

DS

# 1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

January 7, 1983

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT  
JAN 10 1982  
SALEM

Dan Heffernan, Lead Reviewer  
Department of Land Conservation  
and Development  
1175 Court Street Northeast  
Salem, OR 97310

RE: City of Aurora Acknowledgement Request: Withdrawal of  
Objections

Dear Mr. Heffernan:

1000 Friends of Oregon hereby withdraws its previous objections to acknowledgement of the Aurora Comprehensive Plan and implementating measures. Those objections were set forth in a letter dated July 8, 1982. Since then, the City of Aurora has amended the plan and implementing ordinances so as to comply with the Statewide Planning Goals.

We congratulate the City of Aurora on its efforts to produce an acknowledgeable Comprehensive Plan.

Yours sincerely,



Lidwien deKroon-Rahman  
Land Use Planner

cc: City of Aurora  
Marion County

DS  
GW

LdKR:yc

CITY OF AURORA



**MARION COUNTY  
PLANNING DEPARTMENT**

LAND USE PLANNING  
ZONING & SUBDIVISION  
588-5038  
COMMUNITY DEVELOPMENT  
588-5345 or 5326

Senator Building, 220 High St. N.E. Salem, Oregon 97301

December 28, 1982

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

DEC 29 1982

Dan Heffernan  
Dept. of Land Conservation and Development  
1175 Court Street NE  
Salem, OR 97310

Dear Dan:

I have reviewed the "City of Aurora Revised Comprehensive Plan, October 1982" and would like to express the County's support for acknowledgement of the revised Plan. The City has devoted a great deal of time and effort in addressing the concerns expressed by LCDC on March 20, 1981.

The City and the County have worked together this year to formulate a revised urban growth boundary agreement which is consistent with the new Plan. Also, at the City's request, the County adopted a resolution dated December 1, 1982 which agrees to maintain the EFU (Exclusive Farm Use) zone within the Aurora UGB until annexed by the City and to revise the County's population projections to coincide with those in the Aurora Plan.

Marion County supports the acknowledgement of the "City of Aurora Revised Comprehensive Plan".

Sincerely,

*Keith S. Liden, A.P.*  
Keith S. Liden  
Associate Planner

KSL/tjt

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COGAN & ASSOCIATES

Dear Dan —

Per our recent telephone conversation, here is the information I promised to send. We can discuss at your convenience.

Thanks  
Bev Bookin

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

OCT 05 1982

SALEM

TABLE 7  
ACREAGE WITHIN PROPOSED UGB

Total Acreage		370.3
Within City Limits*		123.6
Developed	80.4	
Vacant	43.2	
Outside City Limits**		246.7
Developed	80.7	
Vacant	166.0	

\* See Table 5 for detailed land use inventory  
 \*\* Under jurisdiction of Marion County

TABLE 8  
EXISTING DEVELOPMENT IN UGB OUTSIDE CITY LIMITS

Total Acreage		80.7
Residential*	23.2	
Other Uses**	21.0	
Floodplain/Natural Hazards	37.5	

\* Allows 14,000 square foot lot, average required for septic permit, for each pre-existing residence located on a larger parcel; remainder considered "Vacant" in Table 7.  
 \*\* Includes Pioneer Cemetery, Aurora Trout Farm, Colorwash Nursery, and North Marion Baptist Church.

# HOUSING ALLOCATION ANALYSIS CITY OF AURORA

Total # of Housing Units Needed 280

<u>Housing Split</u>	%	
Single Family	65	
Multi-Family (Duplex/Apts.)	20	} 35
Mobile Home	15	
	100	

## Housing/Acreage Need by Type

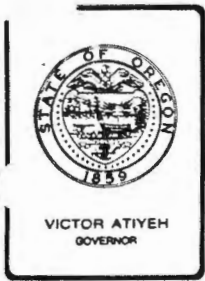
Type	# DU's	Acreage
SF (65%)	182	91
MF (20%)	56	28
Duplex (10%)	28	14
Apts (10%)	28	14
MH (15%)	42	21
	280	140

$\frac{4}{136}$  (Apt. over comm. bldg.)

## Housing Allocation by Zone

	#DUs	Acreage
R-1 Single Family	162	81
Multi Family (Duplex)	14	7
	176	88
R-2 Single Family	20	10
Multi Family (Duplex)	14	7
(Apartment)	20	10
Mobile Homes	42	21
	96	48
C-1 Multi Family (Apartments)	8	-*
TOTAL	280	136

\* Assumes 8 units = 4 acres built above commercial structures.



*dy*

*Hand carried  
late*

**Department of Transportation**

TRANSPORTATION BUILDING, SALEM, OREGON 97310

July 13, 1982

IN REPLY REFER TO  
FILE NO: PLA 16-9

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JUL 14 1982

SALEM

The Honorable Rod Yoder  
Mayor of Aurora  
P. O. Box 108  
Aurora, OR 97002

The Department of Transportation has reviewed the portions of Aurora's plan which have been resubmitted to LCDC.

Our earlier concerns regarding historic preservation have been addressed and we are pleased to support acknowledgment of the City's plan.

We appreciate your cooperation and look forward to working with the City on future land-use matters.

L. W. Rulien  
Assistant Director  
for Administration

dn

cc: Pam Brown (Marion County)  
Jim Ross/Dan Jefferman  
Greg Winterowd  
Paul Taylor

*gw  
dk  
jhc*

# 1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

July 8, 1982

Dan Heffernan  
Department of Land Conservation and Development  
1175 Court Street, N.E.  
Salem, OR 97310

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT  
JUL 12 1982  
SALEM

Re: Request for Acknowledgment, City of Aurora

Dear Mr. Heffernan,

1000 Friends of Oregon has reviewed the City of Aurora's revised Comprehensive Plan. We find the Plan to be a considerable improvement over previous submissions, and commend the City for its efforts towards meeting the Statewide Planning Goals.

However, the Plan still fails to meet a number of important requirements of Goal 10, Housing, and Goal 14, Urbanization. Specifically, the Plan fails to encourage needed housing types, and the Urban Growth Boundary is unjustifiably large. 1000 Friends of Oregon therefore objects to acknowledgment of the Plan.

We have participated in the proceedings regarding Aurora's Comprehensive Plan in letters dated January 26, 1981, January 4, 1979, and June 30, 1978. Our objections are set forth in detail below.

## I. Goal 10, Housing

Goal 10 requires comprehensive plans to determine housing needs based on the financial capabilities of households and their ability to afford different housing types at various price ranges and rent levels. The projected housing types and densities must be shown in the plan to be appropriate to satisfy the identified needs (see e.g. City of Bend Continuance Report, 5 March 1981, p. 16-24, and many others). LCDC's Housing Policy provides that "housing types determined to meet identified needs shall be permitted in a zone or zones with sufficient buildable land to meet the need," and must be permitted outright or under

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XPK



"clear and objective standards." Any standards, conditions and procedures "must not have the effect, either of themselves or cumulatively, of discouraging...the needed housing type." The Housing element in Aurora's Comprehensive Plan fails to meet these requirements in several ways.

1. Residential needs assessment inadequate due to insufficient justification for housing mix.

The Aurora Comprehensive Plan projects a housing mix of 70% Single-Family, 20% Mobile Homes and 10% Multi-Family. The only justification provided is that "the City would like to maintain its current housing mix." (Plan, p. 16)

This justification is clearly inadequate. Although data on household income and housing prices are presented in the Plan, no connection is made between these figures and the projected housing mix. In fact, income levels in Aurora are lower than those of the county and state (Plan, p. 11), while housing prices are driven up by the large lots which are required due to the absence of a sanitary sewage disposal system.

This serious constraint on development is no justification for maintaining the existing housing mix, but is all the more reason for the City to make up its deficiency in lower-cost housing as soon as a sewage treatment facility becomes available. A housing mix of 70:30:10 has not been shown to accomplish the objective of providing housing "commensurate with the financial capacities of households in the area."

2. Buildable Lands Inventory inadequate.

The Aurora Comprehensive Plan designates 117 acres of buildable lands outside the city limits, and 15.5 vacant buildable acres inside the city limits for "residential use". However, the Plan does not make it clear how many of these acres are zoned R-1 as opposed to R-2. This deficiency makes it impossible to determine whether Mobile Homes, which are permitted only in the R-2 zone, are permitted "in a zone or zones with sufficient buildable land to meet the need". The Buildable lands inventory must specify the

number of buildable acres designated for various housing types at different densities (see eg. City of La Grande Continuance Report, 5 March 1981, p. 23.)

3. Needed housing types not allowed outright or under clear and objective standards.

Multi-Family Housing, which is not defined anywhere in the Plan or ordinances, is not allowed outright in any zone except in the form of duplexes. Apartments, which are also undefined, are allowed only in the Commercial Zone, and then only "on the second floor or above, providing they are over commercial establishments on the ground floor." This provision makes the construction of multi-family housing subject to market factors affecting commercial rather than residential development, and may thus have the effect of discouraging the provision of this housing type. As mentioned before, the Plan has not determined whether apartments are a needed housing type. Unless they are determined not to be needed, they must be allowed outright or under clear and objective standards which do not have the effect of discouraging their provision.

Mobile Homes are allowed only conditionally in the R-2 zone. Their approval must meet standards expressed in Ordinance 224, which was not included in the materials available at the Portland DLCD office. It is therefore impossible for us to determine whether mobile homes are allowed under clear and objective standards. As mentioned earlier, the Plan does not specify how many acres of residentially designated land are zoned R-2, so we cannot determine whether sufficient acreage to meet the need for mobile homes and smaller duplexes is provided.

Duplexes are allowed outright in the R-2 zone at a minimum lot size of 10,000 square feet. They are allowed in the R-1 zone only if not adjacent to an existing duplex, on lots of 12,000 square feet or larger. These provisions make it doubtful that duplexes can meet all of the needs for affordable multi-family housing in Aurora.

Dan Heffernan  
July 8, 1982  
Page Four

## II. Goal 14, Urbanization

Goal 14 requires the establishment of an Urban Growth Boundary "to identify and separate urbanizable land from rural land." The size of the UGB must be based on the "need for housing, employment and liveability" (factor 2) consistent with the "demonstrated need to accommodate long-range urban population growth. . . ." (factor 1). The proposed Aurora Urban Growth Boundary is larger than can be justified on the basis of the Goal 14 need or locational factors.

According to the Plan, the size of the UGB is based primarily on the fact that no sanitary sewage disposal system is available, thus creating a need for excessively large lots to allow septic tank development (Plan, p. 16). While the Zoning Ordinance allows residential development at 5 and 7 units per acre, the size of the Urban Growth Boundary is based on the assumption of 2 units per acre. It is the City's policy to adjust the Plan as soon as the sanitary sewage disposal system becomes available.

This method of dealing with the problem of Urban Growth in the absence of urban level public facilities is not acceptable in view of the Goal 14 requirements. As stated clearly by the Commission, "A city cannot use the absence of adequate facilities and services to justify the inclusion of additional land to accommodate low-density development on septic tanks. Factor 3 requires that the City have the ability to service all areas within the UGB during the planning period" (City of La Grande Continuance Report, 5 March 1981, p. 34). On lands designated for urban intensity development for which sewers are planned within the planning period, only a need for housing "of a most urgent nature" would justify development on septic systems. (See Lake Oswego v. Clackamas County, 2 LCDC 231, Metropolitan Service District v. Washington County, 1 Or LUBA <sup>275</sup> (1980)). Since no such urgent needs have been demonstrated to exist, septic tank development can not be a justification for including excess land in the Urban Growth Boundary. The issue was stated very clearly in the City of Turner's Continuance Report, November 20, 1980, p. 27:

Dan Heffernan  
July 8, 1982  
Page Five

"The Goals do not require that the City put in a sewer system; that is the decision of the City and the Environmental Quality Commission...The Goals do require a timely, orderly and efficient arrangement of public facilities be provided. Until the City and its citizens are willing and able to commit themselves to a sewer system (including actual funding commitments), the City will have to develop the Plan in such a manner that assumes septic tank development...This will require amending the Plan which assumes a much lower growth rate."

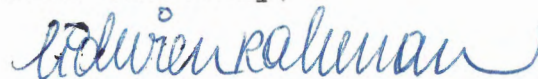
The fact that the City's subdivision ordinance attempts to encourage redivision and infill upon completion of the sanitary sewer system does nothing to alter this; the redivision policy does not prevent septic tank development in those portions of the proposed UGB which would not be included if a sewage treatment facility was now available. Further, it is unlikely one-half acre lots would redevelop at more efficient densities. Indeed, it is more likely that owners of these lots would oppose the provision of sewer and other urban facilities.

The fact that the "extra" acreage consists of prime agricultural land in farm use is all the more reason for excluding it from the UGB (Plan, p. 25).

In summary, the City of Aurora must amend its Plan to provide for needed housing types and to exclude from the UGB those lands which cannot be justified.

We appreciate this opportunity to comment on the City of Aurora's Comprehensive Plan.

Yours sincerely,



Lidwien de Kroon-Rahman  
Plan Reviewer

cc: City of Aurora  
Marion County

hand delivered  
6/3/82 10:00am ce



# MARION COUNTY

BOARD OF COMMISSIONERS

Courthouse, Salem, Oregon 97301-3670

503-588-5212

June 2, 1982

COMMISSIONERS

Gary Heer, Chairman  
Randall Franke  
Harry Carson, Jr.

ADMINISTRATIVE  
OFFICER

Ken Roudybush

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JUN 03 1982

SALEM

Jim Ross, Director  
Department of Land Conservation  
and Development  
1175 Court St. NE  
Salem, OR 97310

Dear Jim:

The Marion County Board of Commissioners held a public hearing on April 19, 1982 to consider adoption of the revised Aurora Comprehensive Plan, which was adopted by Ordinance No. 626 on June 2, 1982.

The City of Aurora has requested that we submit their plan and ordinances to the Department of Land Conservation and Development for review and acknowledgment. Attached please find six copies of the Plan and Ordinances.

Sincerely,

BOARD OF COMMISSIONERS

*Gary Heer*  
Chairman

*Randall Franke*  
Commissioner

*Harry Carson Jr.*  
Commissioner

GH:PB:ih  
cc: City of Aurora  
Greg Winterowd  
Pam Brown  
att 6



# City of Aurora

307 MAIN STREET  
PHONE 678-1283

P.O. BOX 108  
AURORA, ORE. 97002

FOUNDED 1856

"National Historic Site"

March 23, 1982

Pam Brown, Coordinator  
Marion County Courthouse  
Salem, Oregon 97301

Dear Pam,

The city council recently adopted by ordinance the " City of Aurora Revised Comprehensive Plan 1981".

I have enclosed : 3 copies of the plan and one copy of the implementing ordinances for the commissioners

*lead rev. file* → 1 copy of the plan and ordinances for Pam Brown  
6 copies of the plan and ordinances for LCDC.

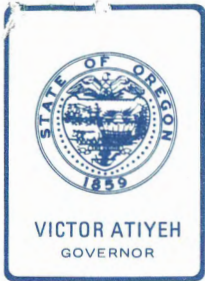
We are requesting that the county review and acknowledge our plan.

Sincerely,

*Kathryn L. Jeskey*  
Kathryn L. Jeskey  
City Recorder

**COPY**

MR



# Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

895 Summer NE

December 11, 1981

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

DEC 14 1981

SALEM

Ms. Beverly Bookin  
Cogan and Associates  
71 S.W. Oak St.  
Portland, OR 97204

RE: SS-WQ-City of Aurora  
Marion County

Dear Ms. Bookin:

I have reviewed your revised letter of December 8, and agree with your assumptions (regarding future residential density in Aurora) if the City will continue to rely on septic tanks to accommodate future growth needs. For clarification, please attach my November 6, 1981 letter to any distributions you make of this letter.

Sincerely,

Gary Messer, R.S.  
Assistant Regional Manager

COPY

GWM/wr

Attachments:

1. Cogan and Associates letter of Dec. 8, 1981.
2. DEQ letter of November 6, 1981.

- cc: Marion County Building Department w/att  
 cc: Marion County Planning Department w/att  
 cc: Craig Greenleaf, LCDC w/att  
 cc: City of Aurora w/att

Copies: MR, CB, JHC

## COGAN &amp; ASSOCIATES

December 8, 1981

RECEIVED  
DEC 1 1981State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SALEM, OFFICE

Gary Messer, Environmental Specialist  
 Department of Environmental Quality  
 1095 - 25th Street SE  
 Salem, OR 97310

Dear Gary:

Based on our recent telephone conversations and correspondence, Cogan & Associates has revised its assumptions about future residential density in the City of Aurora. As you know we are under contract to assist the city complete its comprehensive plan. In recognition of poor soil conditions and the lack of a public sewer system, we now assume the following:

- A single family home regardless of size, that is, number of bedrooms, requires a minimum lot size of 18,000 to 20,000 square feet to meet Oregon's septic tank permit requirements. Although smaller acreage requirement and/or use of more efficient redundant septic systems are permitted on lots platted before 1974, nearly all potentially developable residential land in Aurora is unplatted. Therefore, for planning purposes, we have adopted the larger lot sizes, or a density of two residential units per net acre.
- The city also will adopt a "shadow subdivision" ordinance, which permits large lot development now to meet septic tank requirements while making provisions for repartition when sewer becomes available. This ordinance establishes a minimum lot size of 22,500 square feet which can later be redivided into three 7,500 square foot lots, the minimum permitted in the zone code for a single family dwelling.

As these assumptions provide a rationale for the housing allocations in the plan, we would appreciate your review to verify their accuracy. Your letter will be submitted to LCDC as part of the completed plan.



Page 2  
Gary Messer  
December 8, 1981

We would appreciate a response to our request at your earliest convenience. Thank you.

Sincerely,

*Beverly Bookin*

Beverly Bookin  
Consulting Planner 3

BB:dls/k

cc: Katherine Jesky



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**Department of Environmental Quality**

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

November 6, 1981

• Ms. Beverly Bookin  
Cogan & Associates  
71 S.W. Oak St.  
Portland, OR 97204

RE: SS-WQ-City of Aurora  
Marion County

Dear Ms. Bookin:

I have reviewed your October 30, 1981 letter regarding the Comprehensive Plan for the City of Aurora. As a matter of record, DEQ generally does not encourage city or urban density developments that are dependent on septic tanks to meet their growth needs. From our conversations, you've indicated the City acknowledges the limitations this imposes, but have elected this avenue due to today's economic factors.

Some points in your letter need to be clarified. The use of redundant disposal systems, and sewage flow loadings based on 2 bedroom units, are only applicable to pre-existing lots created prior to 1974. Lots created after 1974 must be large enough in size to accommodate an initial drainfield system, plus an equally sized repair system. Residential lots created after 1974 are also assigned a minimum sewage flow rating of 450 gallons per day, compared to 300 gallons per day that is allowed on pre-existing lots if the owner agrees to restrict development to a 2 bedroom dwelling.

What this means is that lots that were platted prior to 1974 can qualify for the use of redundant systems and/or reduced sewage loading rates if they restrict development to two bedroom dwellings. All new or future lots must be sized accordingly to comply with the rules that went into effect in 1974.

Therefore, if you are basing future single family residential lot sizes on the 14,000 square foot figure, this may preclude obtaining septic tank approvals due to insufficient lot size. As such, the 18,000 to 20,000 square foot figure seems more appropriate.

Ms. Beverly Bookin  
Page 2  
November 6, 1981

One more note of caution. Even if the City establishes a minimum lot size, this will be no guarantee of obtaining septic tank approval. To obtain approval, the Marion County Sanitarian will need to do a soil evaluation on each proposed lot to confirm that ground water and drainage characteristics are compatible with septic tank development.

Your letter was specific to single family residential needs, and it's easy to see what limitations are created. These limitations can be expected to magnify sharply when commercial or industrial needs are considered.

Please call me at 378-8240, Salem, if you have questions.

Sincerely,

Gary Messer, R.S.  
Assistant Regional Manager

GMM/wr

Attachment: Cogan and Associates letter dated October 30, 1981.

cc: Walt Kliver, Bob Foster, Marion County Building Dept. w/att  
cc: Craig Greenleaf, LCDC w/att  
cc: City of Aurora w/att

MR

# City of Aurora

307 MAIN STREET  
PHONE 678-1283

P.O. BOX 108  
AURORA, ORE. 97002

FOUNDED 1856

"National Historic Site"

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

SEP 28 1981

SALEM



Old Aurora Colony Ox Barn, Aurora, Oregon

Clark Mear Will 1966

September 24, 1981

Craig Greenleaf, Field Representative  
Department of Land Conservation and Development  
1175 Court Street N.E.  
Salem, Oregon 97310

Dear Craig,

On the advise of our consultant we are requesting an extension of time to complete our comprehensive plan and ordinance revisions.

The plan revision itself is practically completed. The extra time is needed for public hearings, proposed ordinance reviews, etc.

The tentative schedule discussed with Bev Bookin of Cogan & Associates, proposes submittal to LCDC by January 1, 1982.

If I can answer any questions in regards to our progress, please give me a call or contact Bev Bookin at (503) 225-0192.

Sincerely,

Kathryn L. Jeskey  
City Recorder

Copies: 02, MRCC

Related to item 8.6



# MARION COUNTY

## BOARD OF COMMISSIONERS

COURTHOUSE, SALEM, OREGON 97301

March 17, 1981

COMMISSIONERS  
Harry Carson, Jr., Chairman  
Gary Hear  
Randall Franke

ADMINISTRATIVE OFFICER  
Kenneth Roudybush

TELEPHONE (503) 588-5212

LEGAL COUNSEL  
Robert C. Cannon

TELEPHONE (503) 588-5223

Lorin Jacobs, Chairman  
Land Conservation & Development Commission  
1175 Court Street NE  
Salem, OR 97310

Dear Chairman Jacobs:

On May 7, 1979 the Marion County Planning Coordinator conveyed a compliance review of the Aurora Comprehensive Plan to the Board of Commissioners. The review was purposefully detailed and included a goal-by-goal analysis of the comprehensive plan. It was hoped that by providing a review of this nature to the City and to LCDC, the serious deficiencies of the plan could be noted and corrected before it was submitted for acknowledgment.

The City did make one major change in the plan prior to its submission. The Urban Growth Boundary previously including 960 acres, was reduced to include only 425 acres. This compromise boundary was proposed by the County and was and is supported by the Board of Commissioners. There were no other significant changes made to the plan.

The compliance review of May 7, 1979 has been amended to delete those concerns previously noted which related to the size of the Urban Growth Boundary. Other deficiencies noted in the review have not been corrected and our concerns remain the same.

To summarize the attached review, it is the determination of the Board that the Aurora plan complies with only one of the twelve goals which are applicable to the City. It is recommended that the City's request for acknowledgment be denied and that the City be given the direction and support needed to make the necessary amendments to its plan. In our role as planning coordinator, the County intends to provide as much technical support and assistance as we can to the City of Aurora to help with this effort.

Sincerely,

BOARD OF COMMISSIONERS

BOC:PB

cc: Fred Saxton, Mayor  
Pam Brown  
Craig Greenleaf, LCDC

Attch

Chairman

Commissioner

Commissioner

## Compliance Review of the Aurora Comprehensive Plan

The following analysis was developed by the Marion County Planning Coordinator in May, 1979. The discussions of Goal Nine and Goal Fourteen were amended in March, 1981 to reflect the change in the City's Urban Growth Boundary.

### GOAL I - Citizen Involvement

The plan contains the following to address this goal:

The citizen advisory committee (CAC) is described on page 2.

**Discussion:** There is no information about how recommendations from the CAC were dealt with by the Planning Commission or City Council or if the citizens received a response from policy makers.

The plan does not identify agencies that are affected by the plan and does not indicate that those agencies were provided with draft copies of the plan and asked for their response.

### GOAL II - Land Use Planning

# 2

## LAND USE PLANNING

#### GOAL:

**PART I - PLANNING:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable state-wide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The

plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances. Affected persons shall receive understandable notice by mail of proposed changes in plans or zoning ordinances sufficiently in advance of any hearing to allow the affected person reasonable time to review the proposal.

The goal requires a policy framework to serve as a basis for all land use decisions.

The only policies in the Aurora Comprehensive Plan are on page 32 and

pertain to energy conservation. Policies need to be developed in all other areas.

As indicated in the discussions of each goal topic, additional inventories and factual information relating to each of the applicable goals needs to be developed and included in the plan.

Evaluations of inventories and factual data should be included for each goal topic and should serve as a basis for the ultimate policy choices of the City.

Specific implementing ordinances consistent with the plan and the statewide goals must be developed to carry out the policies of each comprehensive plan. The plan submitted to the County for review was not accompanied by any implementing ordinances.

GOAL III - Agricultural Lands

GOAL IV - Forest Lands

The plan states on page 1 that these goals do not apply to Aurora.

Discussion: The land included in the City's urban growth boundary is composed primarily of Class I, II, and III soils and is presently in agricultural use. The City should have considered the impact of development on these lands. The potential loss of this land from agricultural production should have been weighed against the need for converting it to urban uses.

GOAL V - To Conserve Open Space and Protect Natural and Scenic Resources

The goal states that:

Programs shall be provided that will: (1) insure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- a. Land needed or desirable for open space;
- b. Mineral and aggregate resources;
- c. Energy sources;
- d. Fish and wildlife areas and habitats;
- e. Ecologically and scientifically significant natural areas, including desert areas;
- f. Outstanding scenic views and sites;
- g. Water areas, wetlands, watersheds and ground-water resources;

- h. Wilderness areas;
- i. Historic areas, sites, structures and objects;
- j. Cultural areas;
- k. Potential and approved Oregon recreation trails;
- l. Potential and approved federal wild and scenic waterways and state scenic waterways.

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

The plan states on page 1, that Goal 5 does apply to the City of Aurora. The plan contains the following information to comply with this goal:

Page 2 Goal Statement 4: "To preserve and protect sites and structures of historical significance from demolition or alteration that would affect their historical significance."

Discussion: The entire Aurora Colony Historic District is listed in the National Register of Historic Places. The plan does not contain this information, a list of historic sites or any discussion of the City's history. This information should be developed and included in the plan along with policies to encourage the preservation of historic and cultural sites and an ordinance to implement the policies.

Page 21 Open Space/Agricultural Lands: "The plan contains Goals and Objectives for the preservation of open space and agricultural land until the land is needed for urbanization."

Discussion: As urbanization does occur, there are no policies to indicate that open space areas will be maintained. There is no discussion of the future location or quantity of open space areas desired by the community.

The location, quality and quantity of the remaining responses listed in Goal 5 (a through l) were not contained in the plan.

In order to comply with the goal, these resources must be identified and policies need to be developed that will preserve the resources. If any of the resources that are listed are not found in the planning area, the plan should mention them and state that they don't apply.

#### GOAL VI - Air, Water and Land Resource Quality

The plan contains the following information to comply with this goal:

Pages 6, 7 and 8 - A general discussion of the geologic formations and soils in the Aurora area. A description of the major soil associations and their limitations has also been included. There is, however, no soils map to indicate where the various soil types occur and there are no policies to control development in hazard areas.

Page 21 - This page contains a general discussion of the prime agricultural lands surrounding the City and goals and objectives that would encourage their preservation until they are needed for urban use. There are, however, no policies to carry out the goals and objectives.

Pages 7 and 26 - The quantity of water resources and the City's domestic water supply are mentioned; however, there is no information about the quality of the water or policies that would protect the water quality.



This is particularly important because all residences have septic systems and the domestic water supply is obtained from wells which could (as in the case of Donald) become contaminated.

There is no information in the plan about air quality and no policies to preserve air quality or indicate the City's intent to comply with State air quality standards.

#### GOAL VII - Areas Subject to Natural Hazards

The plan contains the following information to address the goal:

Page 3 Plan Objective 2: To plan future growth areas to avoid the high costs of development due to flood plains, steep slopes, wet areas and historic sites.

Page 7 - "All of the soils, except the Willamette, have a perched water table in winter and early in spring. For these wet soils, drainage is needed."

Page 7 - Goals and Objectives for the flood plain and a general discussion of flooding.

Page 21 - One of the objectives listed on this page is to develop a flood overlay zone to protect life and property from flood hazards.

Page 8 - "Areas of excessive slope are found throughout the Aurora area in conjunction with the Pudding River and Mill Creek. The side slopes in these areas are in excess of 25%. Such an excessive slope makes these areas unusable for more land uses except forest, pasture or open space."

Pages 7 and 21 - The terrace escarpment and steep slopes found in the planning area are mentioned on these pages; however, there is no map in the plan to identify where they are located and there are no policies to control development in slope areas.

Pages 22 and 23 - The Aurora land use plan map identifies a flood plain. In comparing the plan map to the official flood plain map of the County, it appears that a considerable amount of land subject to flooding is not identified.

Discussion: Wetlands, flood plains and areas of excessive slope limit the development potential of land in the planning area. It is essential that these areas are accurately mapped and that policies are included in the plan that will provide direction for development in these areas. The policies must also be reflected in the implementing ordinances of the City.

Board of Commissioners  
May 7, 1979

#### GOAL VIII - Recreational Needs

The plan contains the following to comply with the goal:

Page 20 - Public/Semi-Public Land Use Goals and Objectives.  
The objectives are followed by an inventory of recreational facilities in the planning area.

Discussion: While the plan states that additional park facilities will be developed as part of the requirements of subdivisions and mobile home parks, there is no attempt to assess the recreational needs of the community in the future. There are also no policies to encourage the development of facilities to meet these needs.

#### GOAL IX - Economy

The plan contains the following information to comply with the goal:

Page 3 Objective 7 - "To encourage and provide for economic growth through the provision of basic services and facilities, sound land use planning and economic incentives to attract suitable businesses and industries."

Pages 17 and 18 - Commercial land use goals and objectives.

Page 19 - Industrial land use goals and objectives.

Discussion: The plan does not include an inventory of the land that is currently developed commercially. This figure is needed to determine how much of the 30 acres which is designated commercial is available for development and if an adequate supply of land is available to accommodate the commercial development that is anticipated.

While the City has goals and objectives for commercial land use, there are no policies to implement them.

The future industrial land which has been identified along the railroad tracks appears to be appropriately designated. The property has access to the railroad and is less suitable for other urban uses because of the railroad. There is no information about the acreage contained in this designation; however, it appears to be more than adequate to accommodate any industrial development that may occur in the next 20 years.

## GOAL X - Housing

Page 3 Objective 5 - "To maintain existing housing and initiate rehabilitation of substandard housing to provide for the housing needs of the community."

Objective 10 - "To develop a housing program that encourages a variety of housing styles, densities and costs that will meet the housing needs of the area."

Discussion: In planning for the housing needs of a community, it is first essential to develop accurate population projections.

On page 11, the plan states "The average annual rate of growth in Aurora since 1970 is 7.89." However, an annexation of land to the city in 1973 resulted in an excessive increase in population for one year and falsely increased the average. A more accurate estimate of the average annual increase in population would be 5%. If the City continues to grow at the average rate, the population would increase to 1651 by the year 2000.

The projections that estimate Aurora's share of the growth in the census tract are not valid. A sewer treatment plant will soon be constructed in Donald and when the plant is constructed, Donald will be able to accommodate a greater percentage of the region's growth.

Another assumption in the plan is that the City will have a sewer treatment system in operation by 1985. John Gjersten of the Department of Environmental Quality stated that the City has no identified problems with the present septic systems. He also indicated that funds from the Federal Government to construct sewer systems have been severely cut back. Only cities with serious health hazards are going to be considered for federal funding and he does not foresee Aurora getting into that situation. He went on to say that any problems that might arise in Aurora could be easily corrected.

The only way that a sewer treatment system could be constructed in Aurora is if the City passed a bond levy and paid for it themselves. Since two such levies have been defeated, this seems unlikely.

The plan uses a population projection of 3000 for the year 2000. Since this projection is based on the assumption that a sewer system will be constructed in 1985, it cannot be considered accurate at this time.

The original 208 projection was done in 1976 and assumed that the city would continue to develop on septic tanks. This projection was made three years

ago along with projections for all of the other cities in the Mid-Willamette Valley. The regional projections have recently been reevaluated and a number of cities have found that their projections were too low. It may therefore be appropriate to consider some increase in Aurora's original projection. For a basis of comparison, we will consider the straight line projection (of 5% a year) and estimate a population of 1600- for the year 2000. This indicates that the population will increase by 1065 in the next 20 years. If the assumption in the plan is correct that the average household size will increase from 2.75 to 3.5 persons, there will be a need to construct 304 housing units in the next 20 years.

Tom Fisher, a sanitarian for the Department of Environmental Quality, indicated that soils in the Aurora area (primarily Classes I, and II Willamette, Woodburn, Clagato and Newberg Associations) are excesslent to accommodate septic drain fields. He estimated that the average lot size needed to accommodate a house, drain field and replacement area would be 18,000 square feet. This would average out to about 2.5 homes per acre and the City would need to plan for 122 acres of buildable land. It is generally recognized that a market factor of approximately 25% (30 acres) should be allowed for to assure the availability of enough land to accomodate the projected growth. A few additional acres may be needed to allow for development limitations in hazard areas. This would bring the total number of acres which are needed for residential development to approximately 160 or 170.

There is no buildable lands inventory in the plan. This is a specific requirement of the goals and needs to be developed.

If there are no vacant parcels of land in the City which are suitable for septic fields, it appears that the City is justified in including 160 to 170 acres of land in the urban growth boundary for residential development. This assumes that residential development will continue at low densities due to the lack of a sewer system.

The plan and proposed boundary presently include an additional 290 acres for residential development.

The City needs to plan for a variety of types and costs of housing. Low income and elderly housing needs are usually met through the provision of multi-family units. It is difficult, however, to construct this type of housing when there is no sewer system. The City should therefore consider special provisions for modular and mobile homes to meet the needs of these people. Housing assistance programs should also be encouraged.

#### GOAL XI - Public Facilities

The plan contains inventory material on the following subjects:

Page 25 - schools, solid waste and fire service  
Page 26 - police services, water service and sewage treatment  
Pages 27-29 - Transportation

Discussion: Policies for the provision of key facilities to meet current and long range needs are not included in the plan and must be developed to meet the goal.

The plan refers to the 1978 Regional Housing Element as stating that "Aurora's present water system will be adequate until 1990." It should be noted, however, that the Regional Housing was estimating a population of 1000 for the City of Aurora in 2000.

If the City continues to grow at its present rate, an expansion of the water system should be considered now so that it could be completed in 1985. The situation should be evaluated, policies and a capitol improvements plan should be developed.

The criteria to be considered in evaluating new developments is excellent. It allows the City to continue developing with septic tanks, but if a sewer system were ever to be developed, redevelopment would not be precluded.

There is no discussion or plan for a storm drainage system. Since high water tables are a problem, this needs to be addressed.

#### GOAL XII - Transportation

The plan contains the following information to meet the goal:

Pages 27-30 - Inventory of transportation facilities  
Pages 29, 30 - Consideration of alternate modes of transportation  
Pages 27-30 - Future transportation needs of the City and the region  
Pages 29, 30 - Conservation of energy used for transportation

The transportation section of the plan contains no goals, objectives or policies. The text indicates that the City has carefully evaluated the existing transportation facilities and is planning for the City's transportation needs in the future. The direction given in the text of the plan should, however, be restated in the form of policies.

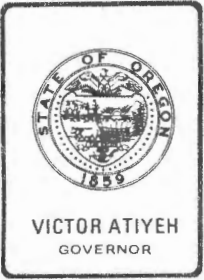
#### GOAL XIII - Energy Conservation

The plan contains the following information to comply with the goal:

Page 30 - Energy consumption in the City of Aurora  
Page 31 - The conservation of energy through efficient land use planning  
Page 31 - Consideration of alternate sources of energy  
Page 32 - Policies for energy conservation

The City of Aurora has done an outstanding job of addressing the Energy Conservation goal.

CB



# Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

January 28, 1981

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JAN 29 1981

SALEM

- W. J. Kvarsten, Director  
Department of Land Conservation  
and Development  
1175 Court Street, N.E.  
Salem, OR 97310

Re: Objection - Aurora Acknowledgement

Dear Mr. Kvarsten:

The Department reluctantly objects to LCDC Acknowledgement of the Aurora Comprehensive Plan because of deficiencies related to Goals 6 and 11. The attached memo sets out in detail the basis for our objection, along with our perception of what is needed to remedy the objection.

We look forward to working with the City in the future to address these concerns.

Sincerely,

William H. Young  
Director

MC:f

MF53

Attachment

- cc: City of Aurora  
Pam Brown, Local Coordinator  
Craig Greenleaf, DLCD Field Representative  
Jim Claypool, DLCD  
Field Division Secretary, DLCD  
DEQ AQ  
DEQ WQ  
DEQ SW  
DEQ NC  
DEQ WV, Jon Gjertsen

CG



*Marion Soil and Water Conservation District*

JAN 29 1981

1659 25TH S.E. • SALEM, OR 97302 • PHONE 399-5746

SALEM

TO: LCDC  
1175 Court Street N.E.  
Salem, OR. 97310

January 26, 1981

FROM: Dennis Koenig  
Marion SWCD, Chairman

The Marion Soil & Water Conservation District has reviewed the City of Aurora proposed Comprehensive Land Use Plan. We find no major deficiencies in the plan and we are pleased with the statement in the introduction that the policy in Aurora is to protect agricultural and forestry lands from premature urban development, even within the Urban Growth Boundary.

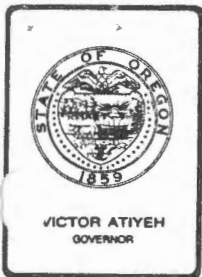
We also applaud the fact that the UGB is limited in extent because there are important farm lands, as well as flood plains, surrounding the city.

We feel the Aurora Comprehensive Land Use Plan is adequate in regard to agricultural and forest lands and natural resources.

Dennis Koenig  
Marion SWCD, Chairman

*Copies: MK, CG*

MR



## Department of Energy

LABOR & INDUSTRIES BUILDING, ROOM 102, SALEM, OREGON 97310 PHONE 378-4040

January 29, 1981

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JAN 29 1981

SALEM

Eldon Hout  
Field Division Manager  
Department of Land Conservation  
and Development  
1175 Court Street SE  
Salem, OR 97310

Subject: Acknowledgement of Compliance Request, The City of Aurora

Dear Mr. Hout:

We have completed a preliminary review of the City of Aurora Comprehensive Plan and implementation measures and do not object to acknowledgement. The plan does establish the foundation for continuing efforts to promote energy conservation and utilize renewable energy resources.

Our preliminary review indicates that additional work is necessary. We are preparing a detailed review of the plan and implementation measures which will include specific action recommendations as well as references to the best available data, case studies, technical studies and model ordinances. We will also provide to the City of Aurora technical assistance and information on services, incentives and funding resources.

Thank you for the opportunity to comment. We look forward to working closely with you and the City of Aurora during the post-acknowledgement period. If you have any questions, please call Henry Markus at 378-2856.

Sincerely,

Lynn Frank  
Director

LF/HM:cs  
1706B  
Y 7-5-3-102  
cc: The City of Aurora

COPIES TO: MR,  
CG, JHC





United States  
Department of  
Agriculture

Soil  
Conservation  
Service

1220 S.W. Third Avenue  
16th Floor  
Portland, OR 97204

MR

January 28, 1981

DEPARTMENT OF LAND  
CONSERVATION & DEVELOPMENT

FEB 08 1981

W. J. Kvarsten, Director  
Dept. of Land Conservation & Development  
1175 Court Street, N.E.  
Salem, Oregon 97310

SALEM  
postmarked 1/28/81  
clf

Dear Mr. Kvarsten;

Soil Conservation Service personnel have reviewed the Comprehensive Plan for the City of Depoe Bay, City of Aurora, Lincoln County, and the City of Medford.

We have no objections to the plans and feel the goals have adequately addressed the agricultural communities' concerns. There will be no adverse impacts on any SCS plans or projects.

The comprehensive plans are in compliance with our major interests and concerns, that of protection of soil and water resources and retention of important agricultural and forested lands.

Sincerely,

GUY W. NUTT  
State Conservationist

COPIES to: KL, BC, MK  
CG, CP, DO, DB,



The Soil Conservation Service  
is an agency of the  
Department of Agriculture

SCS-AS-1  
10-79

CG

# 1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

January 26, 1981

JAN 28

Mr. W.J. Kvarsten, Director  
Department of Land Conservation  
and Development  
1175 Court Street NE  
Salem, OR 97310

SALEM

Subject: City of Aurora Request for Acknowledgment of Compliance

Dear Mr. Kvarsten:

1000 Friends of Oregon objects to LCDC acknowledgment of the city of Aurora's comprehensive plan and implementing measures as in compliance with the statewide planning goals. Our review of Aurora's plan shows that it fails to satisfy any applicable statewide planning goal, with the possible exception of Goal 1. Our specific objections will relate only to Goals 2 (Land Use Planning), 10 (Housing), 11 (Public Facilities and Services) and 14 (Urbanization), due to limited staff time.

1000 Friends of Oregon made its objections known to the city of Aurora in letters dated December 1, 1977; May 8, 1978; June 7, 1978; June 30, 1978; January 4, 1979; and May 31, 1979; and at public hearings before the city on this matter.

## GOAL 2

1. Goal 2 requires cities to "establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land..." Aurora's comprehensive plan contains plan policies for only one goal - Energy Conservation - and those policies are so weak as to be virtually meaningless. Thus, Aurora's submittal can hardly be called a "comprehensive plan."

2. Goal 2 requires that city comprehensive plans "assure an adequate factual base" for land use decisions and actions. It further requires that implementing measures be consistent with and adequate to carry out the plan.

Aurora's factual base is inadequate. As explained in our Goal 14 objections, the city's population projection is unjustifiably high. The city's land use needs analysis (p. 15, Tables 6, 7) includes far more land than can be justified. And the city's projected needs involve twice as much land as is contained in its urban growth boundary. There is no consistency between the land use needs data and the UGB, and no justification in this plan for either.

*Copies to Mr. CC*

3. The comprehensive plan map shows two residential designations: low density residential and medium density residential. The low density residential designation allows construction at up to six units per acre. The medium density designation allows construction at up to 24 units per acre.

For the low density residential designation there are two residential zones. One of these zones requires a minimum lot size of 50,000 square feet. The plan contains no adequate justification for such a lot size, which violates Goals 10 and 14. As the Commission has recognized in its reviews of the plans of the cities of Stanfield and Oakridge, one-acre lots do not constitute an urban use of land and can discourage needed housing types.

#### GOAL 10

1. Goal 10 requires cities to inventory buildable lands for residential use. Buildable lands are lands which are suitable, available and necessary for residential use. The plan contains no buildable lands inventory nor does it state how much land is zoned for various land uses.

2. LCDC's housing policy requires cities to permit needed housing types outright or under clear and objective standards in a zone or zones with sufficient buildable land to meet the identified need. The city of Aurora currently projects a need for 69 additional mobile home units to the year 2000. However, the city's zoning ordinance does not permit mobile homes outright in any of its residential zones. Mobile homes are allowed only as conditional uses in the R-2 zone.

This approach would not violate Goal 10 if the conditions were clear and objective and could not be used to discourage or prevent the availability of this needed housing type. However, the conditions which may be imposed under Aurora's ordinance are not of a nature to assure the availability of this needed housing type consistent with Goal 10. The conditions which Aurora may impose on mobile home development are unlimited in scope and could easily serve as a device to unreasonably increase mobile home costs or to deny the use altogether. The ordinance provides:

"In permitting a conditional use or the modification of a conditional use, the commission may impose in addition to the standards and requirements expressly specified by this ordinance, any additional conditions which the commission considers necessary to protect the best interests of the surrounding property or the city as a whole." Zoning Ordinance, p. 31.

To comply with Goal 10, Aurora must allow mobile homes outright or under clear and objective standards that are limited in scope. To the extent vague language cannot be avoided, qualifying language is necessary to assure adequate opportunity for the provision of this housing type. City of Tualatin Continuance Order.

3. As noted below under Goal 14, the city's population projection is much too high. Thus, the number of "needed" housing units must be scaled down. Revised housing needs projections must also be consistent with what people in Aurora and the region can afford.

#### GOAL 11

Goal 11 requires cities to "plan a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development." Development in this manner avoids the unnecessary and premature consumption of valuable agricultural lands for urban uses and halts costly, wasteful sprawl.

There is no indication that Aurora can provide the public facilities necessary to support urban development. The city does not have a sewer system. There is no indication that Aurora will get such a system in the foreseeable future. Plan, p. 26-27. Unless Aurora can provide urban services, sprawl-type development will spread onto the Class II agricultural soils that surround the city.

Until the city is committed to and capable of providing urban level facilities and services, its UGB should not extend beyond city limits. Expansion of the UGB under current conditions would violate Goals 3, 11 and 14.

#### GOAL 14

1. The City of Aurora projects a population increase from its present 535 to 3,000 by the year 2000. This represents a 7.8 percent annual growth rate. However, Aurora has not justified this six-fold increase in population. In fact, Aurora's population is considerably in excess of the 208 Water Quality Projection (1,005) and the projection of the Mid-Willamette Valley Council of Governments (1,271). The plan contains no reasonable factual justification for its inflated population projection. 1000 Friends assumes it was used in an effort to justify inclusion of the airport within the city's UGB.

Mr. W. J. Kvarsten  
January 26, 1981  
Page 4

2. Goal 14 requires cities to establish urban growth boundaries based upon a "demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals."

The city has not adequately demonstrated a need for a UGB of 425 acres. The city has not demonstrated that it could service any UGB beyond its city limits. The city's UGB does not provide for the maximum efficiency of land uses within and on the fringe of the existing urban area. In short, the UGB is not in compliance with any of the seven factors in Goal 14.

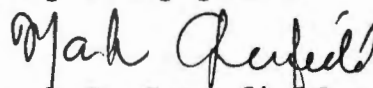
To comply with Goal 14, the city must prepare a needs projection consistent with LCDC goals. In doing so, the city must base residential land need projections on justifiable population projections and on urban level densities consistent with Goal 10. Until the city adopts a realistic population projection, it is impossible to tell how much excess land is contained in Aurora's present UGB.

#### CONCLUSION

Aurora's plan requires a complete overhauling to put it in compliance with the statewide goals. 1000 Friends is concerned that the four months provided under a continuance order would not be adequate time for Aurora to complete the job properly.

Aurora's plan violates virtually every applicable goal. The plan lacks plan policies which commit the city to particular goals and objectives consistent with the statewide planning goals. The plan lacks an adequate factual base. Thus, it may be necessary for LCDC to deny, rather than continue, acknowledgment for the city of Aurora.

Very truly yours,



Mark J. Greenfield  
Staff Attorney



Carol Ann Goon  
Plan Reviewer

MJG/CAG/eec

cc: Fred Saxton, Mayor; Pam Brown, Marion County Coordinator;  
Kathryn L. Jeskey, City Recorder

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

TO: Mitch Rohse, DLCD

DATE: January 28, 1981

FROM: Maggie Conley, DEQ

SUBJECT: Objection to Acknowledgement Request - Aurora

The Department has completed its review of the Aurora Comprehensive Plan. We believe that the plan is insufficient for acknowledgement with respect to Goals 6 and 11, and object to the plan's acknowledgement at this time. DEQ submitted comments on the Aurora Draft Plan in 1979. Though the City did address DEQ's comments on solid waste, they did not address our concerns about air quality. After our review of the adopted plan, we have found some additional problems not previously noted during the draft review of the plan which must be addressed to bring the plan into compliance with the goals.

Goal 6

Noise is adequately inventoried in the Aurora State Airport Master Plan which has been adopted by the City as a plan element. Other than the airport, there are no major noise sources in the planning area. The plan, however, does not contain a policy related to noise sources which commits the City to comply with state noise statutes.

The plan also contains no inventory information or policies related to air and water quality.

In order to comply with Goal 6, we find that the City must:

1. Amend the plan to include an inventory of air and water quality.
2. Amend the plan to include plan policies committing the City to protect air, water and land quality and comply with State and federal regulations related to air and water quality and noise.

Goal 11

The plan contains a good inventory of solid waste disposal. There is, however, no policy to coordinate future solid waste planning with Marion County.

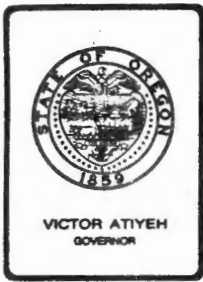
The Department has determined that in order to comply with Goal 11, the City must:

Amend the plan to include a policy to coordinate future solid waste disposal planning with Marion County.

Comment

The City should mention in the plan that no future industrial uses will be able to develop in Aurora without a sewage treatment facility. There are no health hazards in the planning area at present due to residential and commercial development on subsurface sewage disposal systems. However, since industrial development on subsurface disposal systems would probably cause a health hazard, it is very unlikely that any subsurface permits will be issued for industrial uses. Until the City is able to construct a sewage treatment facility, industrial growth will be limited.

MC:g  
RG121 (1)



# PUBLIC UTILITY COMMISSIONER OF OREGON

LABOR & INDUSTRIES BUILDING, SALEM OREGON 97310 PHONE (503) 378-6351

January 23, 1981

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JAN 26 1981

SALEM

Mr W J Kvarsten, Director  
Department of Land Conservation  
and Development  
1175 Court St NE  
Salem OR 97310

Mayor  
City Hall  
Aurora OR 97002

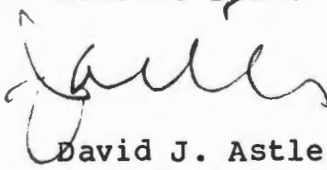
The Department of Land Conservation and Development (DLCD), by letter dated December 15, 1980, requested that the Public Utility Commissioner review the City of Aurora's Comprehensive Plan prior to its certification by the Land Conservation and Development Commission as being in compliance with ORS Chapter 197 and the Statewide Planning Goals.

That portion of the Comprehensive Plan relating to public railroad-highway crossings has been reviewed. As written, no comment by this agency is necessary.

The Commissioner's statutory responsibilities with regard to grade crossings are found in ORS Chapter 763 and have been summarized in attachments to our agency coordination program which was furnished to the City of Aurora by our letter of June 9, 1978.

The Commissioner will reserve the right to question and disapprove future grade crossing applications or the retention of existing grade crossings included in the Comprehensive Plan if they can be shown to be unnecessary.

It is requested that this agency be informed of your Commission's action on the City of Aurora's Comprehensive Plan.

  
David J. Astle  
Assistant Commissioner  
Rail-Air Program

fnm/0204F-1

cc: SIR 854, SUB 1  
C-Line General File

Copy: MR, CP





Suite 203  
3850 Portland Rd. N.E.  
Salem, Oregon 97303  
Phone: 364-2470

January 15, 1981

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JAN 22 1981

SALEM

Mr. W. J. Kvarsten, Director  
Dept of Land Conservation & Development  
1175 Court St NE  
Salem, OR 97310

Attn: Mr. Mitch Rohse, Lead Reviewer

Re: Objection to Acknowledgment of the Aurora Comprehensive Plan

Dear Mr. Kvarsten:

Oregon Manufactured Housing Dealers Association (OMHDA) has completed its review of the Comprehensive Plan and Implementing Ordinances submitted by the City for Acknowledgment of Compliance.

In general, we found the documents to be well considered. However, we believe that in certain respects the Plan and Ordinance do not comply with the statewide goals. Therefore, we must reluctantly object to LCDC acknowledging the Plan at this time.

We were unable to participate directly in the development of the Plan. However, if LCDC continues the Plan for further work, we will assist the City in correcting the deficiencies noted herein.

I

Goal 2 requires that "The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans."

In comparing the Plan Maps and Zone Maps we noted some conflicts. Areas that have been planned industrial have been zoned for residential uses.

II

Goal 2 and 10 require that vacant buildable lands be inventoried by zone designation. We were unable to find this information in the documents submitted for review. Because manufactured housing is restricted to the R-2 zone, we are particularly interested in knowing whether there is sufficient vacant buildable lands within this zone to accommodate the need for manufactured housing. This information becomes even more important when one considers that this is the only zone in which multi-family dwellings (duplexes) are a permitted use.

January 15, 1981

Objection to Acknowledgment of the Aurora Comprehensive Plan  
page two

### III

Goal 2 requires that there be an adequate factual basis for decisions and policy. Goal 10 requires that the need for various types of housing be determined and quantified.

The Plan, at page 15, notes that in 1978 manufactured housing comprised 23% of the Cities total housing stock. Also, at page 15, the Plan projects that by the year 2000 manufactured housing will comprise only 11% of the total housing stock, but that conventional single family dwellings will make up 65% of the total housing stock.

We were unable to find a basis in the Plan to support the assumption that manufactured housing will shrink as a proportion of the housing mix. In fact, this assumption seems to contradict a wealth of other information to the contrary. The Plan itself, at page 16, notes that "The median-income family... cannot afford today's median priced new home." The State Housing Division has information which indicates between 1970 and 1979 manufactured housing has accounted for 20% of all new housing units added to the States housing supply.

The Portland HUD Office has completed a study which shows that only 19% of Portland households can afford the average priced new home, while 48% of Portland residents can afford the average manufactured home and land.

Therefore, we request that the City amend their needs projection or justify the present projection.

### IV

Goal 10, as interpreted by the LCDC Housing Policy, requires that needed housing not be subjected to vague and discretionary conditional use approval criteria. The Comprehensive Plan, at page 15, notes that manufactured housing is needed within Aurora.

Manufactured housing is not a permitted use within any zone and is a conditional use only in the R-2 zone. As a conditional use, the siting of manufactured housing is subject to § 6.010 of Article VI of the Zoning Ordinance. This section states that "In permitting a conditional use the Commission may impose, in addition to the standards and requirements specified by this Ordinance, any additional conditions which the Commission considers necessary to protect the best interests of the surrounding property or the City as a whole. Clearly § 6.010 violates Goal 10.

In summary, we request that the acknowledgment of this Plan be continued until the City, 1) resolves plan/zone conflicts, 2) inventory vacant buildable land by zone designation, 3) develop new projections on future housing mix and quantify housing need by types of housing and 4) amend § 6.010 of the Zoning Ordinance and permit manufactured housing within a zone(s) with sufficient vacant buildable land.

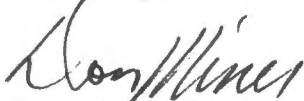
January 15, 1981

Objection to Acknowledgment of the Aurora Comprehensive Plan  
page three

During the continuance we request that you urge the City to consider allowing manufactured housing in subdivisions and upon individual lots (subject to standards).

We appreciate this opportunity to express our concerns. If we can be of further assistance, please feel free to call.

Sincerely,



Donald W. Miner  
Staff Attorney

DM:st

cc: Salem/Albany Chapter Dealers  
Portland Chapter Dealers  
Kathy Keene, Oregon Business Planning Council  
Mary Holly, Dept of Commerce, Housing Div  
Bill Latham, WMHI  
Craig Greenleaf, LCDC Central Office  
Pam Brown, Coord. Marion County  
Kathryn Jeskey, Aurora City Hall

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Room 1590, Federal Building, 1220 SW 3rd Avenue  
Portland, Oregon 97204

January 16, 1981

CC: [unclear]

MENT

W. J. Kvarsten, Director  
Department of Land Conservation & Development  
1175 Court Street NE  
Salem, OR 97310

SALEM

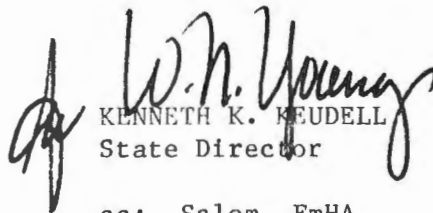
RE: Review of Comprehensive Plan and Ordinances  
City of Aurora

Dear Mr. Kvarsten:

Farmers Home Administration has reviewed the comprehensive plan and ordinances for the City of Aurora and has no objection to the Oregon Land Conservation and Development Commission's acknowledgement of the comprehensive plan and ordinances. We find no conflict with Farmers Home Administration policies, or with our plans and projects for the area.

We appreciate the opportunity of making this review, and request that we be provided with a copy of the Department of Land Conservation and Development's Staff Report.

Sincerely,

  
KENNETH K. KEUDELL  
State Director

cc: Salem, FmHA  
District Director 2, FmHA

LEV:vt

COPIES TO [unclear]

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

TO: Claire Puchy, DLCD

DATE: January 12, 1981

FROM: Maggie Conley, DEQ

SUBJECT: Preliminary Review of Current Comprehensive Plans

The following list includes tentative comments on those jurisdictions scheduled for review by LCDC at the March 19 and 20, 1981, meeting. Unfortunately, I have not yet had an opportunity to discuss these plans with the appropriate regional offices. I would appreciate hearing from lead reviewers after they have had a chance to do a preliminary review of the plans.

Aurora (Mitch Rohse)

The plan fails to contain inventories of air and water quality or noise sources. There are also no policies related to air and water quality, noise, or solid waste. I have not yet had an opportunity to check the airport master plan to determine if the area within the noise contours has been properly planned and zoned. I will, however, do this before making final comments on the plan. We will probably be objecting to the plan for lack of inventory information on air and water quality and noise sources and for lack of policies related to air and water quality, noise, and solid waste.

Depoe Bay (Ken Lerner)

The plan contains very little inventory information on air quality. The plan mentions the importance of surface water quality to the City, however, there is no actual discussion of the quality of the water. The plan also contains no inventory information on noise sources. The plan policies related to air and water quality, noise sources, and solid waste are probably adequate. We will probably be objecting to the lack of inventory information related to surface water quality and noise sources.

Lincoln City (Gary Gustafson)

The air and water quality inventories appear adequate. The plan contains no inventory information on noise sources, however, the findings state that surveys have identified noise as a problem (Findings, p. 23). The plan, also, contains no policies related to air and water quality. We will be objecting for lack of inventories on air and water quality, noise sources, and lack of policies related to air and water quality.

Lincoln County (Claire Puchy; Don Oswald)

No preliminary comments will be made on Lincoln County at this time. I will, however, be in contact with lead reviewers as I conduct my review of the plan.

Medford UGB (Dale Blanton)

The UGB Management Agreement contains a policy to coordinate long-range transportation and air quality planning with "all affected transportation agencies." There should also be a policy to coordinate air quality planning with DEQ. There may also be a problem with the large amount of land zoned for industrial use in the UGB unless there is a provision in the zoning ordinance to provide review of all developments for impact on the regional air quality or to limit developments which impact air quality. Another problem may result from the high-density residential plan designation located southeast of the airport, if it is within the airport contours. I will check to see where this area is located in relationship to the projected year 2000 noise contours associated with the airport. We will probably be objecting for lack of policies and possibly for lack of implementing measures related to air quality, which is a major problem in the Medford region.

Myrtle Creek (Bob Rindy)

DEQ has already entered an objection to the Myrtle Creek plan. We do not plan on amending that objection at this time.

North Plains (George Samaan)

The plan contains adequate inventories for air quality, noise sources, solid waste, septic tanks and sewage disposal. There is, however, no actual discussion of surface water and groundwater quality. Plan policies appear adequate for all relevant issues. We will probably be objecting to the lack of water quality inventory.

North Bend (Gary Gustafson)

The plan has inventories of air and water quality, noise sources, and sewage disposal facilities. More details should be provided on sources of water pollution. The air and water quality policies, though very general, are probably adequate. There are no policies related to noise or solid waste planning with the County. We will probably be objecting to this lack of policies.

Waldport (Brook Robin)

The plan appears to contain adequate policies related to air and water quality, noise, and solid waste management. There is, however, no inventory information related to air, water, noise, or solid waste included in the plan. Unless I am able to find additional inventory information in the lead reviewer file, I will be objecting to the plan.



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

# City of Aurora

307 MAIN STREET  
PHONE 678-1283

P.O. BOX 108  
AURORA, ORE. 97002

FOUNDED 1856

"National Historic Site"

September 18, 1980

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPEMENT  
1175 Court Street, NE  
Salem, Oregon 97310

SEP 19 1980

SALEM

Attention: Mr. Craig Greenleaf  
Field Representative

Dear Craig,

As you are aware, the Aurora City Council adopted by Ordinance, a work program for UGB and Plan Revision to be completed no later than January 31, 1981. This completion date was based on being able to begin right away.

It is our understanding based on conversation you had with Sumner Sharpe, that the Land Conservation and Development Commission will not be able to make a determination on Aurora's plan for a couple of months. Therefore, the City of Aurora requests that our completion date be changed from January 31, 1981, to a date five to six months following the determination of the commission. This would give us time to consider the recommendations of the commission.

Sincerely,

*Kathryn L. Jeskey*

Kathryn L. Jeskey  
City Recorder

KLJ/sf

cc: Pam Brown  
Sumner Sharpe

CG  
Answered by phone Sept 23, 80  
stated that acknowledgement  
review will not likely occur  
before Jan or Mar and  
that acceptance and a 30 day  
5 months to complete work  
on the plan. CG  
copies to: CG, JBK

DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT

JUN 30 1980

City of Aurora  
P. O. Box 108  
Aurora, OR 97002  
June 25, 1980

SALEM

Pam Brown  
County Coordinator  
Dept. of Community Development  
Senator Building  
220 High Street, NE  
Salem, OR 97301

Dear Ms. Brown:

Enclosed are six copies of the Aurora Comprehensive Plan, six copies of our subdivision and zoning ordinances, one copy of the urban growth boundary and policy agreement between the City of Aurora and Marion County. These are being submitted to you as per your request. In so submitting these documents we are requesting acknowledgement of our plan from Marion County and LCDC. It is our understanding that these documents will be submitted to LCDC in time to comply with the July 1 submission date requirement which will qualify the City to use available maintenance funds for UGB and plan revision as per our adopted work program.

Sincerely,

Fred Saxton, Mayor  
City of Aurora

FS:SS:kjm



Enclosures



# City of Aurora

307 MAIN STREET  
PHONE 678-1283

P.O. BOX 108  
AURORA, ORE. 97002

FOUNDED 1856

"National Historic Site"

DEPARTMENT OF  
LAND CONSERVATION  
AND DEVELOPMENT

OCT 10 1979

SALEM



Old Aurora Colony De Boer, Aurora, Oregon

Clark Moon Will 1966

October 10, 1979

Department of Land Conservation & Development  
1175 Court Street N.E.  
Salem, Oregon 97310

Dear Mr. Kvarsten,

We held a joint meeting of the City Council and City Planning Commission to discuss the problems with our urban growth boundary and comprehensive land use plan. We are also concerned with our lack of progress, however, we do not feel that we are ready for mediation at this time.

The amount of time and money ( even though the greater portion was grant money) spent on trying to obtain an acceptable urban growth boundary and comprehensive plan has been very frustrating for us. It appears that the more effort we put in, the less we accomplish. Everytime we think we are making some progress, either the rules change or the people interpreting the rules change.

We had a meeting early this year in the office of Craig Greenleaf which was attended by myself, the city recorder, Ric Wilson, Pam Brown and Craig. It was our understanding that the purpose of that meeting was to iron out any major problems before the final draft of our plan was officially sent to the county. In all honesty, I walked away from that meeting feeling that we had no major problems with our plan. The indepth review dated May 7, 1979 from Pam Brown to the Marion County Board of Commissioners was quite a shock to me. This comprehensive review would have been extremely helpful to the City had we received it before the public hearing was scheduled.

We have revised our urban growth boundary several times and cut it down considerably because of county insistance that it was too large. I agree with the county that we are at a stalemate, however, we do not agree that the cities proposed urban growth boundary can not be justified. It is the position of the City at this point that we cannot further reduce our proposed boundary. We are presently working on economic data, land inventories and other data which we feel will aid in justifying our proposed boundary.

Sincerely,

Frank A. Ames  
Mayor

cc: Harry Carson  
Pam Brown

*hand delivered 8:55*

# MARION COUNTY

## BOARD OF COMMISSIONERS

COURTHOUSE, SALEM, OREGON, 97301



COMMISSIONERS  
Harry Carson, Jr., Chairman  
Randall Franke  
Pat McCarthy

EXECUTIVE OFFICER  
Harold F. Brauner

LEGAL COUNSEL  
Frank C. McKinney

TELEPHONE 588-5212  
AREA CODE 503

August 1, 1979

W. J. Kvarsten, Director  
Department of Land Conservation  
and Development  
1175 Court Street NE  
Salem, Oregon 97310

DEPARTMENT OF  
LAND CONSERVATION  
AND DEVELOPMENT

AUG 2 1979

SALEM

Dear Wes:

The City of Aurora and Marion County have agreed to seek mediation from the Land Conservation and Development Commission on the issue of the location of the Aurora Urban Growth Boundary. Both Marion County and the City of Aurora have agreed to resolve the conflict consistent with the Commission's determination.

Both jurisdictions have developed and adopted boundaries which they feel are appropriate and can be justified. Generally, the city has defined a boundary and developed its comprehensive plan for a target population of 3,000 people. The city also desires to include the land adjacent to the Aurora Airport within the boundary. The county, on the other hand, estimated the population increase which could be expected in the next 20 years and, based on the factors in Goal 14, determined how much land would be needed in the boundary. The boundary which was adopted by Marion County is 535 acres smaller than the boundary adopted by the City of Aurora.

The two jurisdictions have attempted to resolve their differences for several years and at this time have come to a stalemate. It is therefore our desire to have LCDC review these issues with regard to the Goals and Guidelines.

The attached report represents Marion County's position in regard to this request. The Commission's attention to this matter would be appreciated as soon as possible. Work on the Aurora Comprehensive Plan has come to a halt and cannot progress until this matter is resolved. Any further communication on this matter should be directed to both jurisdictions.

Sincerely,

BOARD OF COMMISSIONERS

*Harry Carson, Jr.*  
Harry Carson, Jr.  
Chairman

cc: Pam Brown  
City of Aurora

August 15, 1979

Harry Carson, Jr.  
Chairman, Marion County  
Board of Commissioners  
Courthouse  
Salem, OR 97301

Dear Harry:

In your letter of August 1, you indicated that the City of Aurora and Marion County had agreed to a mediation action by the Land Conservation and Development Commission. We have not received such a request from the City of Aurora and have been told by Pam Brown, Marion County Coordinator, that the City Council has decided not to submit the boundary for mediation by the Commission.

I am very concerned that progress on the plan has come to a halt as a result of this issue. It is our desire to see this quickly resolved in a manner consistent with the Statewide Goals.

I have asked Craig Greenleaf, our Field Representative for this area, to contact the city and to offer his assistance in the resolution of this dispute. I am looking forward to a quick resolution of this problem in order to remove this obstacle to the completion of the plan.

Cordially,

W. J. Kvarsten  
Director

WJK:CG:ka

cc: Frank Ames, Mayor, City of Aurora  
Pam Brown, Marion County Coordinator  
Eldon Hout, DLCD