

RESOLUTION NO. 484

A RESOLUTION ESTABLISHING A CITY OF AURORA POLICY GOVERNING THE PROCESSING OF DEVELOPMENT APPLICATIONS ON GATEWAY DISTRICT PROPERTIES UNDER AURORA MUNICIPAL CODE SECTION 16.56.

WHEREAS, the City of Aurora is required by ORS Chapter 227 to provide services to persons and entities who want to improve and develop property in the City;

WHEREAS, the City of Aurora adopted Ordinance No. 415 in 2002 establishing the Gateway District Development Standards, subsequently codified as Section 16.56 of the Aurora Municipal Code (AMC); and

WHEREAS, the City Council has determined that AMC Section 16.56 does not adequately and completely describe the manner in which development applications are processed on Gateway District properties and desires to establish by this resolution a City Policy establishing the process by which such applications will be evaluated and decided.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, OREGON THAT:

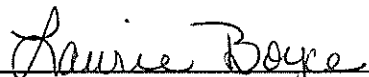
Section 1: The City of Aurora adopts and establishes as City Policy the procedures for processing development and building permit applications on properties within the City's Gateway District as contained in Exhibit "A", which is attached hereto and by this reference incorporated herein.

INTRODUCED AND ADOPTED this 12th day of April, 2005.

CITY OF AURORA, OREGON

BY: 
BILL CARR, MAYOR

ATTEST:

BY: 
LAURIE BOYCE
CITY RECORDER

- c. Requests for Section 16.56.030(E) - "the use of stone, brick, tile, wood composite (articulated surface), cedar shakes and shingles when the applicant demonstrates the design satisfies all other requirements of Section 16.56.030 and is compatible with the Aurora Comprehensive Plan, Section IX, Item A, Overlay Objectives; and
 - d. Any other requests that the Planning Director decides are appropriate.
5. The Planning Director or Planning Commission shall refer Gateway District development permit applications to the Historic Review Board for review and recommendation when either the Director or Commission is uncertain if:
 - a. The proposed structural facade immediately adjacent to Highway 99 or Ehlen Road is modeled after and conforms to the colony, post colony, Queen Anne, Italianette or Bungalow styles as illustrated and discussed in the City of Aurora Design Guidelines for Historic Properties. Section 16.56.030(C);
 - b. The proposed awnings are compatible with the architecture in color and design. Section 16.56.030(G);
 - c. The proposed building facade immediately adjacent to Highway 99 or Ehlen Road is designed to convey a sense of division through the use of pilasters, window and door openings, recessed entries, off-sets or other architectural details. Section 16.56.030(H); and
 - d. The proposed street scape elements, including street lamps and street furniture may conflict with or not proper transition to the Historic District overlay properties. Please note that only HRB approved "period street lamps" can be installed on Gateway District property.
6. The Planning Director and Planning Commission shall have the authority to consult with anyone for help in understanding the application and making a decision.
7. Section 16.56.020, Applicability, contains the language "The standards of this section shall apply to all aspects of such properties including, but not limited to, structural facade, yard and landscaping that are immediately adjacent to and visible from Highway 99 or Ehlen Road." The City interprets this sentence to mean that all portions of the first tier of structures that are adjacent to and visible from Highway 99 or Ehlen Road, and all other built elements of those portions of the property that are adjacent to and visible from Highway 99 or Ehlen Road, shall be required to conform to the Gateway District development standards. In the case of such structures and such elements, adjacent shall be interpreted to mean structures and property within a maximum of 200 feet from the closest right of way line of Highway 99 or Ehlen Road.
8. Section 16.56.030(F) shall be amended as follows:

- a. Delete "Vertical" and substitute "All"; and
- b. Remove the second sentence ("Historically windows were 3'-8" wide and approximately 7 feet tall.")

Exhibit A

Resolution No. 484

Policy for Processing Gateway District Development and Building Permit Applications

1. The Planning Director shall use the formal legislative Interpretation process outlined in Section 16.02.050 Interpretation, and Section 16.74, Procedures for Decision Making - Legislative, for the processing of all development, including building permit, applications within the City of Aurora Gateway District.
 - a. Initiated by Planning Director. Section 16.74.020(A)(3).
 - b. Application and Narrative - this and other memoranda. Section 16.74.020(D).
 - c. Fee and other requirements waived by Council and Planning Director respectively. Section 16.74.020.
 - d. Schedule Joint CC/PC Public Hearing for adoption. Section 16.74.030
 - e. General consolidated notice of hearing because the policy will not limit or prohibit otherwise permissible uses. Section 16.74.030.
 - f. Staff Report - this and other memoranda.
 - g. PC/CC Approval. Section 16.74.070.
2. Because the application of Section 16.56 Gateway Standards to a development appear to be ministerial, objective and not discretionary (i.e. - is the setback 10 feet greater than the setback of the base zone or not?) and because the approval of building permits is an administrative decision by the Planning Director, all development permit applications on Gateway District property, which do not otherwise require Planning Commission and/or City Council approval, shall be administratively decided by the Planning Director according to the requirements of Section 16.76, including the authority of the Planning Director to refer any application to the Planning Commission for review.
3. The Planning Director shall follow the standards for decision making contained in Section 16.76.090, and shall send formal agency referral notices and Planning Director decisions to the Planning Commission and Historic Review Board for all development permit applications involving Gateway Standards.
4. The Planning Director shall refer the following Gateway District development permit applications to the Planning Commission:
 - a. Requests for Section 16.56.030(B) - "increases in the maximum front setback where such exception is necessary to locate a landscaped storm water retention/detention facility in the front setback."
 - b. Requests for Section 16.56.030(B) - "exceptions to this subsection when the applicant demonstrates the design satisfies all other requirements of Section 16.56.030 and is compatible with the Aurora Comprehensive Plan, Section IX, Item A, Overlay Objectives;"