

AGENDA
Aurora Planning Commission Meeting
Tuesday, March 1, 2016, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING

2. CITY RECORDER DOES ROLL CALL

3. CONSENT AGENDA

- a) Planning Commission – February, 2016
- b) City Council Minutes – NA
- c) Historic Review Board Meeting Minutes – None

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.

6. PUBLIC HEARING

- a) Discussion and or Action on SDR-16-01 Application for Property 21317 Hwy 99E

7. NEW BUSINESS

- a) Discussion and or Action on Application of Non-Remonstrance for 15050 Park Avenue.

8. OLD BUSINESS

- a) Discussion and or Action on Orchard View Subdivision Storm Drain issues.
- b) Discussion and or Action on Possible Urban Growth Boundary Expansion for the Airport.

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 2, 2016, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

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

STAFF ABSENT: None

VISITORS PRESENT: None

1. CALL TO ORDER OF THE CITY COUNCIL MEETING

Meeting was called to order by Chairman Schaefer at 7:02 pm

2. CITY RECORDER DOES ROLL CALL

Chair Joseph Schaefer - Present
Commissioner Craig McNamara- Present
Commissioner Bud Fawcett – Present
Commissioner Jonathan Gibson - Present
Commissioner Mercedes Rhoden-Feely - Present
Commissioner Tara Weidman - Present
Commissioner Aaron Ensign - Absent

3. CONSENT AGENDA

- a) Planning Commission Minutes – January, 2016
- b) City Council Meeting Minutes – December, 2015
- c) Historic Review Board Minutes – None

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

4. CORRESPONDENCE –

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.

Noelle Brooks, Administrator for ACVA and the Aurora Colony Days, we are looking into banners to improve the downtown area. We are also looking at replacing or repairing the garbage can surrounds were looking at finding donations as well. Chair Schaefer simply asks that when there

tattered to plan on someone to bring them down. We have a lead on wine barrels as well for planters that were looking at.

There is a brief discussion regarding the entrance sign to Aurora along 99E and the fact that it could use some maintenance as well.

6. NEW BUSINESS

- a) None

7. OLD BUSINESS

- a) Discussion and or Action on Orchard View Subdivision Storm Drain Issues.

Chair Schaefer opens the discussion by explaining the situation and opens the floor for general discussion.

Jerry Johnson from Orchard view asks if the detention pond is actually working and Chair Schaefer is not sure at this point because of the lack of maintenance and the fact that it is so full. The maintenance costs would be divided between the 38 residents of Orchard view. Dianne Ash, we had a meeting on Sunday there were 4 new people that came however no progress or decisions have been made. We have created a Facebook group in hopes to get more participation however if that doesn't work I will send maybe one more letter and then I am done someone else will need to step up.

There is a lot of discussion between property owners Dianna Ash and Jerry Johnson with the Commission regarding various options and scenarios however no decisions or actions have been made at this time. The city wants to make it very clear that we do not want the property nor do we want the maintenance issues however if nothing happens on your end then we will be forced to at some point take action.

Staff is directed to keep it on the agenda for the March meeting.

- b) Discussion and or Action on Possible Urban Growth Boundary Expansion for the Airport. Chair Schaefer, we had a meeting with the state officials they were noncommittal however I did get the feeling they would be supportive. This is all about working with other agencies to achieve this very long term goal. Here is a list of acronyms for many of the agencies that would be involved in this process;

- EOA-Economic Opportunities Analysis, long range employment and business study, 660-outcome is jobs and acres or per acres employment.
- Alternatives Analysis this is a look at the land to left and right and down below which land is the best to provide the best EOA.
- WRD-Water Resources Dept
- NPDES-Sewer Discharge Permit (DEQ)
- MS4- Storm water discharge permit from DEQ
- TSP-Transportation System Plan
- DOA-Dept Aviation
- AAOA- Aurora Airport Owners Association private owns own most of the real estate up there.

- PAAM- Positive Aurora Airport Management, group once a month Nick Kaiser attends help with noise and airport issues.
- IGA- Intergovernmental Agreement
- Goals- 9,11,14 State Wide Planning Goals, 9 Economic Rule, 11 Public Facility Goal, 14 Urbanization.
- LUBA- Land Use Board of Appeals
- DLCD-Dept of Land Conservation and Development. State Land use agency making sure city and counties follow state land use rules.
- Governors Regional Solutions Team

At the meeting between myself and Mayor Graupp we met with Angela Lazarean, Rob Hallyburton and Gordon Howard from DLCD and Jeff Caines and Matt Maass with the Board of Aviation.

1. No growth alternative, which is very unlikely
2. Airport to stay in the county and grow as per goal exceptions. Which is typically by variances?
3. City to expand the Urban Growth Boundary, first it doesn't mean that everyone would not just be annexed it simply means they could go through the process and annex if they want to.

Chair Schaefer my goal here tonight is to discuss our options and I would like to be able to recommend to City Council to move forward with options 3.

Based on our 2009 TSP we are supposed to have a 20 year land supply which we do however at first glance we don't need any for residential housing but for commercial uses we could use more. They would do a HOA (housing needs analysis) and then onto commercial I would like to pursue Airport specific zone. This is a long process however we need to start somewhere.

After discussion between members and various questions of clarifications; first consensus taken Commissioner Weidman is not on board and would need more information. Chair Scheafer tries to address her concerns by clarification however she wants more outside examples first.

Weidman bring up a point isn't this same conversation we had last time and by consensus we did not want to sell our water. No it is actually very different and one end result could or would be that since they (Airport) have a very large well we (Aurora) could benefit from that.

At this point Chair Schaefer calls for a consensus and again Weidman is not in agreement however the rest of the group wants to make recommendation to City Council to begin the process.

8. COMMISSION/DISCUSSION

- a) City Planning Activity (in your packets) Status of Development Projects within the City. Currently we are still working on Ordinance 480 along with the other text amendments with City Council.

9. ADJOURN

Chair Schaefer adjourned the February 2, 2016 Aurora Planning Commission Meeting at 9:40 P.M.

Chair Schaefer

ATTEST:

Kelly Richardson, CMC
City Recorder

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Site Development Review 2016-01 [SDR-16-01]
DATE: February 24, 2016 (for the March 1, 2016 Planning Commission meeting)

APPLICANT/OWNER: Warren and Bernice Bean/Valerie Troyer
P.O. Box 446, Hubbard OR 97032

REQUEST: Site Development Review approval for construction of approximate 5,650 sq. ft. addition to rear of an existing structure; on-site improvements including approximately 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.

SITE LOCATION: 21317 Highway 99E NE, Aurora, OR
Map 41.W.13BA Tax Lot 2300

SITE SIZE: 99,752 square feet or 2.29 acres

DESIGNATION: Zoning: Commercial (C) with Historic Commercial Overlay (HCO)

CRITERIA: Aurora Municipal Code (AMC) Chapters 16.22 Historic Commercial Overlay and 16.58 Site Development Review

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Application and site plan
Exhibit C: Historic District Inventory #122 and Historic Review Board minutes (February 25, 2016)
Exhibit D: Request for Comments (RFC) responses

I. REQUEST

Site Development Review approval for construction of approximate 5,650 sq. ft. addition to rear of an existing structure; on-site improvements including approximately 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.

II. PROCEDURE

The application was submitted to the City on February 4, 2016 but was determined incomplete by staff on February 17, 2016. The applicant submitted supplemental materials on February 17th and 22nd. The request for comments to interested parties and notice to property owners within 100 feet of the subject property was mailed on 2/23/17- 7 days prior to the Planning Commission meeting. Aurora Municipal Code (AMC) requires notice to surrounding property owners 14 days prior to the Planning Commission meeting and notice published in the paper 20 days prior to the Planning Commission meeting under Limited Land Use decisions, AMC 16.78. Time constraints and submission of supplemental required application materials did not allow for sufficient notification requirements. Therefore, staff is

recommending the Planning Commission continue the hearing to a date and time certain to allow staff to adequately meet the procedural requirements of the subject application under the AMC.

The City has until **June 20, 2016**, 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 Commercial (C) with a Historic Commercial Overlay (HCO). According to the Marion County assessor, the existing structure was built in 1865 and includes an approx. 993 sq. ft. main floor, 693 sq. ft. finished attic and 693 sq. ft. unfinished basement. The existing structure is estimated to be 30 feet from the front property line with a brick patio within the front yard. The applicant proposes an approx. 5,650 sq. ft. addition to rear (west) of the existing structure with on-site improvements including approximately 2,050 sq. ft. of outdoor patio sq. ft. and a gravel parking area with an estimated 36 parking spaces. Staff finds the property and proposal meet the HCO zone requirements for lot depth, width, and height. AMC 16.22.040.D. states, "no front setbacks shall be permitted, except as necessary to maintain visual clearance areas. No rear or side setbacks are required. The existing structure is setback approximately 30 feet from the front property line and can be considered a pre-existing non-conforming use to the no front setback code requirements.

The existing structure is also identified in the Aurora Historic Building Inventory as the Maria Mohler House (Resource #122), and has a Primary Significant classification.

AMC section 17.040.020.A. governs additions to contributing commercial structures (which applies to the existing structure/subject property as follows:

1. New additions may only be placed on the rear elevation. Architectural detailing including roofing, siding, trim, doors, and windows shall match the existing structure in design and materials unless supported by evidence in the historic inventory.
2. Previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.
3. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure.

4. Additions to commercial structures are exempt from the parking requirements in Title 16.

Staff believes requiring new construction be placed in front of the historic structure or parallel to the existing would be in conflict with AMC 17.040.020 and staff finds the proposed addition to the rear of the historic structure satisfies both AMC section 16 and 17.

AMC 16.22.040.I states all properties, uses, and structures in the historic commercial overlay shall be subject to the requirements of Title 17, Historic Preservation. The Aurora Historic Review Board (HRB) reviewing the application at a February 25, 2016 meeting and comments from the HRB are included under Exhibit C. Staff finds the proposed addition and site improvements (see Exhibit B) can meet the requirements of AMC Title 16 and Title 17- Historic Preservation.

Staff finds this criterion can be met, with conditions.

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

FINDINGS: Exhibit B11 provides a contour map of the property, as well as the location of the existing structure and proposed new construction. The most significant slope on the property is located along the frontage of Highway 99E and to the west of the existing structure and proposed new construction. According to the applicant, the “proposed addition to the existing building fits nicely into the existing topography, as does the parking area”.

Staff finds this criterion is met.

- 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 subject property measures approx. 99,752 square feet or 2.29 acres. The property abuts the urban growth boundary and city limits to the west and Highway 99E to the east. The property to the north is zoned HCO and is buffered by approximately 150 feet of existing landscaping proposed to remain (see Exhibit B11). The property to the south is zoned Commercial but is outside the Historic Commercial Overlay. The lot to the south of the subject property measures approximately 50 feet to the south of the existing structure and proposed addition. The applicant proposes installation of a new asphalt parking area to the south of the existing structure and addition and proposes to buffer the parking area with five (5) ft. fence (see Exhibit B18).

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. This is included as a recommended condition of approval.

Staff finds this criterion can be met, with conditions.

- D. Residential private outdoor areas:*

FINDINGS: Staff finds this criterion does not apply.

E. Residential shared outdoor recreation areas:

FINDINGS: Staff finds this criterion does not apply.

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

FINDINGS: The proposed outdoor space abuts the proposed structures. However, the property is completely under private ownership and staff finds this criterion does not apply.

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

FINDINGS: Staff finds this criterion does not apply as the space is private, commercial property.

I. Crime prevention and safety:

- 1. In residential developments, interior laundry and service areas shall be located in a way that they can be observed by others;*
- 2. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;*
- 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. 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: Comments from the Aurora Rural Fire District are included under Exhibit D and included as a recommended condition of approval. The applicant proposes to close the existing access to the property and add a new access further south along Highway 99E at the location of the proposed parking area. According to the applicant, they have met with ODOT staff and ODOT has indicated they believe the

proposed change is approvable by them. A recommended condition of approval is for the approved access permit to be submitted to the City of Aurora prior to occupancy permit approval.

Staff finds this criterion can be met, with conditions.

K. Public transit;

FINDINGS: Access to the property is proposed via Highway 99E. No transit stops abut or are adjacent to the subject property. 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 AMC 16.22 for the historic commercial overlay zone and Title 17-Historic Preservation. AMC 16.22.040.F. states, "Parking shall be in accordance with Chapter 16.42 except as specifically exempted by Chapter 16.28 and Title 17, and should be located to the rear of the building. The planning commission may approve parking to the side of the building where parking to the rear is not feasible. AMC 17.40.020.A.4. states, "Additions to commercial structures are exempt from the parking requirements in Title 16". Staff finds parking is not required.

As the applicant does propose parking and while parking space minimums are exempt under the HCO, proposed parking shall still be required to conform with the public works standards under 16.38 and 16.42 for screening and buffering as the property does not abut residentially zoned property. Additionally, the proposed location of the parking area to the south of the existing structure and proposed addition appears to provide good access and least impact upon existing topography. Staff recommends the planning commission approve the proposed parking to the side of the building as parking to the rear has the potential to have a greater impact upon existing property slope.

No ADA parking is shown on the proposed site plan. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on site. If ADA parking is provided or required, it shall be constructed in accordance with the Oregon Structural Specialty 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". According to the applicant, "we concur with this requirement" and the applicants representative has stated the parking area will be gravel with the exception of the first twenty (20) feet at the property line, which would be asphalt as required by ODOT. In addition, there may be a small area paved for ADA parking.

Criteria under 16.42.050.B-I. contain requirements for service drives and/or residential developments and are found not to apply to the subject property and application.

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. This is included as a recommended condition of approval.

Staff finds this criterion 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 with minor improvements for outdoor seating and pathways is included under Exhibit B. AMC 16.38 require properties larger than twenty thousand (20,000) square feet in size shall have at least ten (10) percent of the total lot area landscaped. Staff finds this criterion is met.

AMC 16.38.50.D. requires any refuse container or disposal area and service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area, shall be screened from view by placement of a solid wood fence, masonry wall or evergreen hedge between five and eight feet in height. All refuse materials shall be contained within the screened area. According to the applicant, the garbage enclosure will be screened with concrete masonry units and the exterior would be wood siding painted white to match the building. Staff recommends inclusion of screening of refuse containers, disposal areas and service facilities to be screened in compliance with 16.38.050.D be included as a condition of approval.

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/sizing of water, sewer, or storm drainage improvements are required to comply with Chapter 16.34 and the City of Aurora public works design standards and City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval.

At the time of this staff report, staff did not have comments from the city engineer or city public works.

The Aurora Transportation System Plan (TSP) defers to the Oregon Department of Transportation (ODOT) for frontage improvements along Highway 99E, classified as a State Principal Arterial. Staff does not believe additional right-of-way dedication will be required at this time based upon existing widths. At the time of writing of this staff report, the City did not have comments from ODOT on the subject application.

Staff does not believe the subject Site Development Review application will require completion of a Traffic Impact Analysis (TIA) as the proposed application is not determined by staff to result in more than 250 vehicle trips per day as specified in the TSP. At the time of writing of this staff report, the City did not have comments from the city engineer on the subject application. Parking is discussed under criteria L.

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 includes new construction which will be subject to Oregon Structural Specialty Code requirements and ADA requirements. Remodel, if applicable, 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 can meet the zone criteria under the HCO 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 zero front yard setback, the applicant is proposing for the new construction to be complementary and subordinate to the existing historic structure. The applicant has also shown the slope considerations of the site which would make construction along the front property line much more difficult than would be possible for smaller properties in the HCO zone to the north of the subject property.

Staff finds this criterion is met.

V. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, staff recommends that the Planning Commission *CONTINUE* the planning commission hearing and decision on the application for Site Development Review (SDR-2016-01).

If the Planning Commission does not decide to continue the hearing, staff has outlined suggested conditions of approval based upon the information and comments received at the time of writing of this staff report:

- 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 in effect at the time of *building permit application*).
- 3) A lighting plan in conformance with AMC 16.58.100.C.2. and 16.58.100.I.3-4. shall be submitted for City review and approval prior to building permit approval. The lighting plan shall also show that lighting will not reflect onto surrounding properties. The approved lighting plan shall be installed *prior to final occupancy permit approval*.
- 4) An ODOT approved access permit shall be submitted to the City of Aurora *prior to occupancy permit approval*.
- 5) If ADA parking is provided or required, it shall be constructed in accordance with the Oregon Structural Specialty Code, in conformance with AMC 16.42.100.
- 6) In accordance with 16.42.50.J.-K., 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. 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. Parking improvements shall be completed *prior to occupancy permit approval*.

- 7) Screening of refuse containers, disposal areas and service facilities shall be screened in compliance with 16.38.050.D., *prior to occupancy permit approval*.
- 8) 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. Continue the hearing to the April 5, 2016 Planning Commission meeting to allow for additional staff review of comments from various interested parties and incorporation into the Planning Commission staff report and decision.
- B. Approve the site development review application (SDR 2016-01) for new construction/additions to the existing structure, on-site landscaping improvements including approx. 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.
 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
- C. Deny the request for site development review approval for SDR 2016-01 stating how the application does not meet the applicable approval criteria.
- D. Continue the hearing to a time certain or indefinitely (considering the 120-day limit on applications).

City of Aurora Building /Planning Application

(Check appropriate box)

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

APPLICANT GENERAL INFORMATION

Applicant WARREN AND BEVERLY BEAN Phone 503-784-4455
 Mailing Address P.O. BOX 446 HUBBARD, OR 97032
 Property Owner VALERI JO TRAYER Phone _____
 Mailing Address P.O. BOX 1950 Sisters, OR 97759
 Contact person if different than applicant _____ Phone _____
 Mailing Address _____

PROPERTY DESCRIPTION

Address SEE ATTACHED 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)

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 Beverly Bean
 Signature of Property Owner _____

Date 3/4/2016
 Date 2/3/2016
 Date _____

Office Use Only: Received By: <u>VR</u>	Date: _____	Fee Paid \$ <u>2,000</u> <u>8376</u>
Receipt # _____	Case File # _____	Planning Director Review
Last updated 6-14-2010		Date: <u>2/4/16</u>

City of Aurora
HISTORIC REVIEW BOARD
Application for Certificate of Appropriateness

PROJECT INFORMATION SHEET

IMPORTANT: In order for your application to proceed in a timely basis, this form and the required attachments **MUST** be completed in full. If your application is incomplete, no decision will be made and your request will be delayed. Please turn the complete application in at least **ONE WEEK** prior to the meeting (4th Thursday of each month) so that board members can become familiar with your property and project. It is helpful, but not required, if you can attend the meeting.

You will need to refer to the *City of Aurora Guidelines for Historic District Properties*, which may be obtained from City Hall.

Name WARREN AND BERNICE BEAN Date 2/3/2016
Business name (if applicable) _____
Physical address _____
Mailing address Box 446 Hubbard, OR 97032
Phone 503-784-4455 email whbean@northp.com
Type of project(s) List all
RESTAURANT AND RETAIL

Zoning: Residential Commercial
Type structure: House Commercial Church
Style: Colony Victorian Craftsman
 Ranch Contemporary
 Other (describe) _____

Project specifics:
 Painting: base color _____ mfg/number _____
 trim color _____ mfg/number _____
 trim color _____ mfg/number _____

Guidelines used. Item/page(s) _____

Please bring samples of colors you propose to use.

Fencing: Picket Stock Privacy
 Other (describe) _____

Dimensions: Height _____ Length _____

Color _____

Material _____

Location (as shown on site plan) _____

Guidelines used: Item/page(s) _____

Pd 600⁰⁰
CL # 1075
Exhibit B2

**Aurora Restaurant Project - Additional Information
Warren & Bernice Bean**

Code Analysis

February 22, 2016

Additional Information Requested by City Planner:

A) The total square footage of the addition- specified by rooms such as store, toilets, restaurant, office space, storage etc. Please also provide the sq footage of the proposed patio.

Main Floor (2,950 sf):

Dining	1500
Kitchen	500
Storage	200
Restrooms	250
Corridors	200
Stairs	300

Lower Daylight Basement (2,700 sf):

This space will initially be unfinished and is for expansion if the project is successful. If finished out in the future it would likely be:

Dining	850
Kitchen	300
Storage	800
Restrooms	250
Corridors	200
Stairs	300

Outdoor Spaces:

Front Patio	150
Rear Patio	1900

Note: All of the areas listed are approximate and represent the usable square feet. We request that some flexibility be maintained for building size, by plus or minus 20%. The detailed design of the kitchen, which will be determined by the final selection of menu, can't be accomplished until the construction drawing stage of design is undertaken. The kitchen design can potentially require changes to the proportions of the interior spaces. The overall goal is that the seating areas are looking out over the very attractive existing landscaping and paths in the interior of the site (which currently needs maintenance since it is somewhat overgrown with blackberries). So that view will be the predominant force in the determinant of the final interior layout.

B) Drawing A2.0 shows enclosed "toilets" space connecting to the existing structure but drawing A2.0a does not show a connection. Is this the 2nd story?

Drawing A2.0a shows the addition disconnected as a site layout option, should that be preferred by the City as an adjustment. If the addition is disconnected then the restrooms (which were located to serve both the existing and new space alongside a connecting corridor) would be placed more interior on the main floor and the overall Main Floor size would reduce to 2,700 sf.

C) A lighting plan will need to be submitted. This can be condition as a staff level review but if one is available, please submit for HRB and PC review as well.

We don't have a detailed lighting plan at this time so will be appreciative if that can be a condition at staff level review.

D) Do you have the approved access permit from ODOT yet or any correspondence with them that you can submit with the application?

We have not yet applied to ODOT, however Warren Bean and Aron Faegre met with three ODOT staff in Salem on January 28th at 2pm, and showed them the same site plan we have submitted with this application. We learned that the existing driveway is fully legal and could be re-used. We requested that the existing driveway be allowed to remain with the addition of the new proposed driveway. However we learned with certainty that only one driveway would be allowed by ODOT. They gave us the application materials and said that they could see no reason that the new driveway wouldn't be approved as a replacement for the existing driveway, as long as the property title does not contain any conditions of control of access. Warren Bean has checked the property title and finds that there are no controls of access listed, so the revised access appears fully approvable by ODOT. They said that the existing driveway could remain open during construction of the addition so that the new driveway would be a construction driveway for that period of time. However at the end of the project the old driveway would have to be completely removed from the right-of-way. We asked if the existing driveway could simply be gated so that it could still be used for emergency or on an occasional basis. They said no, it would have to be completely removed. They also explained that ODOT permits are available if any new utilities need to be connected in the street. They said that the first 20 feet of driveway at the property line would need to be asphalt to make access to Highway 99 easy for cars. This paragraph is my memo record of the meeting.

E) The application states the garbage enclosure location is shown on the drawings but information on the garbage enclosure materials is not provided. Please provide materials and specifications for the enclosure.

The structure of the enclosure would be CMU (concrete masonry units) and the exterior finish would be wood siding painted white to match the building.

F) What will be parking lot be made of? Asphalt or gravel?

The parking lot would be gravel, with the exception of the first 20 feet at the property line, which would be asphalt as required by ODOT. In addition, there would be a small area paved for ADA parking, adjacent to an accessible walkway at the front north side of the parking area.

**Aurora Restaurant Project
Warren & Bernice Bean**

Code Analysis

February 17, 2016

16.58.090 Site development plans.

A. Required information may be combined on one map. Site development plan(s) shall include the following information, as appropriate:

1. A vicinity map showing the proposed site and surrounding properties;

- *see attached survey drawing.*

2. The site size and its dimensions;

- *see attached survey drawing.*

3. The location, dimensions and names of all existing and platted streets and other public ways and easements on the site and on adjoining properties;

- *see attached survey drawing.*

4. The location, dimensions and names of all proposed streets or other public ways and easements on the site;

- *none.*

5. The location and dimension of all proposed:

a. Entrances and exits on the site,

- *see drawing A1.0a.*

b. Parking and traffic circulation areas,

- *see drawing A1.0a.*

c. Loading and services areas, where applicable,

- *see drawing A1.0a.*

d. Pedestrian and bicycle facilities,

- *see drawing A1.0a.*

e. Utilities;

- *see attached survey drawing.*

6. The location, dimensions and setback distances of all:

a. Existing structures, improvements and utilities which are located on adjacent property within twenty-five (25) feet of the site and are permanent in nature, and

- *see drawing A1.0a.*

b. Proposed structures, improvements, and utilities on the site;

- *see drawing A1.0a.*

7. Contour lines at two-foot intervals for grades zero to ten (10) percent and five-foot intervals for grades over ten (10) percent for current site grades;

- *see attached survey drawing.*

8. A grading plan that includes:

a. The identification and location of the benchmark and corresponding datum,

- *see attached survey drawing.*

b. Location and extent to which grading will take place indicating contour lines, slope ratios, and slope stabilization proposals,

- *see drawing A1.0a.*

c. The location of drainage patterns and drainage courses;

- *no significant changes to drainage patterns and courses.*

9. The location of any floodplain areas (one hundred (100) year floodplain and floodway);

- *none identified on the site.*

10. The location of any slopes in excess of twelve (12) percent;

- *see drawing A1.0a.*

11. The location of any unstable ground (areas subject to slumping, earth slides or movement);

- *none identified on the site.*

12. The location of any areas having a high seasonal water table within twenty-four (24) inches of the surface for three or more weeks of the year and any wetlands;

- *none identified on the site.*

13. The location of any areas having a severe soil erosion potential as defined by the soil conservation service;

- none identified on the site.

14. The method for mitigating any adverse impacts upon wetland, riparian or wildfire habitat areas;

- no adverse impacts by proposal.

15. A landscaping plan including:

a. Location and height of fences, buffers and screening,

- 5 foot high fence proposed at south side of parking lot as shown on drawing A1.0a.

b. Location of terraces, decks, shelters, play areas, and common open spaces where applicable,

- see patios shown on drawing A1.0.

c. Location of mechanical equipment and garbage enclosures, and applicable screening

- mechanical equipment will be located in attic of addition and to west of addition; garbage enclosure location shown on drawing A1.0a..

d. Location, type and size of plant materials, and

- only grass will be added to site.

e. Soil conditions, and erosion control measures that will be used;

- no special soil conditions have been identified; the building permit drawings will include erosion control plans for use during construction.

16. Elevation drawings of all sides of the development with landscaping shown as it will appear both at the time of planting and at maturity.

- see drawings A3.0, A3.1, A3.2, and A3.3. The site has many existing decorative trees and shrubs and these will be retained. There are no new plantings proposed.

16.58.100 Approval standards.

The Planning Commission shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application. The criteria shall be utilized in reviewing plans, drawings, sketches and other documents required by this subchapter. These criteria are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the City. These criteria shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. It shall be the applicant's responsibility to display to the City how the applicable criteria are being best met for the subject property.

A. Provisions of all applicable chapters;

- no additional provisions not covered here are known at this time.

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

- the proposed addition to the existing building fits nicely into the existing topography, as does the parking area.

C. Privacy and noise:

1. Buildings shall be oriented in a manner which protects private spaces on adjoining residential properties from view and noise,

- by placing the addition to the back of the existing building, the new interior spaces are 107 feet from the adjacent house to the south, so will minimize view and noise impacts.

2. On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses;

- by placing the addition to the building, the new spaces are 107 feet from the adjacent house to the south, so will minimize lights, glare, and noise impacts.

D. Residential private outdoor areas:

1. Structures which include residential dwelling units shall provide private outdoor areas which are screened from view by adjoining units,

- not applicable since no residential use proposed.

2. Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least forty-eight (48) square feet in size with a minimum width dimension of four feet, and

a. Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit, and

b. Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area,

- not applicable since no residential use proposed.

3. Wherever possible, private outdoor open spaces should be oriented toward the sun;

- not applicable since no residential use proposed.

E. Residential shared outdoor recreation areas:

1. In addition to the requirements of subsection D of this section, usable outdoor recreation space shall be provided in multifamily residential developments for the shared or common use of all the residents in the following amounts:

a. Studio up to and including two-bedroom units, two hundred (200) square feet per unit, and

b. Three or more bedroom units, three hundred (300) square feet per unit,

- not applicable since no residential use proposed.

2. The required recreation space may be provided as follows:

a. It may be all outdoor space, or

- b. It may be part outdoor space and part indoor space; for example, an outdoor tennis court, and indoor recreation room,
- c. It may be all public or common space,
- d. It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit, and
- e. Where balconies are added to units, the balconies shall not be less than forty-eight (48) square feet,
- f. Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

- not applicable since no residential use proposed.

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

- 1. Structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility, and
- 2. These areas may be defined by a deck, patio, low wall, hedge or draping vine, a trellis or arbor, a change in level or landscaping;

- not applicable since no residential use proposed.

I. Crime prevention and safety:

- 1. In residential developments, interior laundry and service areas shall be located in a way that they can be observed by others,
- 2. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic,
- 3. Exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime, and
- 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;

- no crime is expected in this area.

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 designed to accommodate emergency vehicles;

- only one access point is proposed, per ODOT requirements; we have met with ODOT staff and they have indicated they believe the proposed change is approvable by them.

K. Public transit:

- 1. Provisions within the plan shall be included for providing for transit if the development proposal is adjacent to existing or proposed transit route.
- 2. The requirements for transit facilities shall be based on:
 - a. The location of other transit facilities in the area,
 - b. The size and type of the proposal.
- 3. The following facilities may be required:

- a. Bus stop shelters,
- b. Turnouts for buses, and
- c. Connecting paths to the shelters;

- no special transit improvements are proposed.

L. All parking and loading areas shall be designed in accordance with the requirements set forth in Chapter 16.42;

- we concur with this requirement.

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

- we concur with this requirement.

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

- no public improvements are proposed.

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

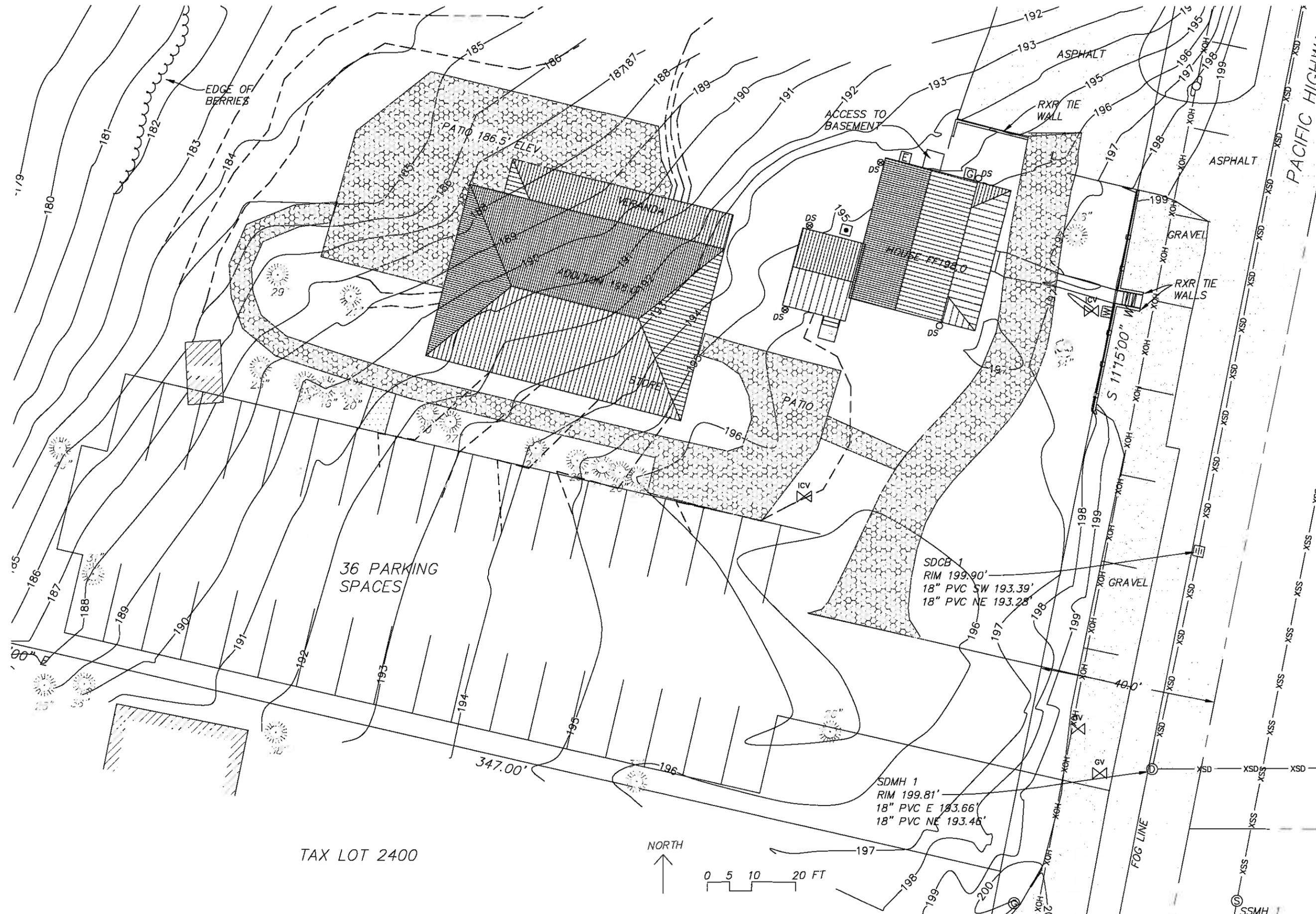
- the facility will be made ADA accessible during the building permit phase of work.

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

- we concur with this requirement.

Q. All properties located in the historic commercial or historic residential overlay shall be designed in accordance with the requirements set forth in Title 17 of the Aurora Municipal Code.

- we concur with this requirement and will be meeting with the Historic Design Board on February 25th.



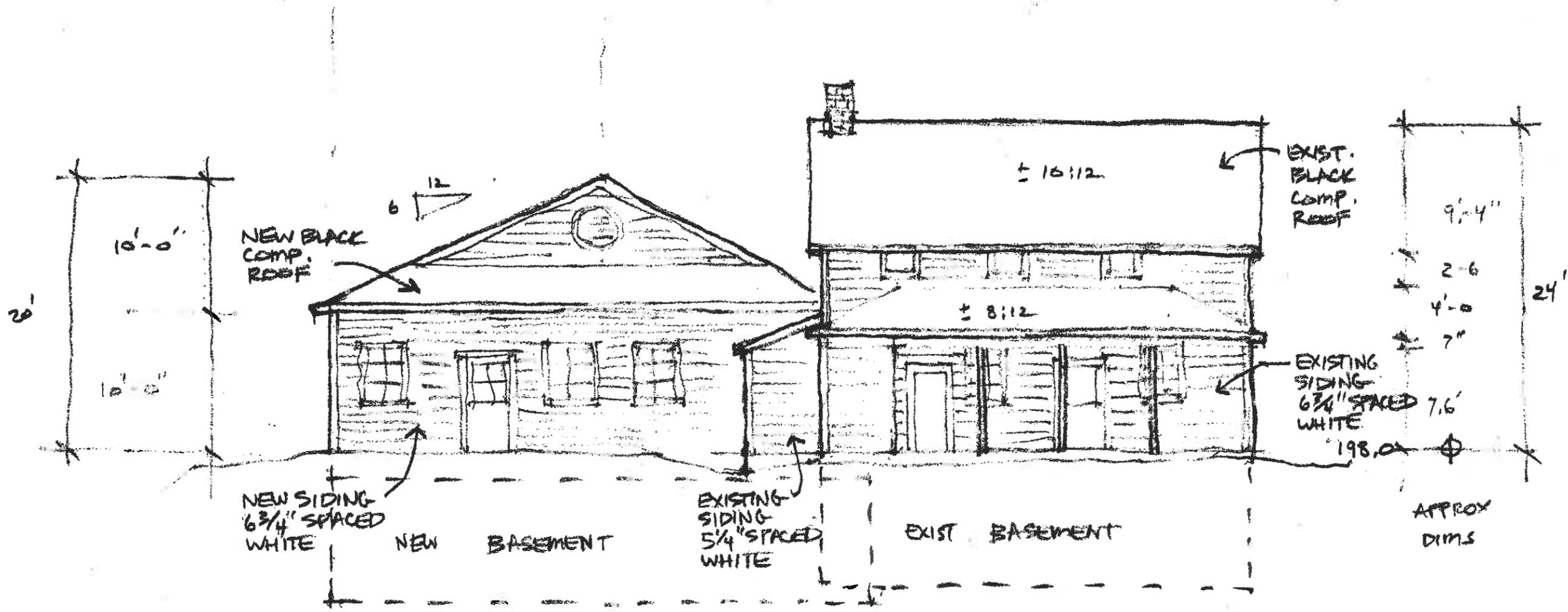
ARON
FAEGRE
AIA, PE
520 S.W. YAMHILL
PORTLAND
OREGON
97204
503-222-2546
faegre@earthlink.net

WARREN & BERNICE BEAN
AURORA
RESTAURANT PROJECT
2137 HWY 99 E - AURORA, OREGON 97002

SITE
PLAN
DATE: 2-15-16
DESIGNED BY:
AF

NO.	REVISIONS

PAGE:
A2.0a



NEW ADDITION
 88 FT FROM PROP.
 LINE (59 FT BEHIND
 FRONT OF HISTORIC
 HOUSE FRONT)

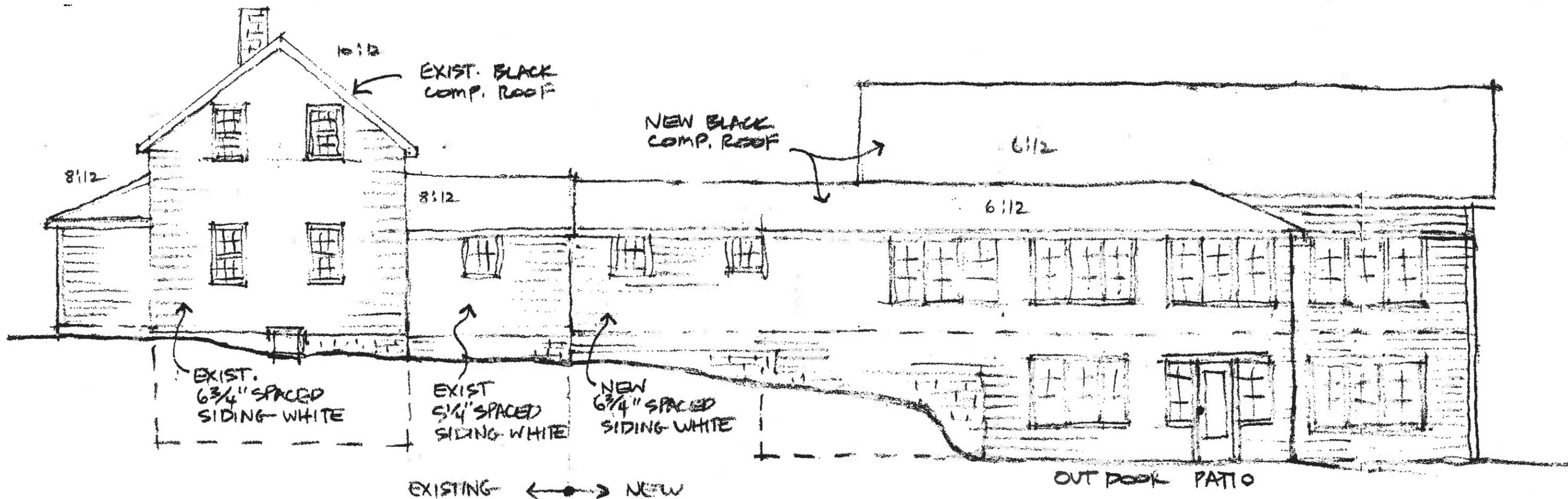
← → EXISTING HISTORIC HOUSE
 29 FT FROM PROP. LINE

EAST ELEVATION - WARREN & BERNICE BEAN PROJECT
 1/8" = 1'-0" 2-15-2016

0 2 4 8
 TLJ 7

A3.0
 Aron Faegre
 520 SW Yamhill St.
 Roofgarden 1
 Portland, OR 97204
 faegre@earthlink.net

EXHIBIT B14



NORTH ELEVATION - WARREN & BERNICE BEAN PROJECT

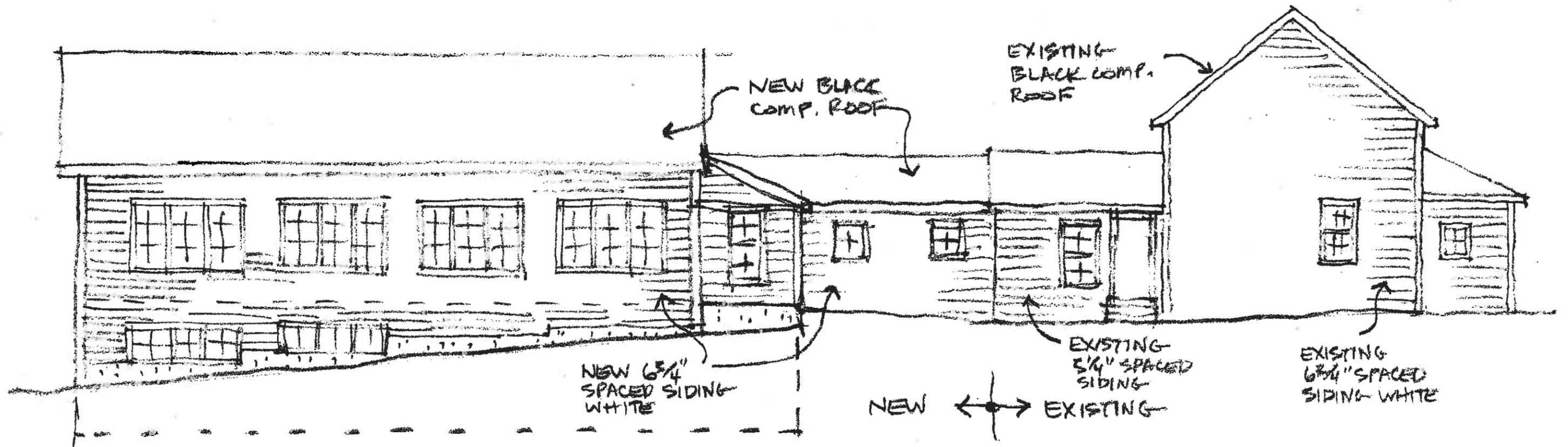
1/8" = 1'-0"

2-15-2016

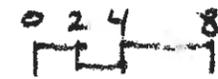


A3.1
 Aron Faegre
 520 SW Yamhill St.
 Roofgarden 1
 Portland, OR 97204
 faegre@earthlink.net

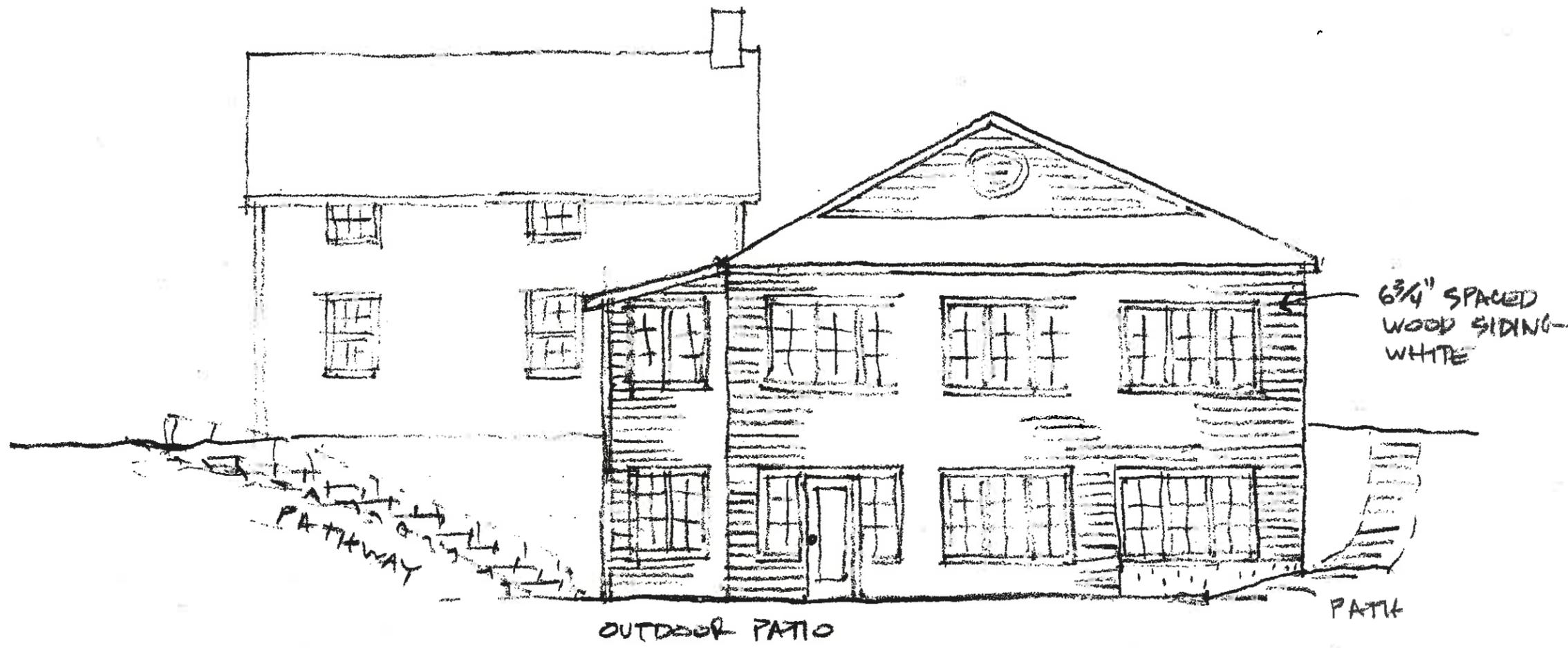
Exhibit B15



SOUTH ELEVATION - WARREN & BERNICE BEAN PROJECT
 1/8" = 1'-0" 2-15-2016



A3.2
 Aron Faegre
 520 SW Yamhill St.
 Roofgarden 1
 Portland, OR 97204
 faegre@earthlink.net



WEST ELEVATION — WARREN & BERNICE BEAN PROJECT
 1/8" = 1'-0" 2-15-2016



A3.3
 Aron Faegre
 520 SW Yamhill St.
 Roofgarden 1
 Portland, OR 97204
 faegre@earthlink.net

ARON
FAEGRE
AAA, P.E.
PORTLAND
OREGON
503-252-2546
http://www.aef.com

WARREN & BERNICE BEAN
AURORA
RESTAURANT PROJECT
2137 HWY 99 E - AURORA, OREGON 97002

SITE
PLAN
DATE: 7-15-18
DRAWN BY: JF

NO.	REVISIONS

PAGE:
A100a

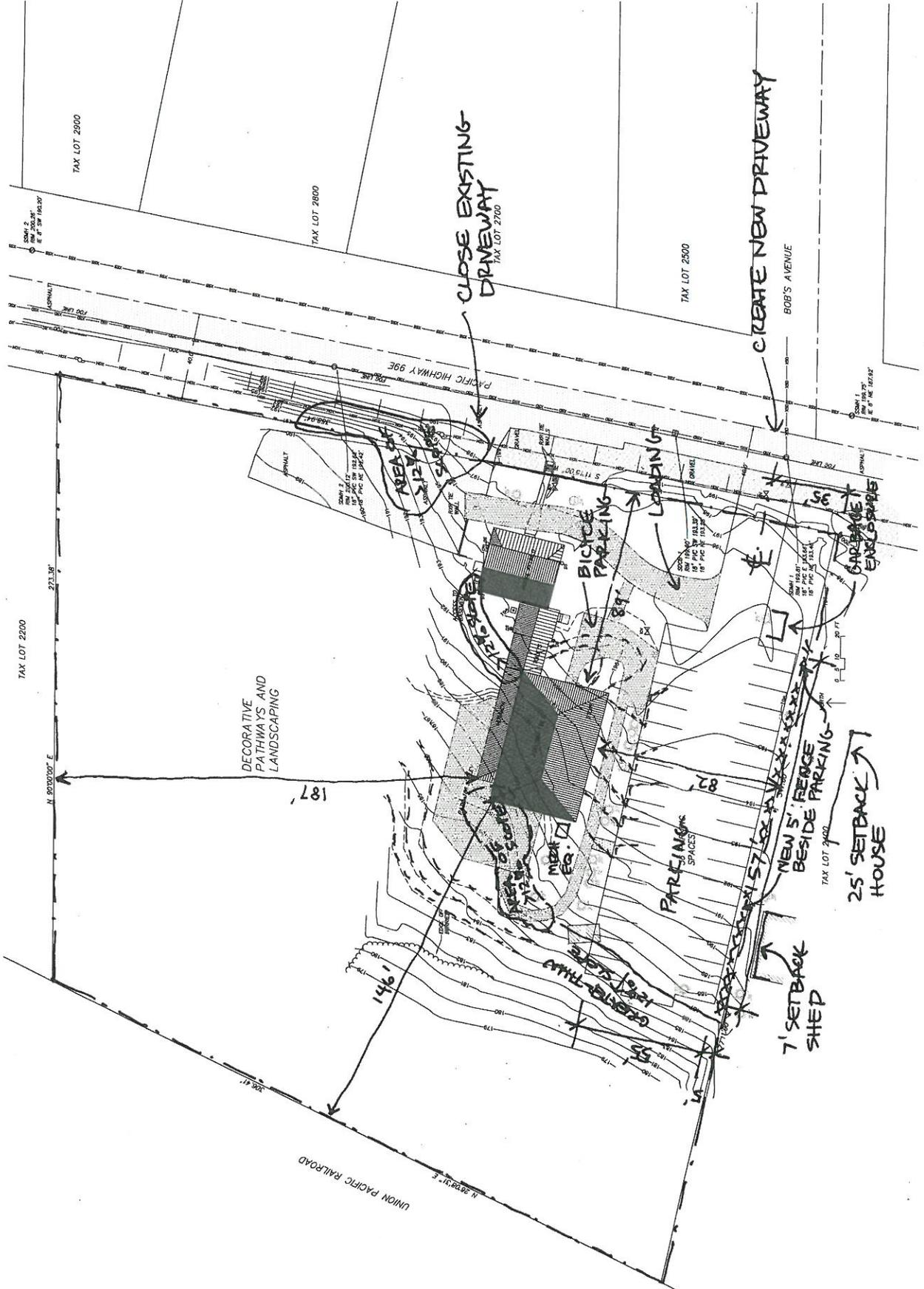


Exhibit B18

**Aurora Restaurant Project - Additional Information
Warren & Bernice Bean**

Code Analysis

February 22, 2016

Additional Information Requested by City Planner:

A) The total square footage of the addition- specified by rooms such as store, toilets, restaurant, office space, storage etc. Please also provide the sq footage of the proposed patio.

Main Floor (2,950 sf):

Dining	1500
Kitchen	500
Storage	200
Restrooms	250
Corridors	200
Stairs	300

Lower Daylight Basement (2,700 sf):

This space will initially be unfinished and is for expansion if the project is successful. If finished out in the future it would likely be:

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Outdoor Spaces:

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Note: All of the areas listed are approximate and represent the usable square feet. We request that some flexibility be maintained for building size, by plus or minus 20%. The detailed design of the kitchen, which will be determined by the final selection of menu, can't be accomplished until the construction drawing stage of design is undertaken. The kitchen design can potentially require changes to the proportions of the interior spaces. The overall goal is that the seating areas are looking out over the very attractive existing landscaping and paths in the interior of the site (which currently needs maintenance since it is somewhat overgrown with blackberries). So that view will be the predominant force in the determinant of the final interior layout.

B) Drawing A2.0 shows enclosed "toilets" space connecting to the existing structure but drawing A2.0a does not show a connection. Is this the 2nd story?

Drawing A2.0a shows the addition disconnected as a site layout option, should that be preferred by the City as an adjustment. If the addition is disconnected then the restrooms (which were located to serve both the existing and new space alongside a connecting corridor) would be placed more interior on the main floor and the overall Main Floor size would reduce to 2,700 sf.

C) A lighting plan will need to be submitted. This can be condition as a staff level review but if one is available, please submit for HRB and PC review as well.

We don't have a detailed lighting plan at this time so will be appreciative if that can be a condition at staff level review.

D) Do you have the approved access permit from ODOT yet or any correspondence with them that you can submit with the application?

We have not yet applied to ODOT, however Warren Bean and Aron Faegre met with three ODOT staff in Salem on January 28th at 2pm, and showed them the same site plan we have submitted with this application. We learned that the existing driveway is fully legal and could be re-used. We requested that the existing driveway be allowed to remain with the addition of the new proposed driveway. However we learned with certainty that only one driveway would be allowed by ODOT. They gave us the application materials and said that they could see no reason that the new driveway wouldn't be approved as a replacement for the existing driveway, as long as the property title does not contain any conditions of control of access. Warren Bean has checked the property title and finds that there are no controls of access listed, so the revised access appears fully approvable by ODOT. They said that the existing driveway could remain open during construction of the addition so that the new driveway would be a construction driveway for that period of time. However at the end of the project the old driveway would have to be completely removed from the right-of-way. We asked if the existing driveway could simply be gated so that it could still be used for emergency or on an occasional basis. They said no, it would have to be completely removed. They also explained that ODOT permits are available if any new utilities need to be connected in the street. They said that the first 20 feet of driveway at the property line would need to be asphalt to make access to Highway 99 easy for cars. This paragraph is my memo record of the meeting.

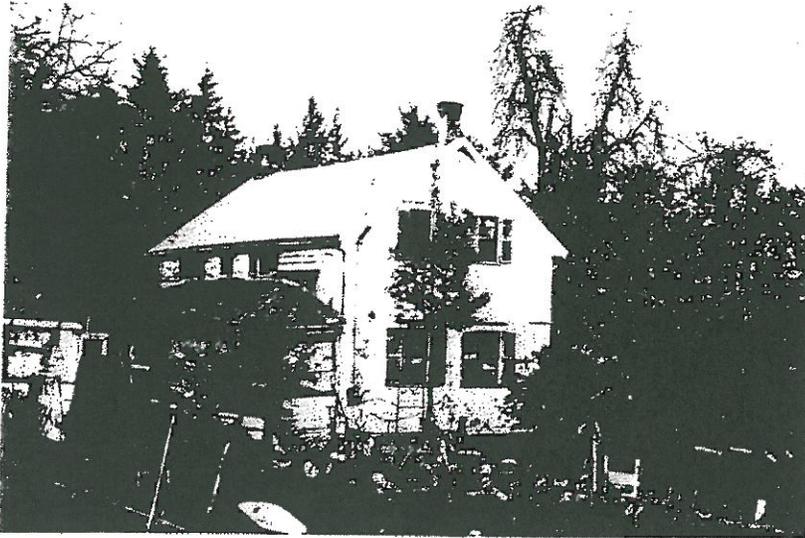
E) The application states the garbage enclosure location is shown on the drawings but information on the garbage enclosure materials is not provided. Please provide materials and specifications for the enclosure.

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F) What will be parking lot be made of? Asphalt or gravel?

The parking lot would be gravel, with the exception of the first 20 feet at the property line, which would be asphalt as required by ODOT. In addition, there would be a small area paved for ADA parking, adjacent to an accessible walkway at the front north side of the parking area.

AURORA COLONY HISTORIC DISTRICT INVENTORY



RESOURCE #: 122
COUNTY: Marion
ADDRESS: 21317 Hwy 99E NE
(510 Hwy 99E)
Aurora, OR 97002
T4S R1W S13
ADDITION: NA
TAX LOT #: 40590-000
OWNER: Nicholas & Virginia
Santillan
ADDRESS: 21287 Hwy 99E NE
Aurora, OR 97002

THEME: 19th Century Communal Religious Colony

CLASSIFICATION: Primary Significant

HISTORIC NAME: Maria Mohler House

YEAR BUILT: C. 1875

ORIGINAL/PRESENT USE: Residential/Residential

RECORDERS: Philip Dole & Judith Rees

DATE: January 1984

The Mohler House is one of the finer examples of a Colony house, both in its features and its intactness. However, in contrast to the many early attributes of the house, there are three which suggest a later date; the shutters, molded window caps and shiplap siding. No dates have previously been associated with the house, but stylistic characteristics suggest circa 1875 as appropriate.

The one and a half-story Mohler House is two bays deep and, although the first story is obscured, apparently three bays wide, as the second story facade has three low, six-light windows. The house is 32 feet wide by 21 feet deep, and a small, one-story addition at the southwest corner is 15 feet square. The gable roof has a pitch of about 40 degrees and is covered with composition shingles. Two original brick chimneys sit on either end of the ridge; the southern one is of fireplace flue dimensions, the northern one is of stove flue dimensions. The northern one has a corbelled cap and has been painted or covered with a cement coat; the southern one has lost its cap.

The eaves are boxed across the front and rear facades, have recessed soffits on the rake and meet in triangular forms at the corner. They are detailed with simple crown and bed moldings.

AURORA COLONY HISTORIC DISTRICT INVENTORY

RESOURCE #: 122

The walls are sided with six-inch shiplap, have plain one-by-six corner boards, and no water table. The windows are six-over-six, double-hung sash, smaller in size on the second floor than on the first. There are hinged, operable, louvered shutters at the windows. The condition and character of the house suggests that the original color scheme has survived; the shutters are painted green, the sash black and the house white.

Across the full length of the front facade is an eight-foot deep, hip roof porch. On the south end, it contains a six-foot wide, enclosed room. The porch has low solid rails faced in shiplap with a screen of latic work filling the space above. Solid brackets at the eaves are visible, but not the form of the porch supports. The porch and its enclosure totally obscure the first story front facade, including the front door and other openings.

The house is remarkably intact, but in poor condition. Alterations are negligible and include: metal gutters and downspouts, a six-inch metal vent pipe mounted on the exterior northeast corner, and a variety of composition sheets temporarily attached around the porch and the house foundations. The kitchen wing, which has a small porch and chimney, has characteristics of more recent construction. The front porch is an anomaly, as it has the characteristics of an Aurora Colony house rear porch, but this may be due to later alterations.

The house, which faces east toward Highway 99-E, sits on a slight rise surrounded by an old garden and orchards to the north and east. Although small outbuildings can be seen, the plantings are too dense to allow further description.

Mohler is the name associated with the house on Clark Will's 1924 map. Samuel Mohler died in 1871, aged 85; his wife, Maria, in 1893, aged 94; and their daughter, Elizabeth, in 1898, aged 62. The Mohlers came to Bethel in 1845 and "conducted to the Bethel fund in money and valuables \$888.37". This was a much larger amount than the majority of members gave. They came to Aurora in 1863 and settled up in 1872. Maria and Elizabeth were members in 1878. Nothing else is known about the Mohlers or who the house was associated with in later years.

Rod Yoder

From: Wakeley, Renata [renatac@mwvcog.org]
Sent: Monday, February 22, 2016 7:48 PM
To: Kelly Richardson
Cc: EARL Robert; Rod Yoder; PWS
Subject: Site Development Review Request for Comments, City of Aurora
Attachments: A1.0a Access drives_Aurora Project of Warren and Bernice Bean 2-15-2016.pdf; application.pdf; application_supplemental.pdf; Aurora Project Code Analysis - Warren and Bernice Bean 2-17-2016.pdf; NOTICE OF APPLICATION_SDR 16-01_FINAL.pdf

NOTICE OF LAND USE REQUEST/REQUEST FOR COMMENTS

DATE: _____

TO: _____
FROM: Renata Wakeley, Mid-Willamette Valley Council of Governments

RE: SDR-16-01, City of Aurora

The City of Aurora is soliciting any comments or conditions of approval you may wish to have considered in the City's review of the above described land use case. Questions should be directed to the staff contact below. However, any comments you would like to be considered in our review must be submitted in writing.

In order for staff to process this application in a timely manner, comments need to be back in our office by **3:00 p.m.** on **March 1, 2016**. A public hearing regarding the application is schedule before the Planning Commission on **March 1, 2016**. If we do not receive any response by this date we will assume you have no concerns.

You may use the response form below or attached a separate letter. Please return your written response to the staff contact below.

Staff Contact: Renata Wakeley E-mail: renatac@mwvcog.org
Phone: 503-588-6177 Fax: 503-588-6094

PLEASE CHECK THE APPROPRIATE ITEMS:

- We are not affected by the proposal.
- We have reviewed the proposal and determined we have no comment.
- Our comments are in the attached letter.
- Our comments are:

The proposed use and access must comply with Oregon Fire Code in effect at the time permits are issued.

Date: 2/22/16 Person Commenting: Rod Yoder - Chief Agency: Aurora RFPD

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

Wakeley, Renata

From: Rod Yoder <RYoder@aurorafire.org>
Sent: Wednesday, February 24, 2016 8:45 AM
To: Wakeley, Renata
Subject: RE: Site Development Review Request for Comments, City of Aurora

Renata,

I went to the site and did a visual inspection and noticed there is no Fire hydrant near that address or even on that side of the road. Since Highway 99-E is a major arterial they would have to put a Fire Hydrant at that location we cannot cross the road with our lines.

Rod Yoder – Fire Chief

From: Wakeley, Renata [mailto:renatac@mwvcog.org]
Sent: Tuesday, February 23, 2016 6:57 PM
To: Rod Yoder
Subject: RE: Site Development Review Request for Comments, City of Aurora

Thanks Rod!

From: Rod Yoder [mailto:RYoder@aurorafire.org]
Sent: Monday, February 22, 2016 8:27 PM
To: Wakeley, Renata <renatac@mwvcog.org>
Subject: RE: Site Development Review Request for Comments, City of Aurora

Renata, I have attached the comments from the Aurora Fire District.

Rod Yoder – District Chief

From: Wakeley, Renata [mailto:renatac@mwvcog.org]
Sent: Monday, February 22, 2016 7:48 PM
To: Kelly Richardson
Cc: EARL Robert; Rod Yoder; PWS
Subject: Site Development Review Request for Comments, City of Aurora

NOTICE OF LAND USE REQUEST/REQUEST FOR COMMENTS

DATE: _____

TO:
FROM: Renata Wakeley, Mid-Willamette Valley Council of Governments

RE: SDR-16-01, City of Aurora

The City of Aurora is soliciting any comments or conditions of approval you may wish to have considered in the City's review of the above described land use case. Questions should be directed to the staff contact below. However, any comments you would like to be considered in our review must be submitted in writing.

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Interpretation 2016-01 [INT-16-01]
DATE: March 1, 2016

APPLICANT/OWNER: NW Builders Company, Inc./Anna Hall

REQUEST: Interpretation of the Aurora Municipal Code (AMC) by the Planning Commission in regards to approval of a non-remonstrance agreement for sidewalks in lieu of installation.

SITE LOCATION: 15050 Park Ave, Aurora, OR 97002 (also known as Lot 1701 of Map 041W13AC)

SITE SIZE: Approximately 23,087 square feet, or 0.53 acres

DESIGNATION: Zoning: Low Density Residential (R1)

CRITERIA: Aurora Municipal Code (AMC) Chapter 16.34 Public Improvement and Utility Standards

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Non-remonstrance Application
Exhibit C: Photos of Park Avenue

I. REQUEST

Approval of a non-remonstrance agreement in lieu of sidewalk improvements as part of building permit review under AMC 16.34.030.A.2.

II. PROCEDURE

Pursuant to 16.34.030.A.2. and subject to approval of the Planning Commission, the City may accept and record a non-remonstrance agreement in lieu of street improvements. AMC 16.78 requires Limited Land Use Decisions be processed as written notice of a decision to be provided to owners of adjacent property for which the application is made.

The application was received on February 17, 2016. The application was determined complete by Staff and placed on the next available Planning Commission agenda. Notice of the Planning Commission agenda was posted at City Hall on February 25, 2016. Pending a decision from the Planning Commission at the March 1, 2016 meeting, a Notice of Decision will be mailed to adjacent property owners. The City has until **June 10, 2016**, 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 Commission's decision shall be made, in writing, to the City Council within 15 days of the Planning Commission's final written decision.

IV. CRITERIA AND FINDINGS

The applicable review criteria for non-remonstrance agreements are found in AMC Chapter 16.34 - Public Improvements and 16.78- Limited Land Use Decisions

16.34 Public Improvement and Utility Standards

16.34.030.A.2. Subject to AMC 16.78 and approval of the Planning Commission, the City may accept and record a non-remonstrance agreement in lieu of street improvements if the following conditions exist:

A. A partial improvement creates a potential safety hazard to motorists or pedestrians; or

FINDING: The applicant is requesting that they not be required to install curbs or sidewalks along their street frontage on Park Avenue as the remainder of Park Avenue does not currently have sidewalks. Staff finds installation of a sidewalk along the frontage of the subject property would result in an unconnected sidewalk along properties to the east and to the west. The property has approximately 43 feet of frontage on Park Avenue. Staff finds the installation of a sidewalk along this frontage would not improve safety conditions and, therefore, finds this criterion is met.

B. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity.

FINDING: The property is one of a few remaining undeveloped parcels along the southern portion of Park Avenue. Previously, sidewalk installation was not required or enforced on many properties along Park Avenue although newer partitions and construction along Park Avenue have been required to install sidewalks (specifically along the northern portion of Park Avenue). It is unlikely developed properties along Park Avenue will undertake frontage improvements in the near future. Installation of improvements by the subject property and other remaining vacant parcels would not necessarily create a significant increase to safety or capacity on this local residential street.

Staff understands from previous conversations with public works that storm drainage concerns exist along the southern portion of Park Avenue that could be exacerbated by the installation of curbs and sidewalks. However, at the time of writing of this staff report, comments from the city public works had not been received.

Staff finds this criterion is met.

16.78 Limited Land Use Decision

16.78.090 Standards for the decision.

A. The decision shall be based on proof by the applicant that the application fully complies with:

1. The city comprehensive plan; and

FINDING: Staff finds the application meets the criteria under 16.34 for approval of a non-remonstrance agreement. The implementing ordinance of the comprehensive plan is included under Title 16- Land Development. A review of Title 16 is included below. Staff finds this criteria is met.

2. *The relevant approval standards found in the applicable chapter(s) of this title and other applicable implementing ordinances.*

FINDING: The property is zone Low Density Residential (R-1). Staff finds the property meets the size, width, and depth required under the zone. The applicant previously submitted a building permit application in compliance with height, setback, and other code requirements. The building permit was conditioned to include installation of curbs and sidewalks prior to occupancy or approval of a non-remonstrance agreement in advance of occupancy permit approval.

AMC section 16.34.060.A. states, "sidewalks are required except as exempted by the Aurora Transportation System Plan (TSP) and shall be constructed, replaced or repaired in accordance with the City's public work design standards." While the City TSP does identify Park Avenue as a local street requiring sidewalks, the AMC does allow the Planning Commission to accept a non-remonstrance agreement in lieu of improvements under AMC 16.34.030.A.2. subject to approval by the Planning Commission if the criteria above are met.

Staff finds the criteria under Title 16.34.030.A.2 can be met, with conditions.

V. CONCLUSIONS AND RECOMMENDATIONS

Based upon the findings outlined in the staff report, staff recommends the Planning Commission approve the Interpretation application (File No. INT-2016-01) with the following conditions of approval:

1. The applicant execute and record a non-remonstrance agreement for sidewalks with Marion County. The non-remonstrance agreement shall be reviewed and approved by the City prior to recording. Recording costs shall be the responsibility of the property owner and evidence of the recorded non-remonstrance agreement with Marion County shall be required prior to building permit approval.

VI. PLANNING COMMISSION SAMPLE MOTIONS

- A. Motion to adopt the findings in the staff report and approve Interpretation 2016-01:
 1. As presented by staff, or
 2. As amended by the Planning Commission (stating revisions)

OR

- B. Motion to deny Interpretation 2016-01 (stating how the application does not meet the required standards),

OR

- C. Continue the decision to a time certain or indefinite (considering the 120-day limit on applications) in order to collect additional information from the applicant or staff (stating the information required in order to make a decision)

City of Aurora Building /Planning Application

(Check appropriate box)

- | | |
|---|---|
| <input type="checkbox"/> SITE DEVELOPMENT REVIEW (AMC 16.58)
<input type="checkbox"/> FLOOD PLAN DEV. PERMIT (AMC 16.18)
<input type="checkbox"/> HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)
<input type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Demolition Permit
<input type="checkbox"/> Sign Review
<input type="checkbox"/> MANUFACTURED HOME PARK (AMC 16.36)
<input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map
<input type="checkbox"/> ZONING ORDINANCE AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map | <input type="checkbox"/> CONDITIONAL USE (AMC 16.60)
<input type="checkbox"/> VARIANCE (AMC 16.64)
<input type="checkbox"/> HOME OCCUPATION (AMC 16.46)
___ Type I ___ Type II
<input type="checkbox"/> NON-CONFORMING USE (AMC 16.62)
<input type="checkbox"/> LAND DIVISION
<input type="checkbox"/> Subdivision (AMC 16.72)
<input type="checkbox"/> Partition (AMC 16.70)
<input type="checkbox"/> Property Line Adjustment (AMC 16.68)
<input type="checkbox"/> APPEAL TO _____ (AMC 16.74-16.78)
<input checked="" type="checkbox"/> OTHER <u>No Demonstration</u> |
|---|---|

APPLICANT GENERAL INFORMATION

Applicant NW Builders Company, Inc Phone 503-204-5159
 Mailing Address PO Box 261 St. Paul, OR 97137
 Property Owner _____ Phone _____
 Mailing Address _____
 Contact person if different than applicant _____ Phone _____
 Mailing Address _____

PROPERTY DESCRIPTION

Address 15050 Park Ave 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)

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.

Chris Newton _____ Date 2-17-16
 Signature of Applicant _____ Date _____
 Signature of Property Owner _____ Date _____

Office Use Only: Received By: <u>KJR</u> Date: <u>2/17/16</u> Fee Paid \$ <u>500.00</u> <u>CK 4088</u>
Receipt # _____ Case File # _____ Planning Director Review _____ Date: _____
Last updated 6-14-2010

To City Planner,

I am asking for a non Remonsterous
for Sidewalks because there are no sidewalks
on either side of my property

NW Builders Company
Chas Minter
2-17-16



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

FAX (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

March 17, 2008

TO: Cities, Counties, and Interested Parties

FROM: DLCD, Economic Development Planning Team

SUBJECT: Tips for Conducting an Economic Opportunities Analysis

This is an informal resource for cities, counties, and others conducting Goal 9 planning in accordance with OAR 660, division 9. This resource is non-binding and is intended to respond to frequently asked questions as well as common issues that arise in the review and acknowledgement of local Economic Opportunities Analyses. The tips in this memorandum are based on the Goal 9 administrative rules as amended by the Land Conservation and Development Commission on December 1, 2005.¹ Though this resource focuses primarily on the content and format of an Economic Opportunities Analysis, it also provides other useful information.

Economic Opportunities Analysis – Preparation

If local economic development objectives are known or have been recently established, they can help guide the scope and content of the Economic Opportunities Analysis.

TIP ► Before starting the Goal 9 planning process, review existing comprehensive plan policies, local or regional economic development strategies, vision statements or other recent work that identifies local economic development objectives.

Economic Opportunities Analysis – Scope

The department has received numerous requests by cities for assistance with creating scopes of work for proposals for consulting services. A generic scope of work is attached to this memo as Attachment A. The generic scope is intended as a resource only, and local governments may modify it or develop a different approach depending on local needs and priorities.

TIP ► The breadth and scope of an Economic Opportunities Analysis may vary depending on local needs. An analysis in conjunction with a plan amendment may be limited in scope and focus on one industry or sector. An analysis in conjunction with a plan update or periodic review should be comprehensive in nature.

¹ The adopted rule amendments went into effect on January 1, 2007.

Economic Opportunities Analysis – Content

The Economic Opportunities Analysis is a technical study that compares projected demand for land for industrial and other employment uses to the existing supply of such land. The Economic Opportunities Analysis process helps communities implement their local economic development objectives and forms the basis for industrial and other employment development policies in the comprehensive plan.

TIP ► The Economic Opportunities Analysis should clearly explain the factors, data, assumptions, and conclusions used to estimate industrial and other employment land demand for the 20-year planning period.

The substantive content of an Economic Opportunities Analysis is governed by OAR 660-009-0015. This rule requires inclusion of the following four interrelated elements:

1. Review of national, state, regional, county and local trends;
2. Identification of required site types;
3. Inventory of industrial and other employment lands; and
4. Assessment of community economic development potential.

1. Review of National, State, Regional, County and Local Trends

Reviewing trends is the principal method for estimating needed sites for future industrial and other employment uses. A use or category of use can reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors. In addition to population or job forecasts, other factors such as unmet demand, commute patterns, and other trend information should be considered.

TIP ► Though population and job forecasts are the typical trends used for estimating future land demand, other approaches are acceptable. The department illustrates using job forecasts in its Industrial and Other Employment Lands Analysis Guidebook

2. Identification of Required Site Types

The Economic Opportunities Analysis must identify the number of sites, by type, reasonably expected to be needed for the 20-year planning period. Types of sites are based on the site characteristics typical of expected uses. **Identifying the number of sites needed by type is the most important outcome of the Economic Opportunities Analysis.** Historically, Economic Opportunities Analyses have estimated land demand in aggregate acres across broad categories. This is below the standard of the existing and amended administrative rules and does not provide sufficient detail to make effective planning decisions for most cities, such as evaluation of plan amendments that convert industrial lands to other uses. For small cities, a basic approach that aggregates acres may be appropriate if sufficient detail regarding site type is provided.

TIP ► Site types can be described in a number of different ways. It can be by plan designation (i.e., heavy or light industrial), it can be by general size categories that are defined locally (i.e., small, medium, or large sites), or it can be industry or use-based (i.e., manufacturing sites or distribution sites). Be sure site types represent the broadest range of employers expected in the planning area, including so-called “institutional” employers.

3. Inventory of Industrial and Other Employment Lands

When determining the inventory of industrial and other employment lands, it is important to

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consider development constraints such as wetlands and other suitability factors for both vacant and developed land. It is critical to understand not only the quantity of land within an urban growth boundary, but also its suitability for desired uses. When estimating land needs, factor in the land needs for infrastructure and transportation facilities, in addition to the area for the use itself. Also consider whether the land is ready in the short-term (ready for construction within

one year of a building permit application or service extension request).

TIP ► The administrative rules now authorize cities and counties to consider the availability of land when planning for the short-term supply of land. Take advantage of this opportunity to ensure that industrial and other employment uses reasonably anticipated in the short-term will be able to locate or expand in the community.

4. Assessment of Community Economic Development Potential

It is important to consider a planning area's economic advantages and disadvantages. These include, but are not limited to, factors such as workforce; availability of transportation facilities for access and freight mobility; access to suppliers and utilities; location, size, and buying power of markets; state and federal environmental protection laws; and service infrastructure.

TIP ► When analyzing and describing these factors, don't just list strengths. A realistic analysis acknowledges local barriers to economic development as well. The more realistic the assessment, the more likely a community will achieve its economic development objectives. Incorporate economic strengths and weaknesses into the analysis by describing how they affect future land demand for the planning period, rather than just making a list of them. Making adjustments to the local capture rate of a regional job forecast is one example of how this can be done.

Economic Opportunities Analysis – Format

Though the content of the Economic Opportunities Analysis is most important, how the information is presented and formatted is also important.

TIP ► The information and conclusions contained within an Economic Opportunities Analysis should be organized in such way to make it easily accessible and understandable for local decision makers, citizens, and the state.

There are many ways to effectively organize and format an Economic Opportunities Analysis. The sequence of the administrative rule is one way, though not necessarily the best way. However, the critical content should be easy to locate. Sometimes other economic development related

work products are created in conjunction with an Economic Opportunities Analysis. This may include a local business development strategy, an urban renewal plan, or some other feasibility study. It is important to physically separate the Economic Opportunities Analysis from other work products, especially when they are generated together.

TIP ► The use of headers, a table of contents, and chapters, is an effective way to assist readers in finding critical information within the Economic Opportunities Analysis and distinguishing the adoptable Economic Opportunities Analysis from other work products.

Another useful tool for organizing information is the use of data tables and charts. This is especially effective when summarizing data originating from the analysis itself. Examples

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include summarizing inventory data, calculations involving job forecasts and job density assumptions, and comparisons of projected demand and current supply. Sometimes data tables from other source documents or reports are reproduced in the Economic Opportunities Analysis. When you do this, make clear in the accompanying narrative how the reproduced data table factors into the overall analysis for land supply and demand, and the source of the data. If you cannot explain how the reproduced data factors into the Economic Opportunities Analysis, it is probably not needed in the body of the analysis and should either be left out or put in an appendix.

TIP ► The use of tables or charts is an effective way of summarizing data and calculations originating in the Economic Opportunities Analysis. When reproducing data from other

sources, note the source and describe how the data relates to or is incorporated into the analysis.

20-Year Land Supply

Many cities want to grow as fast as economic opportunity will allow. Such aspirations are consistent with the statewide land use planning program. Goal 9 requires that a 20-year land supply provide a diverse range of site sizes, types, and locations to meet the needs projected through the Economic Opportunities Analysis process. The Goal 9 administrative rules do not authorize the designation of more than a 20-year land supply, nor do they supersede the requirements of other goals such as Goal 14. However, the planning program does not prevent a community from consuming its estimated 20-year land supply for industrial and other employment uses within a shorter period of time. Effective public facilities and transportation planning and participation in Oregon's Industrial Site Certification Program are some of the ways a community can position its industrial and other employment lands for economic growth.

TIP ► The higher the percentage of the 20-year land supply that is made ready for development in the short-term, the more likely a community will be able to respond to economic development opportunities as they arise.

State and Local Economic Development Professionals

State and local economic development professionals, such as the Oregon Economic Community Development Department Business Development Officer, are a valuable resource. These professionals can provide information regarding local business recruitment and expansion potential, market conditions, and site inventory needs to respond to short-term development opportunities.

TIP ► Consultations or interviews with state and local economic development professionals can provide valuable information for the Economic Opportunities Analysis.

Citizen Involvement

Public input on the draft findings of the Economic Opportunities Analysis prior to completion or adoption is an important step in the economic development planning process. Local jurisdictions should review and follow their local citizen involvement plan policies and code provisions.

TIP ► Seeking public input on the Economic Opportunities Analysis is particularly important if it will result in recommendation of an urban growth boundary expansion.

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Goal 14

Before the Economic Opportunities Analysis is adopted, a local jurisdiction may want to evaluate whether an urban growth boundary (UGB) expansion is needed to accommodate future industrial and other employment land needs. This requires an analysis of opportunities within the existing UGB, and, if necessary, available parcels for potential addition to the UGB.

TIP ► A local jurisdiction can save time by preparing for an urban growth boundary expansion, if appropriate, early in the Goal 9 planning process.

Adoption

The Oregon Court of Appeals recently clarified earlier court cases dealing with the need to incorporate technical studies into the local comprehensive plan.² Based on this court decision, department staff believes that Goal 2 requires local adoption of an Economic Opportunities Analysis as part of the comprehensive plan in order for a community to base land use decisions upon it.

TIP ► Adoption is required before a local government may make land use decisions based on the data and conclusions contained in the Economic Opportunities Analysis.

Other Information

Other information, resources, and publications regarding economic development planning can be found on the department's website at: <http://www.lcd.state.or.us/LCD/ECODEV/index.shtml>.

TIP ► Economic Development Planning Team Staff are able to assist in a number of ways. In coordination with your Department of Land Conservation and Development Regional Representative, we can help with developing project proposals for grant funding, developing scopes of work, assisting with consultant selection, participating on local technical advisory committees, reviewing and providing feedback on draft documents, and more.

2 1000 Friends of Oregon v. City of Dundee, 203 Or App 207 (2005).

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Attachment A

Goal 9 / Economic Opportunities Analysis - Scope of Work

This generic scope of work was developed in response to numerous requests by cities for assistance with

creating scopes of work for proposals for consulting services. This generic scope is intended as a resource only,

and local governments may significantly modify it or develop a different approach depending on local needs

and priorities.

ECONOMIC OPPORTUNITIES ANALYSES

Objective: To identify likely industrial and other economic development opportunities and corresponding

employment land needs over the planning period of the next 20 years, plus up to an additional 30 years for

communities planning for designated urban reserves. This document suggests the typical tasks and required

deliverables of an Economic Opportunities Analysis (EOA) funded by the Department of Land Conservation

and Development (DLCD).

1. Preparation

Purpose: Reduce cost and delay, anticipate obstacles, prevent surprises and keep planning activities

aligned with local policy.

Deliverables: A locally approved Statement of Community Economic Development Objectives.

Evidence of support and coordination from key cooperating organizations and agencies.

Typical activities include:

a. Review Oregon's land use program with DLCD staff to understand key concepts. Pay special attention to:

i. OAR 660, division 9, Economic Development;

ii. 660-009-0005(10) - Short-term supply of land;

iii. 660-009-0010(5) - Adequate planning effort;

iv. 660-009-0020(1)(a) - Economic development objectives;

v. OAR 660, division 24, Urban Growth Boundaries (UGB);

vi. 660-024-0040(5) - Employment land need; and

vii. 660-024-0040(8) - Safe harbors.

b. Prepare an informal draft Statement of Community Economic Development Objectives.

Economic development planning typically looks back at the economic history of the area and

changes affecting that tradition, looks forward at new opportunities, and defines a series of actions to be taken by local government to achieve a desired and sustainable result.

c. Define a study area to analyze for economic and land use trends, which is typically a region sharing inter-dependent economic activity. Describe why the area was chosen and include a brief narrative about current conditions and activity.

d. Define a planning area, which is typically the existing UGB and may include potential expansion and urban reserves. It is useful to describe why the area was chosen, and include a brief narrative about current conditions and activity.

e. Gather and review any available regional economic development, employment data, real estate market data and area context information that has been published by entities such as: state and local governments, economic development agencies, ports and other development districts, the regional Business Development Officer for the Oregon Economic and Community Development Department, and Oregon's interagency Economic Revitalization Team.

f. Meet with federal, state, regional and local economic development agencies to discuss cooperation, participation and possible sources of funding for planning and implementation activities.

g. Identify typical planning and implementation policies, activities and tools, and gather evidence of support from key cooperating organizations (especially municipal and county boards and commissions, and Oregon's Economic Revitalization Team).

2. Trend Analysis

Purpose: Identify economic development opportunities likely to expand or locate in the study area

within the planning period. Determine the percentage of that employment growth reasonably expected within the planning area.

Deliverable: An estimate of job growth associated with the economic development opportunities likely

to expand or locate in the planning area within the planning period consistent with OAR 660-024-

0040(5) - Employment Land Need. It should be based on an employment forecast from the Oregon

Department of Employment, a custom employment forecast prepared by a competent professional, or an

estimate of job growth including reasonable justification for the job growth estimate.

Clearly indicate the method being used, and include the data, the analysis and the conclusions.

Typical activities include:

a. Review OAR 660-009-0005 – Definitions, to understand of key concepts and terms, and OAR 660-009-0015(1) – Review of Economic Trends.

b. Meet with Oregon Department of Employment staff to discuss employment trends in the Economic Opportunities Analysis study area.

c. An EOA that relies on an employment forecast provided by the Oregon Department of Employment may reduce delay and cost. Refer to OAR 660-024-0040(8) - Safe Harbors. Communities with circumstances that require a customized estimate of job growth that is not available from the Oregon Department of Employment may wish to contract for specialized services from competent professionals.

d. Review national, state, regional, county, and local economic trend data including, but not limited

to, population and job forecasts by sector over the planning period.

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e. Assess economic development potential by analyzing factors such as location, size and buying power of local and export markets for goods and services; workforce training opportunities; availability of transportation facilities for access and freight mobility; access to suppliers and utilities, including telecommunications; and other service infrastructure.

f. Meet with local and state economic development professionals regarding local economic development potential for industrial and other employment opportunities in the study area. Incorporate results from interviews or consultations into the EOA.

g. Acquire and incorporate information published by the Oregon Economic and Community Development Department documenting demand for sites in the study area that may not be reflected in the current employment data.

3. Site suitability analysis

Purpose: Understand the types of sites needed to successfully implement the Statement of Community

Economic Development Objectives.

Deliverable: Catalog of the range of site types suitable for the employment uses likely to expand or

locate in the study area.

Typical activities include:

a. Identify the employment land uses appropriate for the study area, based on results of the trend analysis. Include specific site sizes, special site requirements or other characteristics affecting the needed land supply such as a mixture of site sizes or sites with proximity to facilities. Also identify land needs that may arise from the expansion of existing businesses and the recruitment or location of new businesses into the study area.

b. Acquire and incorporate information published by the Oregon Economic and Community Development Department that documents specific market-based development practices and site requirements that may affect the current inventory and need for additional suitable employment land.

4. Inventory of suitable sites

Purpose: Determine the current availability of sites suitable for employment uses likely to expand or

locate in the planning area.

Deliverable: Inventory of available sites suitable for employment uses likely to expand or locate in the

planning area within the planning period.

Typical activities include:

a. Inventory and analyze the planning area's existing supply of industrial and other employment lands for development constraints which may include: wetlands, habitat areas, environmental contamination, topography, cultural resources, infrastructure deficiencies, parcel fragmentation, natural hazard areas, ownership patterns, and other suitability and availability criteria in order to

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determine the readiness of the current land supply for industrial and other employment development.

It is important to examine opportunities for redevelopment of existing sites, including sites in the

core areas of cities. A local government may consider the cost of preparing land for the designated use as part of an EOA by including a residual value analysis prepared by a competent professional as part of the analysis of development constraints.

b. As part of any adjustment to an UGB for employment land, review employment land need and associated policies in OAR 660, division 024. OAR 660-024-0040(5) requires a determination of the need for a short-term supply of land. OAR 660, division 9, encourages local governments to include policies relating to the short-term supply of land. Designation of short-term supply is described in OAR 660-009-0025(3).

5. Assessment of potential

Purpose: Understand the process, and reduce the cost and risk associated with designating the amount of employment land.

Deliverables: An estimate of the need for employment land within the planning area for the planning period by category of site type. Include a brief narrative of any identified process, cost or risk factors; and describe the community's ability to manage those factors.

Typical activities include:

a. Estimate the total number of sites needed in the study area for the planning period by categories

of sites, based on information collected in the previous tasks. Include a minimum, maximum and most likely number of sites needed for each identified category within the planning period.

b. Estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. Refer to Assessment of Community Economic Development Potential in OAR 660-009-0015(4). Include a brief narrative that explains the factors that determine the planning area's capture of employment growth in the study area.

c. Identify pertinent planning, implementation, specific site, financial and real estate market process, cost and risk factors associated with the designation of additional employment land.

d. Analyze the information gathered to estimate total number of sites by the various categories defined by the local government needed within the planning area for the planning period.

6. Develop detailed implementation policies based on completion of previous steps

Purpose: Provide specific guidance to community leaders and staff.

Deliverables: A list of recommended economic development implementation policies to be included in the comprehensive plan update or plan amendment that were identified by the EOA process. It is not necessary for an EOA to include a complete implementation plan, which may follow and could include additional items.

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Typical activities include:

a. Identify local government activities that will be needed to successfully implement the Statement

of Community Economic Development Objectives. Include changes to the land supply, updates to comprehensive plans, additions to infrastructure facilities, new intergovernmental agreements, updated management practices, public-private partnerships, workforce training and adjustments to real estate economic factors. Include techniques to increase the community's ability to

respond to economic development opportunities with speed and flexibility.

b. Identify appropriate local government actions and investments of leadership, capacity, staff time,

public finance tools and statutory authority needed to successfully implement the Statement of Community Economic Development Objectives.

c. Identify available methods to fund local government activities that will be needed to successfully

implement the Statement of Community Economic Development Objectives.

d. If using an estimate of job growth with reasonable justification to complete the trend analysis, the local government must identify investments in infrastructure, workforce, amenities and other community improvements necessary in order to attract the job growth. Demonstrate that methods are available and there is local commitment to fund those improvements.

e. If using a residual value analysis to justify an adjustment to the current supply of suitable sites, the local government must apply the same analysis to all sites proposed for changes of designation, including all proposed expansion sites outside the current UGB. The local government must identify policies to correct residual value development constraints within the planning period, or reasonably demonstrate that correction is not possible. Use of a residual value analysis is intended to remove from the short-term inventory, those industrial sites with a persistent negative residual value. These sites have development constraints that can't be resolved for the designated use by reasonable local government action.

7. Prepare final EOA

Present the draft EOA to the EOA Project Team and the regional Business Development Officer for the

Oregon Economic and Community Development Department; receive and incorporate comments into

final product.

An EOA submitted to satisfy DLCD grant requirements must be prepared in accordance with the procedures provided in this attachment and Oregon Administrative Rule 660-009-0015 –

Economic

Opportunity Analysis.