebook (January 2003) (see attached). The proposed use and expansion is classified as a generally compatible land use due to its location and distance to the runway (Runway 17-35) at the Aurora State Airport.

The Department was able to determine the site is approximately one (1) mile from the end of Runway 35; which places the project within the "Conical Surface" area, as defined by AMC 16.24.020 – "Conical Surface". By cross referencing this information with Table 3-4 in the Airport Land Use Compatibility Guidebook, ODA finds that the use and proposed expansion of the church is generally compatible with airport development.

In addition, due to the proposed height of the church structure (+/- 181' ASL) and the airport elevation (198' ASL) the applicant will not need to file a FAA form 7460-1 with ODA or the FAA.

Thank you for allowing ODA to comment on this development proposal. If you have any questions or need further information please feel free to contact me at 503-378-2529 or [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us) or Heather Peck – Projects and Planning Manager at 503-378-3168 or [Heather.Peck@aviation.state.or.us](mailto:Heather.Peck@aviation.state.or.us).

Sincerely,

Jeff Caines, AICP  
Aviation Planner

Exhibit D2

# Senate Bill 534

Sponsored by Senators GIROD, JOHNSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes city and airport to enter into agreement pursuant to which city provides sewer and water services to airport without requiring annexation, or consent to eventual annexation, to city of territory on which airport is situated.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the provision of city services to an airport; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. A city and an airport may enter into an agreement pursuant to which the**  
5 **city provides sewer and water services to the airport without requiring the annexation, or**  
6 **consent to eventual annexation, to the city of the territory on which the airport is situated.**

7 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**  
8 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
9 **on its passage.**

10

---

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

District 9 Airports

<b>Airport</b>	<b>UGB status</b>	<b>Ownership source</b>
Aurora state Airport	Outside Metro UGB	State owned
Lenhardt	Outside Metro UGB	Public Use/Privatey owned?
Santiam Junction	Outside Metro UGB	U.S. Forest Service owned/operated by ODA
Dietz Airpark	Outside Canby and Metro UGB	Privately owned Private use
Lebanon	Inside Lebanon UGB	State owned
Davis Airport	Outside metro UGB	privately owned public use
Workman Air Park	Outside Metro UGB	Privately owned public use
Remainder of Oregon Public Use Airports		
Albany Municiple	Inside Albany UGB	City of Albany
Alkali Lake State	Outside UGB	State owned
Arlington Municiple	Inside Arlington UGB	City of Arlington
Ashland Municiple - Sumner Parker Field	Inside Ashland UGB	City of Ashland
Astoria Regional	Outside Astoria UGB	Port of Astoria
Baker City Municiple	Outside Baker City UGB	Baker City
Bandon State	Outside Bandon UGB	State owned
Beaver Marsh	Outside UGB	Privately owned
Bend Municiple	Outside Bend UGB	City of Bend
Boardman	Outside Boardman UGB	Port of Morrow
Brookings/Curry Coast	Inside Brookings UGB	Curry County
Burns Municiple	Outside Burns UGB	City of Burns
Cape Blanco State	Outside UGB	State owned
Cascade Locks State	Inside Cascade Locks UGB	State owned
Chehalem Airpark	Outside Newberg UGB	Privately owned
Chiloquin State	Inside Chiloquin UGB	State owned
Christmas Valley	Outside UGB	Christmas Valley Parks

Columbia Gorge / The Dalles		City of The Dalles/Klickitat County
Condon State	Outside Condon UGB	State owned
Corvallis Municiple	Inside Corvallis UGB	City of Corvallis
Cottage Grove State	Outside Cottage Grove UGB	State owned
Country Squire Airpark	Outside Sandy UGB	Privately owned
Crescent Lake State	Outside UGB	State owned
Creswell Hobby Field	Inside Creswell UGB	City of Creswell
Eastern Oregon Regional @ Pendleton	Inside Pendleton UGB	City of Pendleton
Enterprise Municiple	Inside Enterprise UGB	City of Enterprise
Eugene Mahlon Sweet Field	Outside Eugene UGB	City of Eugene
Florence Municiple	Inside Florence UGB	City of Florence
George Felt	Outside Roseburg UGB	Privately owned
Gold Beach Municiple	Inside the UGB	Port of Gold Beach
Grant Couny Regional / Ogilvie Field	Inside John Day UGB	Grant County Regional Airport
Grants Pass	Outside Grants Pass UGB	Josephine County Airports
Hermiston Municiple	Inside Hermiston UGB	City of Hermiston
Hillsboro	Inside Metro UGB	Port of Portland
Illinois Valley	Outside Cave Junction UGB	Josephine County Airports
Independence State	Inside Independence UGB	State owned
Joseph State	Outside Joseph UGB	State owned
Ken Jernstedt Airfield	Outside Hood River UGB	Port of Hood River
Klamath Falls / Kingsley Field	Inside Klamath Falls UGB	City of Klamath Falls
LaGrande / Union County	Outside La Grande UGB	Union County
Lake Billy Chinook	Outside Culver UGB	Privately owned

Lake County	Outside Lakeview UGB	Lake County
Lake Woahink Seaplane Base	Outside Florence UGB	Privately owned
Lakeside	Inside Lakeside UGB	City of Lakeside
Lexington	Outside Lexington UGB	Morrow County
Madras City - County	Outside Madras UGB	City of Madras City
Malin	Outside Malin UGB	City of Malin
McDermitt State	Outside UGB	State owned
McKenzie Bridge State	Outside UGB	State owned
McMinnville Municiple	Inside McMinnville UGB	City of Mc Minnville
Memaloose (USFS)	Outside UGB	US Forest Service
Miller Memorial Airpark	Inside Vale UGB	City of Vale
Monument Municiple	Outside Monument UGB	City of Monument
Mulino State	Outside UGB	State owned
Myrtle Creek Municiple	Inside Myrtle Creek UGB	City of Myrtle Creek
Nehalem Bay State	Outside UGB	State owned
Newport Municiple	Inside Newport UGB	City of Newport
Oakridge State	Outside Oakridge UGB	State owned
Ontario Municiple	Inside Ontario UGB	City of Ontario
Owyhee Reservoir State	Outside UGB	State owned
Pacific City State	Outside UGB	State owned
Paisley	Outside Paisley UGB	Lake County
Pinehurst State	Outside UGB	State owned
Portland Downtown Heliport	Inside Metro UGB	City of Portland
Portland International	Inside Metro UGB	Port of Portland
Powers	Inside Powers UGB	Port of Coquille River
Prineville	Inside Prinville UGB	Crook County
Prospect State	Outside UGB	State owned
Redmond Municiple - Roberts Field	Inside Redmond UGB	City of Redmond

Rogue Valley International - Medford	Inside Medford UGB	Jackson County
Rome State	Outside UGB	State owned
Roseburg Regional	Inside Roseburg UGB	City of Roseburg
Salem McNary Field	Inside Salem UGB	City of Salem
Sandy River	Outside Sandy UGB	Privately owned
Scappoose Industrial Airpark	Inside Scappoose UGB	Port of St Helens
Seaside Municiple	Inside Seaside UGB	City of Seaside
Siletz Bay State	Outside UGB	State owned
Silver Lake (USFS)	Outside UGB	US Forest Service
Sisters Eagle Air	Outside Sisters UGB	Privately Owned
Skyport	Outside UGB	Privately Owned
Southwest Oregon Regional	Inside North Bend UGB	Coos County Airport District
Sportsman Airpark	Outside Newberg UGB	Privately Owned
Stark's Twin Oaks Airpark	Outside Metro UGB	Privately Owned
Sunriver	Outside UGB	Privately Owned
Tillamook	Outside Tillamook	Port of Tillamook Bay
Toketee State	Outside UGB	State owned
Toledo State	Outside Toledo UGB	State owned
Troutdale	Inside Metro UGB	Port of Portland
Valley View	Inside Estacada UGB	Privately Owned
Vernonia Airfield	Outside Vernonia UGB	City of Vernonia
Wakonda Beach State	Outside Waldport UGB	State owned
Wasco State	Outside Wasco UGB	State owned

**comments**

Through the Fence  
airport

Has limited sewer and  
water





#### **OFFICERS**

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President

Joe Kuehn  
Vice-President

Richard van Pelt  
Secretary

Susan Watkins  
Treasurer

#### **BOARD OF DIRECTORS**

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Carla Mikkelson  
Linda Peterson  
Kasia Quillinan

February 16, 2015

Senate Committee On Business and Transportation  
Oregon State Capitol  
900 Court Street NE  
Salem, OR 97301

Re: Please Vote "NO" SB 534

Dear Chair Beyer and Committee Members:

Our organization and its individual members oppose SB 534;  
Relating to a provision for city services to an airport.

Friends of Marion County is a 501(c)3 farmland protection organization founded in 1998. Our mission is to protect farm and forestland, parks, and open space.

I have served on the Marion County Planning Commission for two terms. In 2010/2011 as President of Friends of Marion County I was selected to serve on the Public Advisory Committee (PAC) comprised of airport users, representative of local municipalities and concerned citizens reviewing the 10-Year Aurora Master Plan.

The Aurora Master Plan contains seven chapters:

Chapter 1 - Introduction  
Chapter 2 - Airport inventory  
Chapter 3 - Aeronautical Activity Forecast  
Chapter 4 - Facilities Requirements  
Chapter 5 - Airport Alternatives  
Chapter 6 - Airport Layout Plan  
Chapter 7 - Capital Improvement Plan

This document was to be reviewed by the FAA Seattle Regional Office. However the FAA Seattle Regional Office is not familiar with Oregon's long history of farmland protections. Of course, our primary objective is to protect farmland in Marion County. The Aurora Airport affects both Marion and Clackamas Counties since it lies near the border of the two jurisdictions and the City of Wilsonville which is impacted by small aircraft traffic. As a matter of fact, during one of the many meetings there was a crash incident of a small aircraft into a private residence. The home owner appeared at the next PAC meeting to express concerns about expansion of aircraft activity in the area.

Our view from the outset was that the 10-Year Aurora Airport Masterplan would impact both farmland and regional transportation routes surrounding the airport. In particular, high-value Class I soil farmland at the southern perimeter of the proposed runway expansion is impacted. In addition, safety concerns would require the closure and relocation of Keil Road, a Marion County road heavily used as an agricultural transportation route.

SB 534 proposes that Aurora Airport be permitted to establish an agreement between the airport and the City of Aurora to connect to the city for the purpose of supplying drinking water. I do recall that there is some data collected that show very low levels of Arsenic in wells on Aurora Airport property. The results I've seen are quite variable and depend on the well sampled and time of year. There are also other private wells that supply drinking water to the numerous private property owners at the industrial airpark area. There appears to be a sufficient supply of acceptable drinking water available. Of course, there are ways to treat for Arsenic and other contaminants in drinking water. These methods are readily available and should be adopted by the airport users if they have current or future concerns about drinkability.

Passage of SB 534 is not the answer for the airport users. There are other impacts that arise from a proposed airport expansion. It is now time to realize that the Aurora Airport is constrained and that further land acquisition is not feasible and that extension of services beyond the UGB is a bad idea.

Again, we want to emphasize our opposition to SB 534 and request a "NO" vote of the committee on this bill.

Thanks for listening.

Roger Kaye, President  
(503)743-4567  
rkaye2@gmail.com



133 SW Second Ave., Suite 201 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org

Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389

Willamette Valley Office • PO Box 51252 • Eugene, OR 97405 • (541) 520-3763 • fax (503) 575-2416

February 16, 2015

Senator Lee Beyer, Chair, and Members  
Senate Business & Transportation Committee  
State Capitol  
Salem, OR

Re: SB 534

1000 Friends of Oregon is a 40-year old, non-profit, statewide organization. We advocate for livable urban and rural communities, protecting family farms and forests, and conserving natural areas, largely through the implementation and improvement of Oregon's land use planning program.

1000 Friends opposes SB 534. Senate Bill 534 authorizes a city to provide urban sewer and water services to an airport without going through the procedures that currently exist for providing such services if needed. In general, Oregon's land use program directs that urban services are to be provided inside urban growth boundaries (UGBs). These are expensive, long-term investments that are meant to encourage more dense and efficient use of land inside cities and towns. Urban services are not appropriate for rural areas, where such investments often conflict with farming and forestry activities and because of their costs, bring pressure to develop farm and forest lands and contribute to inefficient sprawl.

However, the land use program provides at least three ways in which a city can provide city and/or water services to a use outside the city, if there is a need: an airport requests an "exception" to have an urban service extend across rural lands; the use is added to a city's UGB and annexed; or DEQ declares a health hazard that necessitates urban sewer and/or water service.

As we understand, this bill arises from the Aurora Airport. None of these existing processes has been used. These processes exist because it is a significant long-term investment of a city's funds and service capacity to provide urban services outside its boundary. Running urban services through rural areas can also have a significant and adverse impact on farming or forestry practices. It is important for a community to have a full discussion and decision before embarking on this type of commitment. That has not happened in Aurora. We ask that you not recommend passage of this bill. Instead, the Aurora Airport should to the city and county and use the existing processes.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy".

Mary Kyle McCurdy  
Policy Director and Staff Attorney

**Testimony by Wilsonville Mayor Tim Knapp  
in Opposition to SB 534:  
Contrary to Oregon Land-Use Law Requiring  
Municipal Governance for Urban Services**

For Public Hearing Scheduled on Feb. 16, 2015, Before the  
Senate Committee on Transportation and Economic Development

**To Chair Beyer, Vice-Chair Girod, and Members of the Committee:**

The City of Wilsonville opposes SB 534 for several reasons, including:

1. Unnecessary Legislation
2. Contrary to Oregon Land-Use Law
3. Potential for Negative, Unintended Consequences
  - a. Unfunded Impacts to Public Surface Transportation Facilities
  - b. Inability to Fund Necessary Infrastructure to Accommodate Urban-Level Activity
  - c. Unfair Competition Harms Public and Private Real-Estate Interests
  - d. Potential Damage to Agricultural Cluster and Regional Economy
4. Specific Examples of Issues Relating to the Aurora State Airport
5. French Prairie Ag Economy Important to Willamette Valley and Oregon

**1. Unnecessary Legislation**

Oregon law currently allows for the provision of municipal water and sewer service outside of cities to an airport — so long as an agreement is reached that provides for eventual annexation of the airport into the municipality. Municipal governance with urban services is a key tenet of Oregon land-use law.

**2. Contrary to Oregon Land-Use Law**

Oregon land-use law is predicated on the principal that cities are to be centers of urban-level development and that prime farmland is to be protected from urban encroachment. The proposed legislation violates this key tenet of Oregon land-use law

by allowing the extension of city water and sewer service to areas outside a city without the concurrent requirement for municipal governance.

### **3. Potential for Negative, Unintended Consequences**

By usurping the key principle of Oregon land-use law that cities are to be centers of urban-level development, the proposed legislation has the potential to produce a number of negative, unintended consequences:

#### **a. Unfunded Impacts to Public Surface Transportation Facilities**

While city or an airport or private-property interests may benefit financially from the extension of urban services outside a city, the net result over time becomes costs that are externalized to others. That is, the provision of city water and sewer facilitate activity and development at the airport or adjacent private-property.

The increase in activity produces increased traffic congestion on unimproved, farm-to-market county roads for which no new revenues are available to improve surface streets. Hence, Oregon law wisely calls for municipal governance for areas of economic activity so that mechanisms are available capture revenue needed to fund the necessary infrastructure to accommodate the urban-scale development.

#### **b. Inability to Fund Necessary Infrastructure to Accommodate Urban-Level Activity**

By allowing a situation where only the core essence of urban services—water and sewer—can be provided to an airport in an unincorporated county EFU zone, additional city mechanisms are unavailable to provide the total necessary “infrastructure package” to accommodate new development and business operations in a rural ag area. That is, a city provides other necessary components of urban-level development in addition to water and sewer such as adequate roads and sidewalks, transit service, stormwater management, and a host of other city-provided services.

#### **c. Unfair Competition Harms Public and Private Real-Estate Interests**

The provision of urban services without municipal governance creates an unfair and unlevel playing field for real-estate investment by the public-sector distorting

the market. That is, government creates a situation whereby businesses located at an airport may operate at an artificially lower rate due to a lack of charging these businesses the full infrastructure costs of allowing their operation.

The full costs of operating a business in a city include helping to pay for infrastructure capacity improvements that facilitate economic activity such as road and street/sidewalk improvements, water and sewer service, stormwater management and other urban services. Thus, when government allows inappropriately sited development in an EFU zone, government is in effect providing a public subsidy to those businesses by allowing them to avoid paying for the full impact of their operations on local streets, impervious surface-area stormwater generation, and the like.

Allowing businesses in one area to operate with a public subsidy while other businesses nearby are paying regular full-freight to a city that accommodates the impact of their operations creates an unfair playing field for both the private- and public-sectors. The subsidy by one public entity harms other nearby cities and property owners whose commercial and industrial properties are undercut by unfair competition from subsidized airport development.

#### **d. Potential Damage to Agricultural Cluster and Regional Economy**

The State's agricultural economy operates in various regional clusters where a sufficient number of farm operations, food processors and their service-providers are in business that work together to sustain the regional rural economy. Urban-level activities on farmlands increase speculative price pressures on land and create traffic congestion that together increase the difficulty to farm economically. Gradual loss of suppliers and producers can harm a regional ag cluster by reducing the vibrancy and transactional capacity that generate economic activity.

#### **4. Specific Examples of Issues Relating to the Aurora State Airport**

The Aurora State Airport is essentially a publicly-owned State runway bordered by private property. Even without city water and sewer service, the county has gradually allowed the conversion of adjacent EFU lands to other uses, which has facilitated an increase in activity at the airport — for which insufficient revenues are available to improve adjacent streets and sidewalks, provide transit services to commuting employees, appropriately manage stormwater runoff or provide other urban services.

Development over time in proximity to the airport has greatly increased the amount of automobile traffic on narrow, unimproved farm-to-market county roads with deep ditches and no shoulders and lacking sidewalks or bike-lanes — producing a dangerous situation for both drivers and pedestrians. Additionally, no public transit services are available to the airport, further increasing traffic on nearby streets.

Farmers near the Aurora Airport have complained about both an increase in traffic that negatively impacts operations and safety and escalating land-lease costs that appear due to land speculation for potential development. Encouraging urban-level development in EFU areas invites land speculation on farm and forest lands in anticipation of government permitting of further urbanization. Land speculation harms the agricultural industry by artificially driving-up the cost of farmland, and correspondingly the cost of doing business, which can make these businesses uncompetitive in a global economy.

Unfortunately, the Oregon Dept. of Aviation and Marion County have over time demonstrated little interest in cooperating with the City of Wilsonville regarding issues of concern pertaining to the Aurora State Airport. As recently as 2010 when the Aviation Dept. and Marion County signed an *Intergovernmental Agreement on the Coordination of Growth Management and Transportation Issues Between City of Aurora, Marion County and Oregon Department of Aviation, June 2010*, the City of Wilsonville and Clackamas County were excluded from the process and denied the opportunity to participate in the agreement.

Despite the fact that the City of Wilsonville is an interested stakeholder in area land-use and transportation matters and hosts the largest population of residents and businesses in proximity to the airport, the Aviation Dept. – Marion County IGA specifically excludes the City of Wilsonville. See Exhibits A and B:

- Exhibit A: “Aurora Airport Impact Area – Exhibit A,” to Intergovernmental Agreement on the Coordination of Growth Management and Transportation Issues Between City of Aurora, Marion County and Oregon Department of Aviation, June 2010
- Exhibit B: Map of Aurora Airport Region Population, 2000 US Census

## **5. French Prairie Ag Economy Important to Willamette Valley and Oregon**

While State and Local government efforts have focused on encouraging “traded-sector” economic development and job creation, the proposed legislation poses potential negative, unintended consequences for important Oregon industries and jobs. The high-value farmlands of French Prairie in northern Marion County are a major powerhouse for the Oregon’s agricultural industry.

These foundation farmlands form the key inputs for the traded-sector “ag” industry where a majority of products are destined for export out of Oregon. During the Great Recession, agriculture was the one Oregon economic sector to weather the storm better than other sectors and it is enjoying a speedier recovery.

Many local area businesses are highly engaged in the North Willamette Valley ag economy cluster. A major employer with over 500 employees in the Wilsonville-Tualatin area, Pacific Natural Foods, is a national food processor that also farms 1,000 acres in the Aurora area and contracts with other local farmers for ag products.

Encouraging economic activity in EFU areas without municipal governance may have the unintended consequence of severely interfering with ag operations, encouraging urban sprawl and land speculation that is detrimental to the rural ag industry, and harming the ag cluster of businesses and jobs on French Prairie.

Based on the potential risky, unintended consequences that may flow from the proposed legislation and the lack of need, the City of Wilsonville respectfully urges a DO NOT PASS vote by the committee on SB 534.

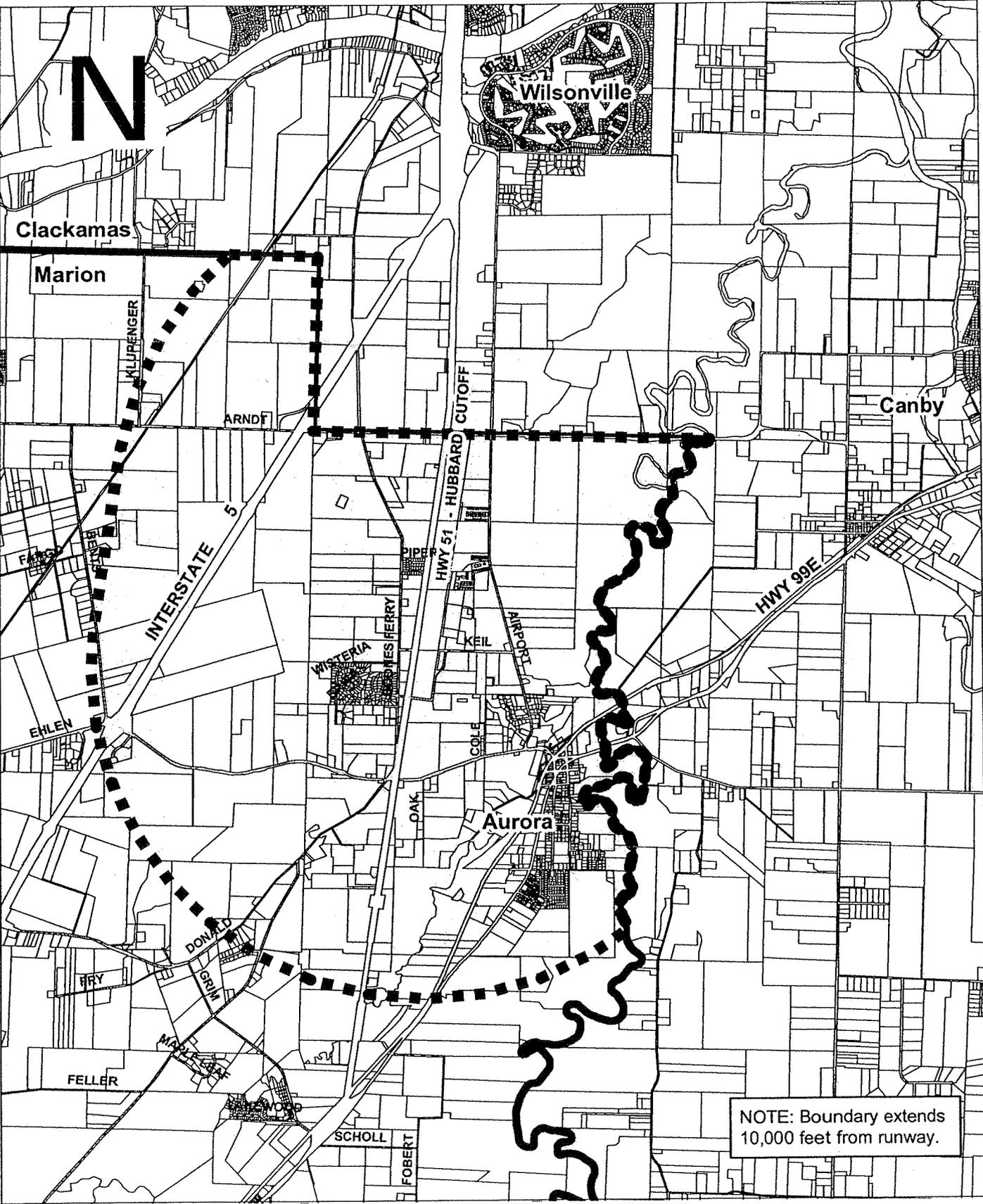
We thank you for your time and consideration.

Sincerely,



Tim Knapp, Mayor  
City of Wilsonville

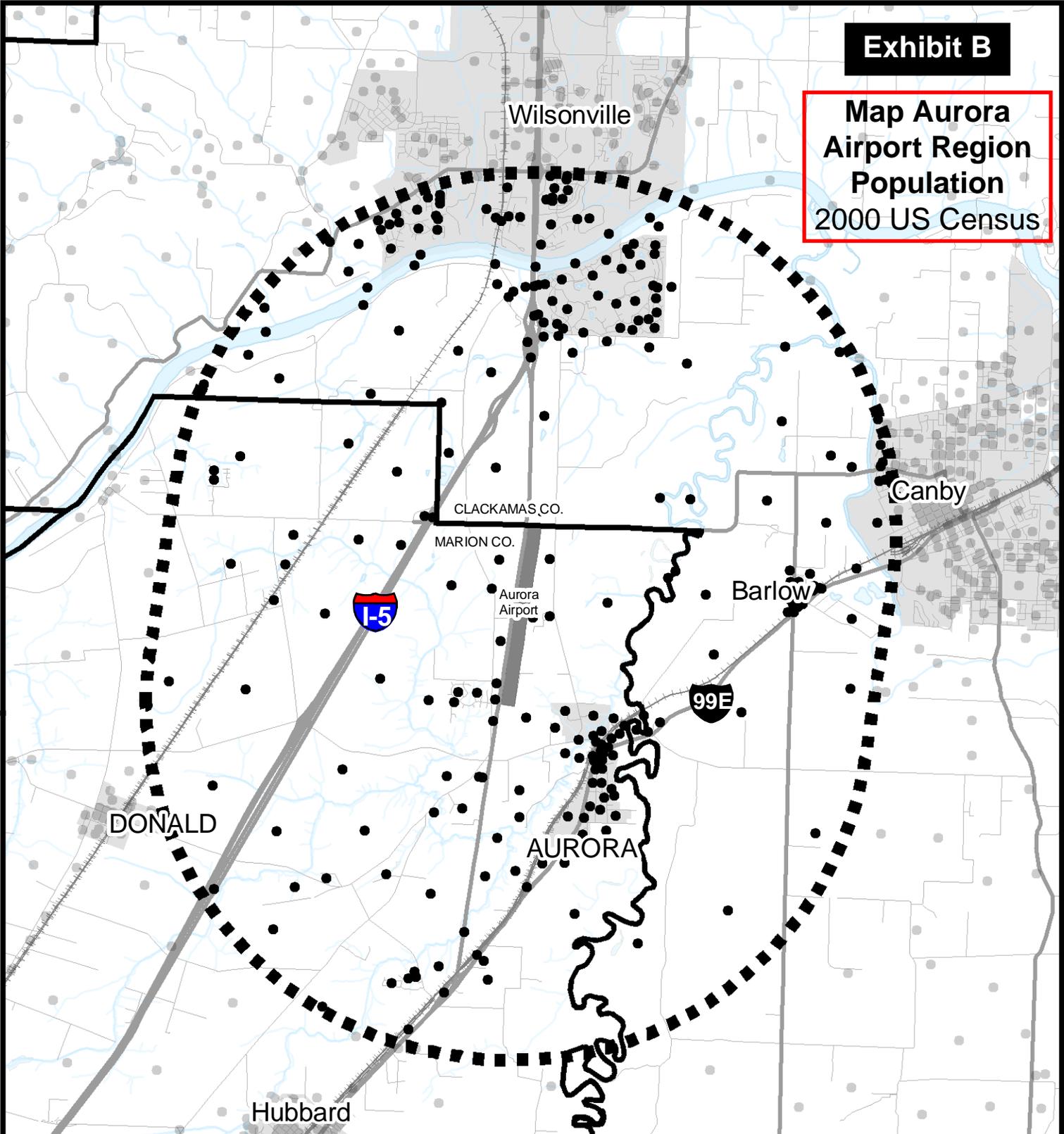
**Aurora Airport Impact Area - Exhibit A**



Map from Intergovernmental Agreement on the Coordination of Growth Management and Transportation Issues Between City of Aurora, Marion County and Oregon Department of Aviation, June 2010.

**Exhibit B**

**Map Aurora  
Airport Region  
Population  
2000 US Census**



**Aurora Airport Region**

- U.S. Census Block Populations
- 3 Miles
- County Boundary
- Cities

Population Count of Jurisdictions (3 miles)

City of Wilsonville	5,891
(Charbonneau District Alone)	(2,601)
City of Aurora	657
City of Canby	448
City of Barlow	140
Unincorp. Marion County	2,379
Unincorp. Clackamas County	1,983

Total Population 11,498  
within 3 Miles (Census 2000)



February 16, 2015

Senator Lee Beyer, Chair  
Senator Fred Girod, Vice Chair  
Senator Rod Monroe  
Senator Chuck Riley  
Senator Chuck Thomsen

Dear Chair Beyer and Senators,

This letter is to express my full support of SB 534 which allows for city sewer and water to be provided to an airport.

SB 534 provides the critical local control necessary for cities and neighboring airports to work together in promoting economic development opportunities that are mutually beneficial.

Over the past 20 years I have worked hand-in-hand with the City of Aurora, the Aurora State Airport, the Oregon Department of Aviation, local businesses including farmers, and local residents in growing the local economy while protecting valuable productive farmland.

I represented this area as a Marion County Commissioner for more than 15 years (retiring in 2014) and as a state representative for three terms. I was a member of Positive Aurora Airport Management for most of these years.

I know and understand the multitude of critical issues surrounding the needs and concerns in providing water and sewer to the Aurora State Airport from the City of Aurora. Over the years much has been accomplished to grow, protect and enhance the relationships with all parties who have an interest in the City of Aurora, Aurora State Airport, and businesses including farmers, and residents in the surrounding area.

However, the central issue of water and sewer at the Aurora Airport is the key to a viable, productive future for the entire area, but the issue of annexation has been an insurmountable obstacle.

I urge your support of SB 534 which provides the vital tool necessary to keep discussions and planning moving forward and placing decision making where it needs to be, at the local level. Thank you.

Sincerely,

Patti Milne  
Marion County Commissioner, retired  
Former State Representative  
503.551.5590  
pmiln

## Testimony Supporting SB 534

Submitted by Ben Altman, Senior Planner SFA Design Group;

Chair of Wilsonville Chamber's Business Cluster Development Program; and Secretary of Board, ORAVI, Oregon Aviation Industries.

Chair Beyer and Committee:

Contrary to testimony from the City of Wilsonville, claiming this bill is unnecessary, SB 534 is in fact very important to the future of aviation in Oregon. The reason is that predominantly airports, by their very nature are generally located outside of urban growth boundaries. The reality is airports are generally more compatible with agricultural uses than with urban residential uses.

Airports require very large land area, plus vertical control, glide paths and landing zones, which tends to make them not as desirable for urban locations. But at the same time airports, like Aurora, and many others around the state, are essential support facilities for urban businesses. Many urban based corporations rely upon non-commercial flights to conveniently and efficiently move executives around the country.

Airports like Aurora also provide an excellent operating base for aviation related businesses, such as refueling, materials transport, avionics, and maintenance functions. They also provide essential emergency service functions, such as medical air evacuation, wild fire base camps, and serve agricultural operations. For example, there are more than 50 businesses operating at Aurora Airport, employing more than 1,200 people, with average wages of \$66,000. Statewide there are over 350 aviation related businesses, all relying upon properly maintained and operated airports.

The reality is that aviation serves a critical and essential role in Oregon's economy, and in fact is a key economic engine. Yet, airports and aviation in general, have been all but ignored in providing appropriate funding and needed infrastructure to keep the industry strong and airports safely operated and properly maintained.

The City of Wilsonville is correct that Oregon land use laws, (Goal 14 (UGBs) and Infrastructure (Goal 11 & 12) in particular, are ego-centrally focused around cities as the primary service providers. This structure works well for typical urban development including residential, commercial and most industrial activities. The City is also correct that there are current provisions to allow extension of urban services outside of UGB's, but only by agreement requiring ultimate annexation.

However, this city-centric focus fails to recognize the unique character of airports and their best fit in rural areas. But more importantly, it ignores the reality that cities typically are not supportive of airports, primarily because of citizen complaints of noise, fly-overs, etc. Consequently provision of needed infrastructure consistently fails to be addressed.

The City's arguments make sense for the City, but their narrow focus fails to address the broader statewide issue that airports are in reality unique "urban facilities", that are by nature, typically located in rural areas, thereby severely limiting their access to needed urban services. The City argues about unintended consequences, and that is a reality of their opposition. They are actually unintentionally arguing against the best interests of many of the businesses that are based in Wilsonville, who rely upon aviation services, not adequately provided by commercial airports, like PIA. In their own self-interest,

controlling the services they provide, and forcing annexation, they are in fact arguing against the equally valid needs of the aviation industry and airports in particular.

Oregon's land use system of dividing urban and rural areas has failed to appropriately identify the unique role and character of airports. They are in fact more urban than rural in character and need for urban services, than typical rural industrial uses. Yet, they don't easily fit into the urban environment. Therefore special legislation is necessary to fill this gap.

I would also argue that SB 534 is one of several bills that are needed to properly position Oregon's airports to serve their valuable economic functions. This bill is appropriate as a follow-up to SB 680, which was adopted several years ago, but has had very little, if any, implementation.

SB 680 declared the State's intent to promote airport development by establishing 3 Model Airports, specifically including Aurora. The Bill also was designed to identify and resolve rules and regulations that unnecessarily interfere with the proper operations, development, and maintenance of airports.

Unfortunately, there was, and has not been since, any funding allocated to implementing SB 680. But ORAVI and the Aurora Airport Owners Association have identified infrastructure (specifically water and sanitary sewer) as critical service necessary to promote airport operations and business development.

The current regulation, controlled by cities and annexation, fails to properly serve airports, and typically forces them into an un-winnable political environment of seeking unsupported annexation, just to get services. Consequently, airports across the state continued to be under-served and under-developed.

I would summarize by suggesting that failure to allow urban services (without unnecessary annexation) to serve airports is equivalent to asking a pilot to take off, without a full tank of fuel. It also fails to properly position airports and severely limits their associated business development to generate the economic power they are capable of providing to the state.

Respectfully submitted;

Ben Altman



Old Aurora Colony Ox Barn, Aurora, Oregon Clark Moor Will 1966

# City of Aurora

FOUNDED 1856

"National Historic Site"

February 13, 2015

Hon. Lee Beyer  
900 Court St. NE, S-419  
Salem, Oregon 97301

Re: SB 534

Dear Senator Beyer:

SB 534, which would affect the rights of state airports and cities, was referred to the Senate Committee on Business and Transportation. I understand that proponents of the bill have asserted that the City of Aurora is in favor of the bill. The City Council has not taken a position in favor nor in opposition to the bill

The City of Aurora has concerns about the bill and its impact on the city. For that reason, the bill is currently being considered by our Planning Commission and I anticipate the City Council will take public comment on it no later than early March.

I understand you have scheduled the bill for a hearing on February 16. Unfortunately, I will not be able to appear at the hearing. I ask that you inform your committee that the City of Aurora at this point has no position on the bill. Thank you.

Sincerely,

Bill Graupp  
Mayor, City of Aurora

cc: City Council



# Oregon Aviation Industries



February 16, 2015

Regarding: **SB 534** Oregon 2015 Regular Session

Airports that are outside of an urban growth boundary often do not have a source of adequate water and sewer services. This is a health issue and a safety issue.

Several airports in the state have nearby sources of water and sewer utilities, but, under present Oregon law, unless the airport is annexed into the nearby city or municipality, these utilities cannot be offered to airport businesses and customers. Annexation is often not practical.

Airports are transportation, economic development, safety and emergency service assets for a community. By restricting their options to contract for water and sewer services, airports are crippled in providing these essential benefits for the communities in which they are located. Economic development growth resulting in new jobs is severely inhibited due to lack of adequate utility services at several Oregon airport locations.

Electricity, cable, internet and phone utilities can be provided to an airport outside of an UGB area. Water and sewer utilities need to be just as accessible.

A case in point. During the ten years that I lived in the City of Aurora, a city sewer system was installed. At that time, the Aurora Airport was very interested in obtaining both Aurora City water and sewer services. The city was interested in providing these services and in expanding its fee base to help support its utility infrastructure. There was a need and a willing solution.

However, the Aurora airport is outside of the Urban Growth Boundary and the City and the Airport were prevented from entering into an agreement that would have been mutually beneficial. SB 534 is our chance to rectify this situation. It is based on the spirit of free enterprise.

Please support SB 534 – it is directly tied to health, safety, emergency services, economic development and jobs at the Aurora airport and at a number of other Oregon airports.

Sincerely,

Gale Jake Jacobs  
Executive Director  
Oregon Aviation Industries

[www.oravi.org](http://www.oravi.org)

[jake@oravi.org](mailto:jake@oravi.org)

541-406-0711

[www.AUVSI.org/Cascade](http://www.AUVSI.org/Cascade) board member



American Planning Association  
**Oregon Chapter**

PO Box 28454 Portland, OR 97228  
PHONE: (503) 626-8197

[oapa@oregonapa.org](mailto:oapa@oregonapa.org) • <http://www.oregonapa.org>

*Making Great Communities Happen*

February 13, 2015

**RE: Testimony from the Oregon Chapter of the American Planning Association on SB 534**

Dear Chair Beyer, Members of the Senate Committee on Business and Transportation,

The Oregon Chapter of the American Planning Association (OAPA) represents over 800 professional and citizen planners in the State of Oregon and offers this testimony in opposition to SB 534. For the following reasons OAPA advocates a Do Not Pass recommendation from the Committee.

1. There is no need for this legislation. The Legislature is not required to act to solve a problem, because none exists. An airport can obtain urban water and sewer services by agreeing to be annexed to a city. The bill does not solve a larger problem shared by a group of airports or airport owners who are seeking a change in state law.
2. The legislation is contrary to State law. Statewide Planning Goal 11 prohibits the extension of sewer service from areas within an urban growth boundary to areas outside of an urban growth boundary. The extension of sewer service is only allowed under a very limited set of circumstances. The Statewide Planning Program itself is predicated upon protecting the State's farmland by directing urban growth into cities. This bill would allow urban development to take place outside of an urban growth boundary, without any improvements to the state's transportation system, and to the detriment of the farmers and rural land owners who live near the Aurora Airport.
3. The bill would have the effect of increasing the impacts on the adjacent farm and commercial agricultural uses around the Aurora Airport. The Statewide Planning program intentionally limits the introduction of urban uses in areas designated for farm use so that both family farms and larger commercial agricultural operations can operate without interference from more intensive urban uses. One of the purposes of exclusive farm use zones was to establish areas where farm uses were permitted outright and afforded greater protection from other land uses that would generate traffic, compete for water, or attempt to limit farms from operating because of their characteristics such as spraying fertilizers, irrigation, or harvesting crops.

Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Franklin'.

Jason Franklin, AICP, President  
Oregon Chapter of the American Planning Association



## Testimony in Support of SB 534

Chair Beyer and Committee,

The Wilsonville Area Chamber of Commerce (Chamber) and the Aurora Airport Owners Association strongly supports the passage of SB 534. The Chamber represents over 500 businesses in the South Metro Portland/North Willamette Valley regions, and our membership employ over 12,000 Oregonians, including all of the business located at the airport through our Aurora Airport Owners Association. We would like to thank Senator Girod for the introduction of this legislation and his strong support of aviation.

The Chamber is a strong advocate for the Aurora State Airport, which is the state's third busiest airport and one of only 84 general aviation airports in the nation identified by the Federal Aviation Administration as nationally significant. The Aurora State Airport, in 2012, saw a total of 94,000 operations which equaled 117,675 general aviation visitors.

The 2014 Oregon Aviation Plan's Economic Impact Study found that the Aurora airport's economic impact equaled nearly \$600 million dollars, not including tax revenue generated from property or income tax. Private property at the airport pays an estimated \$780,000 to local taxing districts for land and buildings (not equipment) including the Aurora Fire District, North Marion School District and Marion County.

The business at the Aurora State Airport employ over 1,200 people which includes two of the best and biggest heavy-lift helicopter companies in the world—Columbia and Helicopter Transport Services, the biggest kit-plane manufacturer in the world, one of the biggest avionics dealers in the country, and life flight air ambulance. An additional 274 jobs off the airport property are directly attributed to off airport visitor spending, totaling nearly 1,500 jobs.

The airport attracts corporate headquarters and larger companies to the region, providing family wage jobs that benefit our citizens. Companies have chosen to locate in our region in part because of the airport and the ability of executives to fly in and out. Having an airport so close for corporate flights with a control tower gives the region a huge advantage when competing with others who cannot offer a regional airport.

The development and implementation of the Aurora Airport Master Plan is critical for the region's economy. A longer and strengthened runway, along with the tower that is being constructed will provide a safer experience for all pilots and for the communities around the airport. Infrastructure such as water, sewer and enhanced transportation will allow more economic development opportunities within the current boundaries of the airport which will not impact foundation farm land.

All of this great economic news at Aurora has taken place with a mix of wells, septic tanks, holding tanks, and several separate fire suppression systems. A unified water and sewer system at Aurora would be a benefit to the environment, allow currently undevelopable land to be developed, enhance public safety, and will allow more family wage jobs to be created in our region.

This legislation is very simple in its approach, which does not mandate cities to provide urban services, but if a local community wants to develop a business relationship to provide services to an airport they are allowed to do so without annexation if an agreement is reached. There are no unintended consequences or mandates it is a simple business arrangement between two government/business entities that would be a benefit to both parties.

Based on all of the benefits of this legislation, and that local government is not mandated to provide services the Wilsonville Area Chamber of Commerce and Aurora Airport Owners Association urges the committee to adopt SB 534.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Gilmore".

Steve Gilmore, IOM  
Chief Executive Officer  
Wilsonville Area Chamber of Commerce

# Charbonneau country club

32000 S.W. Charbonneau Drive • Wilsonville, Oregon 97070  
Phone 503-694-2300 Fax 503-694-5783  
Office@CharbonneauCountryClub.com

## Opposition to Senate Bill 534

### Testimony by Charbonneau Country Club (homeowners' association)

Before the Senate Committee on Transportation and Economic Development

To Chair Beyer, Vice-Chair Girod, and Members of the Committee:

The Charbonneau Country Club is in fact a Homeowners' Association representing over 2,000 residents of the Charbonneau community. I write as Vice President of the Board of that association. We have learned over the last 20 years that living on the southern edge of the Metro Urban Growth Boundary (UGB), as we do, brings with it the realization that there will be frequent attempts by speculators, developers and others to change the land use rules affecting areas to the south of us, mostly designated 'Foundation Farmland' by the Department of Agriculture, in order to profit from removing existing State approved land use laws.

Senate Bill 534 is yet another case of trying to change the rules for private benefit, though in this case it involves an area designated as 'Public' lands. However, it should be noted that more than 2/3rds of the 'land-side' area of Aurora Airport is privately owned and it is mostly that privately owned land that is under discussion to provide water and sewer service for future commercial development.

To elaborate on this point, the area within the Aurora Airport fence is partly governed by the Department of Aviation (runway, taxiway, an area of land to the east of the taxiway, etc), but a majority of the 'land-side' area east of the taxiway is privately owned by businesses at the Airport. What is missing at Aurora Airport is municipal governance of these businesses. As result, there is no requirement by them to respond to a city's elected government or its codes.

Clearly the Aurora Airport could, under current statute, achieve its objective of getting sewer and water services from the City of Aurora, subject to that City's agreement. However, the backers of this bill would have to agree to annexation by the City at some future time. That is not acceptable to those pushing Senate Bill 534. They do not want to take on the responsibility of answering to a municipal government. They prefer to retain the freewheeling autonomy of only occasionally having to respond to Marion County government in distant Salem.

Senate Bill 534 is superfluous. It is not required. It is another example of special interests trying to manipulate the legislative process to gain economic and regulatory advantage. It is a waste of this Committee's time and of taxpayers' money. We urge that it not be passed.

Sincerely



A.J. Holt  
Vice President  
Charbonneau Country Club



**Aurora Aviation, Inc.**

22785 Airport Rd. NE  
P.O. Box 127  
Aurora, OR 97002

Phone 503-678-1217  
Fax 503-678-1219  
Bruce@AuroraAviation.com  
www.AuroraAviation.com

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February 16, 2015

## **Testimony Supporting SB 534**

### **Senate Committee On Business and Transportation**

With our experience as land owners and business owners at the Aurora Airport since 1968 I can positively verify the need for this bill.

It must be understood that Airports are unique in that they do not belong in a city but need infrastructure to properly and efficiently operate.

Please understand the normal finances of all Airports which are 100% funded by Federal, State, and local Aviation fees collected on ticket sales, fuel, Airport land leases and other Aviation sources.

Most Airports; like Aurora do not have a city nearby with any Aviation experience, skill, or facilities to manage an Airport so annexation is not a good usually a good option.

The Aurora Airport, like all Airports is an excellent neighbor in that it brings; career and recreational flight training, charter flights to thousands of destinations, Air-Ambulance, unparalleled direct and secure business transportation, emergency transportation, and living wage jobs in maintenance, refueling, sales and Aircraft support.

The best placement for Airports is in agricultural settings with golf courses as compatible neighbors due to flight path clearances, Aircraft sound during take-off and landings, and emergency landing options.

To summarize; Airports are great neighbors but not if too nearby and need a “buffer” from any city or high density development and because of their level of internal activity they need infrastructure.

Thank you and please contact me with any questions.

Bruce Erik Bennett  
President

# Clackamas County Farm Bureau

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February 16, 2015

Senate Committee on Business and Transportation  
Oregon State Capitol  
900 Court Street NE, Room 453  
Salem, Oregon 97301

Re: Written Testimony on SB 534

Chair Beyer and Members of the Committee:

My name is Jon Iverson and I am the president of the Clackamas County Farm Bureau. Our county farm bureau opposes SB 534, which would allow a city and an airport to enter into an agreement for the city to provide sewer and water services to the airport without going through the annexation process. We are concerned about the precedent that this bill would set by allowing the city to extend its services without annexation.

We believe there is a proper channel to follow for this expansion and this bill creates an unneeded shortcut. We have concerns that other local businesses and properties will also try to tap into the water and sewer extensions, and that this would create expanded development pressure within lands used for farming and zoned for exclusive farm use. It is my understanding that this bill is primarily designed to allow Aurora to provide services to the airport. For Aurora and the airport to expand the provision of sewer and water services, we would need to sacrifice significant land zoned for exclusive farm use, and circumvent the existing process for evaluating whether a need for annexation exists to provide these services. We have concerns that this bill will result in the loss of prime Willamette Valley farmland, and will create development pressure that directly contradicts the existing zoning.

For the above discussed reasons, we urge the committee not to pass this bill.

Thank you for your consideration.

Sincerely,

Jon Iverson  
Clackamas County Farm Bureau President



**Marion County**  
OREGON

Board of Commissioners

(503) 588-5212

(503) 588-5237-FAX

February 13, 2015

**BOARD OF  
COMMISSIONERS**

Janet Carlson  
Kevin Cameron  
Sam Brentano

Senator Lee Beyer, Chair  
Senate Committee on Business and Transportation  
900 Court St. NE, S-419  
Salem, Oregon 97301

**RE: Support Senate Bill 534**

Dear Senator Beyer:

**CHIEF  
ADMINISTRATIVE  
OFFICER**

John Lattimer

The Marion County Board of Commissioners supports Senate Bill 534, allowing airports and cities to enter into an agreement for sewer and water services. SB 534 would allow Aurora Airport in Marion County to connect to the water and sewer services necessary for its continued success as a regionally significant employer. Wells at the airport have, at times, been insufficient to provide the water necessary for businesses located at the airport. Also, septic systems are difficult to locate at the airport due to soil conditions. The provision of water and sewer service from the City of Aurora would address these deficiencies in rural services.

While the provision of urban facilities is allowed by state law under certain circumstances, it is a difficult and long process for the city, the county, and property owners. SB 534 promises a simpler, more streamlined process that the city and the airport would be involved in without requiring county approval of the extension of services. We support this approach for airports in the State of Oregon.

We urge your support of SB 534 and thank you for your consideration.

Sincerely,

Janet Carlson, Chair  
Commissioner

Kevin Cameron, Vice Chair  
Commissioner

Sam Brentano  
Commissioner

cc: Marion County Legislative Delegation

REVENUE:

FISCAL:

SUBSEQUENT REFERRAL TO:

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Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: James LaBar, Administrator

Meeting Dates: 2/16

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**WHAT THE MEASURE DOES:** Authorizes a city and an airport to enter into an agreement pursuant to which the city provides sewer and water to the airport without requiring the annexation, or consent to eventual annexation, to the city of the territory where the airport is located. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

**BACKGROUND:** Oregon’s airport network consists of 97 public-use airports, including 15 privately-owned public use airports. Rural airports are currently defined in ORS 836.640 as principally serving a city with a population of 75,000 or fewer. Some of these rural airports have the potential to provide economic development and job growth, but lack the funds to cover infrastructure upgrades that might attract business or industry. One of the airports where this challenge exists is the Aurora State Airport. The Legislative Assembly attempted to address this issue in 2005 with Senate Bill 680 (“Through the Fence”) and in 2007 with Senate Bill 807 (Tax Increment Financing). Neither measure was enacted.

Senate Bill 534 creates a possible pathway for cities to provide water and sewer services to rural airports without annexation.

# WITNESS REGISTRATION

**PUBLIC RECORD**  
Oregon State Legislature

Committee Name: Senate Business & Transportation

Public Hearing on: SB 534 Date: 2/16/15

Please register if you wish to testify on the above named measure/issue. **Please print legibly.**

Name and Organization or County of Residence <b>PLEASE PRINT LEGIBLY</b>	Phone # (Optional)	Do you live more than 100 miles from this meeting location?		Position			Are you submitting written testimony?	
		Yes	No	For	Against	Neutral	Yes	No
ROGER KAYE FRIENDS OF MARION COUNTY	503-743-4567		✓		✓		✓	
Charlotte Lehan City Councilor City of Wilsonville	503-313-8040		✓		✓		✓	
Kristina Salce City Councilor City of Aurora	661-713-0193		X			X		X
COREY TAYLOR City of Aurora	503-451-8675		X		X			X
Mary Kyle McCurdy, 1000 Friends of Oregon	503-497-1000		X		X		X	
KEN NECTOR MARION COUNTY	503-551-3577		X	X				X

MEASURE: SB 534  
EXHIBIT: 6  
SENATE BUSINESS & TRANSPORTATION  
DATE: 2/16/2015 PAGES: 1  
SUBMITTED BY: staff

**March 2015 Update**

**LAND USE APPLICATIONS**

<b><u>Project</u></b>	<b><u>Status</u></b>
Building Permits/Correspondence	<ul style="list-style-type: none"> <li>• 14955 4th Street proposed addition</li> <li>• Enforcement action on 20848 99E and 21200 99E</li> </ul>
Sign Permits	
Manufactured Home Permit	
Land Use Applications	<ul style="list-style-type: none"> <li>• Black Star Studios- conditional use permit?</li> <li>• Corcoran- Aurora Family Clinic – zone changes and Site Development Review?</li> <li>• Legislative Amendment 2015-01 (MMDs) has been scheduled for the April 7<sup>th</sup> Planning Commission meeting. Please let staff know if you are not able to attend to ensure we have a quorum.</li> </ul>

**ADDITIONAL PLANNING**

<b><u>Project</u></b>	<b><u>Status</u></b>
ODOT 99E Corridor Study	<ul style="list-style-type: none"> <li>• Staff has still not received the final adopted study</li> </ul>
Development Code updates	
Misc.	<ul style="list-style-type: none"> <li>• Newsletter ideas?</li> </ul>