

Agenda
Aurora Planning Commission Meeting
Tuesday, December 5, 2023 at 7 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

To participate via Zoom:

<https://us02web.zoom.us/j/82413831233?pwd=SHRRcVQzbE4zWThOdjN5bEwvRVAvUT09>

Meeting ID: 824 1383 1233

Passcode: 182234

1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING

2. ROLL CALL

Chairman Joseph Schaefer

Commissioner Craig McNamara

Commissioner Bud Fawcett

Commissioner Jim Stewart

Commissioner Jonathan Gibson

Commissioner Tyler Meskers

Commissioner Bill Graupp

3. CONSENT AGENDA

a) Planning Commission Minutes – November 7, 2023

4. 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.

5. CORRESPONDENCE-NA

6. NEW BUSINESS-NA

7. HEARING-NA

8. OLD BUSINESS

a) Airport Land Use Update

State Aviation Board Meeting, December, 7, 2023 – Planning & Programs
Manager Update

b) Economic Opportunities Analysis

-Technical Advisory Process

-Visioning Process

c) Code Amendments for Review – Anticipated February 2024 Hearing

9. ADJOURN

Minutes
Aurora Planning Commission Meeting
Tuesday, November 7, 2023 at 7 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT: Stuart A. Rodgers, City Recorder

STAFF ABSENT: NA

VISITORS PRESENT: NA

1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING

Chair Joseph Schaefer called the meeting to order at 7pm.

2. ROLL CALL

Chairman Joseph Schaefer-Present

Vice Chair Craig McNamara-Present

Commissioner Bud Fawcett-Present

Commissioner Jim Stewart-Present

Commissioner Jonathan Gibson-Present

Commissioner Tyler Meskers-Present

Commissioner Bill Graupp-Present

3. CONSENT AGENDA

a) Planning Commission Minutes – October 3, 2023

Commissioner Tyler Meskers moved to accept the Consent Agenda, Commissioner Jonathan Gibson seconded, and the motion carried.

4. VISITORS

There were no visitors, but Chair Joseph Schaefer introduced City Planner Curt Fisher and noted in this role he will help the city with text amendments this evening, the EOA ongoing with the Mid-Willamette Valley Council of Governments doing zone mapping for this project as well as the buildable lands inventory – in addition to day-to-day planning work.

5. CORRESPONDENCE

a) State Aviation Board Meeting October 5, 2023 – Agenda, Wilsonville Commentary
This was noted as routine business.

b) Overflight Database - Additional Information

Peter Shikli was referenced as integral to this database project.

c) Aurora Master Plan Project Survey #1 Summary

Schaefer noted that summaries can be found on page 23 of the packet.

d) DEQ Termination Notice to TLM Holdings

This item referenced later discussed under Old Business, Airport Land Use Update.

e) ODOT Open House re I-5 Boone Bridge and Bike-Pedestrian Facility Replacement Project in Wilsonville – Thursday, November 16
The projected completion for this total bridge replacement project is 2028 or 2029.

f) Proposed Metro Metropolitan Planning Area (MPA) Boundary Extension
Chair Schaefer noted that Mayor Asher is concerned about this extension and will attend a meeting in Salem tomorrow. Schaefer said he understood the extension was not for Metro to expand its own boundary but that it relates to a metropolitan statistical area. Planner Curt Fisher noted he attended a meeting on the subject and that the primary driver is the US Census. The federal government has areas called Federal Urban Aid Boundaries (FAUBs) redrawn every ten years based on changes in census data. Aurora already had a FAUB established by the census ten years ago. They've looked at the new data and reconfigured the boundary accordingly. Then there is a smoothing exercise where they look at partial parcels that make sense to include even though they did not fall in the strict definition of the boundary. This distribution makes areas eligible for federal transportation funding mainly on the urban roads (highways, collectors), generally not local streets. This boundary needs to coordinate with the metropolitan planning area, also a census-driven boundary, and it needs to be contiguous. Some of the questions are: how does this relate to the metropolitan planning organization and what Aurora's voice would be in that organization and to what extent would Aurora have a voice in participating in the functions of that governing body. To clarify, it does not have anything to do with City of Aurora being included in Metro but mainly for distributing transportation dollars.

6. HEARING-NA

7. OLD BUSINESS

a) Airport Land Use Update – Aurora Airport Master Plan Chart

The master plan has been high centered for a year now. The project website has been redone recently and includes a master plan chart as included in the packet. Commissioner Jonathan Gibson provided a PAAM update, including ongoing issues with staff air traffic controller positions, the trees, and repainting of the stripes will require a shutdown of the airport.

On the four regular items involving the airport, Schaefer noted 1) litigation regarding the original master plan, still sitting at the Court of Appeals. There is also 2) litigation against TLM regarding the church camp. The big news last week (p.28 of packet) was that DEQ revoked TLM's 1200C stormwater permit, something Schaefer asked DEQ to do repeatedly over many months and reflects the agency's recognition there is no land use approval. Marion County and ODAV have refused to do likewise, so there is a hearing January 5, 2024, where these parties are trying to get the case thrown out. Aside from 3) the Economic Opportunities Analysis, there is the 4) new master plan with draft chapters awaiting Federal Aviation Administration comment.

Schaefer noted he discussed with Mayor Asher the idea of outreach by Planning Commissioners on the subjects of EOA and UGB expansion to other regional governments. All commissioners and Council members will be invited to participate by

attending meetings and being available to answer questions. No meetings are on the calendar yet.

b) Economic Opportunities Analysis (Flow Chart)

Chair Schaefer provided background on the flow chart included in packet materials. The administrative rule numbers are included for each element of the chart or a road plan for the next few months.

a. Technical Advisory Committee

A tentative list of participants includes government economic development representatives from Wilsonville, Canby, Hubbard, and Department of Land Conservation and Development, among others. Private sector economic development participants who have industrial development experience, including from the airport, will be invited to join this committee.

b. Visioning Process

This process will be included as part of regular Planning Commission meetings.

c) Code Amendments for Review – Blackline Format by City Planner

The first change includes a recreational vehicles definition on page 53 of packet, and pages 58-9 outline text amendments for recreational vehicles. Page 61 outlines an allowance of retail marijuana open business hours until 10pm – a glitch occurred since the last code update involving this section with an 8pm hour of closure, not 5pm as currently in code. Page 62 has a suggestion from the City Planner to include residential home as defined in the Oregon Revised Statutes in city code. Pages 63-5 provides the city discretion under its own code to withdraw a decision if a decision has been appealed to LUBA. This will give the city an ability to do so and avoid paying attorney's fees. Page 66 clarifies that vehicles cannot be parked in front of any US Postal Service-owned mailbox or receptacle. Page 67 starts a set of stormwater standards from Oregon Plumbing Specialty Code as showcased in Clackamas County's outline for application at the local level. It was noted this is a building code issue, and Commissioner Stewart and Schaefer will search for local government examples of where this stormwater code could be placed in the Aurora Municipal Code. Page 73 removes DEQ as a decibel level measuring device training source. The City Recorder will draft language that suggests that training can suffice by use of the instruction manual pertaining to the decibel measurement device. Page 75 strikes the word "continuously" given that no animal barks in such a manner. Page 77 deals with responsibility for sidewalk maintenance. Code currently provides for owner responsibility from the side building lines out to the sidewalk. This amendment extends that responsibility for sidewalk maintenance to the property line or to include the sidewalk of the entire frontage. Schaefer noted he will work with Fisher for airport overlay zone text. Schaefer is not going to rewrite this code but rather add language to clarify the information already provided, effectively translating what is there into English (i.e., x feet above sea level). Notice to DLCD for first hearing in January. For the non-Title 16 code amendments not related to development code, these will go through the same DLCD notification process. The longest lead item will be the plumbing code, relative to a January hearing.

d) ADJOURN

Chair Schaefer adjourned the meeting at 7:54pm.

Joseph Schaefer, Chair

ATTEST:

Stuart A. Rodgers, City Recorder

DRAFT



OREGON DEPARTMENT OF AVIATION

State Aviation Board Meeting

December 7th, 2023

Planning & Programs Manager Update

 (503)378-4880

 3040 25TH STREET, SALEM, OR 97302

 WWW.OREGON.GOV/AVIATION

   ORAVIATION

Planning & Grants Team



Andria Abrahamson
Grant Programs Coordinator
& Fiscal Analyst



Brandon Pike
Aviation Planner



Vacant
Grant Programs Coordinator
PMP & PEP Coordinator

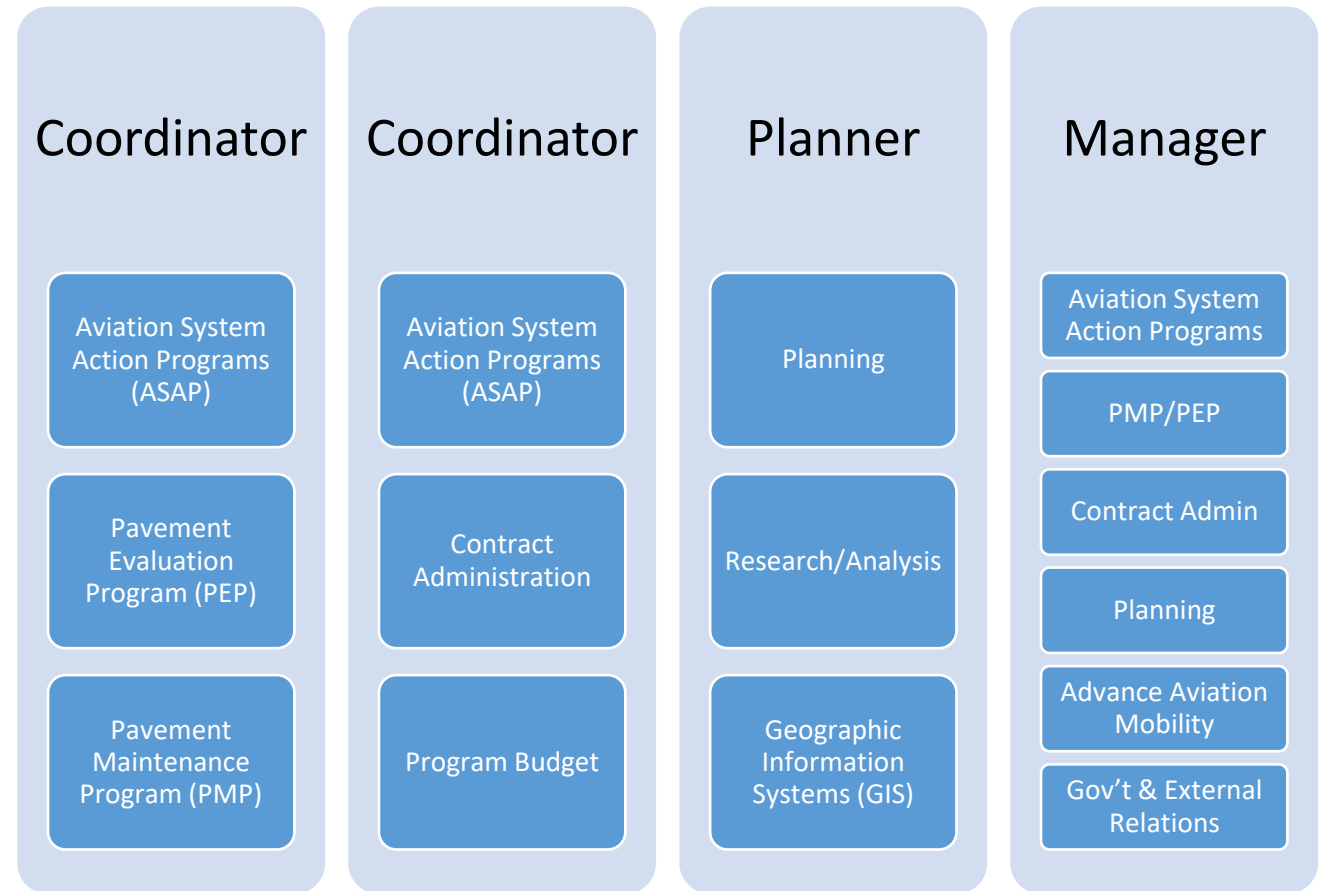


Alex Thomas
Planning & Programs
Manager

Position Description Revisions

✈ Revisions to Two Program Position Descriptions:

- ✈ One position to be modified to include Pavement Maintenance and Pavement Evaluation Program coordination duties:
 - ✈ Duties shared between coordinator and manager.
- ✈ One position to be modified to include contract administration duties:
 - ✈ Duties shared between coordinator and manager.



Oregon Administrative Rules (OAR)

- Oregon Administrative Rules (Chapter 738) coordination transitioning from Oregon Department of Transportation (ODOT) to Oregon Department of Aviation (ODAV).
 - ODAV retains \$16,900+ per biennium.
 - Transition temporarily to Alex Thomas as of 1/1/2024.
- ASAP rules (OAR 738-124) in review with ODAV team and Department of Justice (DOJ) to provide clarification and simplification of program rules.

Contract Administration

- Contract administration being transitioned from ODOT to ODAV.
 - ODAV retains \$158,000+ per biennium.
 - Planned transition date scheduled for 4/1/2024.
 - Transition extension available if needed to ensure adequate consistency and training opportunities for incumbent.
- In-house contract administration provides an opportunity for quicker turnaround time for projects, direct line of communication, and team-based collaboration within ODAV.
- DOJ partnership strengthening to strive towards consistent turnaround times with applicable contracts (over \$150,000).

Land Use Policy & Procedures

- Department of Land Conservation and Development (DLCD) lead multi-state agency land use network:
 - Ensuring alignment and consistency for land use policy across the state
 - First meeting scheduled December 12, 2023
- DOJ and ODAV review of internal land use policy to ensure defined and consistent management and follow up of statewide aviation related land use policies and procedures.

INTERESTS & QUESTIONS?



ADDITIONAL DOCUMENTS

From: [Joseph Schaefer](#)
To: [Recorder; Curt Fisher](#)
Cc: [Craig McNamara](#)
Subject: Re: Draft PC Minutes, Code Amendments
Date: Monday, December 4, 2023 6:31:43 AM
Attachments: [image001.png](#)

one of the sections (there may be more) to revise is 16.38.060.C

From: Joseph Schaefer
Sent: Monday, December 4, 2023 6:26:35 AM
To: Recorder; Curt Fisher
Cc: Craig McNamara
Subject: Re: Draft PC Minutes, Code Amendments

The target is also the Gateway standards, which should prohibit barb wire and probably chain link as well.

From: Recorder
Sent: Thursday, November 30, 2023 4:32:56 PM
To: Curt Fisher; Joseph Schaefer
Cc: Craig McNamara
Subject: RE: Draft PC Minutes, Code Amendments

Hi Curt,

Just a clarification on this code amendment. We will allow barbed wire fencing in the industrial zone as indicated below. The code citation below is our target, including the need to remove part B relative to barb wire outside of the industrial zone (i.e., "adjoining residential property lines").

Please weigh in with your thoughts as to what we're trying to do.

8.08.080 Fences.

- A. No owner or person in charge of property shall construct or maintain a barbed-wire or razor wire fence **except in the industrial zone.**
- B. Notwithstanding subsection A of this section, a fence constructed of other materials may be capped by barbed-wire that shall be placed no less than six feet, six inches from the ground, provided that the fence is no closer than three feet from a sidewalk, public way, or adjoining residential property lines.

Thanks!

Stuart A. Rodgers
Aurora City Recorder
O - 503-678-1283
C - 503-409-1434

From: Recorder

Sent: Thursday, November 30, 2023 2:17 PM

To: 'Curt Fisher' <cfisher@MWVCOG.ORG>; Joseph Schaefer <JSchaefer@ci.aurora.or.us>

Cc: Craig McNamara <CMcNamara@ci.aurora.or.us>

Subject: RE: Draft PC Minutes, Code Amendments

Hi Curt,

Joseph and I spoke today about an addition to our code amendments, namely, to **prohibit barbed wire fencing**. Hopefully I captured the desired addition – feel free to add anything additionally, Joseph.

Relevant code sections are as follows:

Title 16.38.060 C. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the Planning Director. Except in industrially zoned property, chain link fencing is not permitted in the area from the front building line to the front of the property line. PVC coated chain link fencing may be used only behind the required front yard setback or in rear yards. Corrugated metal is not considered to be acceptable fencing material. **Barbed wire fencing, whether on top of a fence or wall or other use, is prohibited.**

Title 16.56.040 H. Landscaping [reference section to code citation above]

Thanks!

Stuart A. Rodgers

Aurora City Recorder

O - 503-678-1283

C - 503-409-1434

From: Recorder

Sent: Thursday, November 30, 2023 9:07 AM

To: 'Curt Fisher' <cfisher@MWVCOG.ORG>; Joseph Schaefer <JSchaefer@ci.aurora.or.us>; Jim Stewart <JStewart@ci.aurora.or.us>

Subject: RE: Draft PC Minutes, Code Amendments

Thanks, Curt.

That should give us plenty of time to hammer out the other items referenced below.

Stuart A. Rodgers

Aurora City Recorder

O - 503-678-1283

C - 503-409-1434

Chapter 16.32 - ENVIRONMENTAL PERFORMANCE STANDARDS

-

- 16.32.010 - Purpose.

- The purpose of this chapter is to apply the federal and state environmental laws, rules, and regulations to all land use within the city.

(Ord. 415 § 7.90.010, 2002)

- 16.32.020 - General provisions.

A.

In addition to the regulations adopted in this chapter, each use, activity or operation within the city shall comply with the applicable state and federal standards pertaining to noise, odor and discharge of matter into the atmosphere, ground, sewer system, or stream. Regulations adopted by the State Environmental Quality commission pertaining to non-point source pollution control and contained in the Oregon Administrative Rules shall by this reference be made a part of this chapter.

B.

Prior to issuance of a building permit, the Planning Director may require submission of evidence demonstrating compliance with state, federal and local environmental regulations and receipt of necessary permits including but not limited to: Air Contaminant Discharge Permits (ACDP), National Pollutant Discharge Elimination System Storm Water Discharge Permit (1200-c) or Indirect Source Construction Permits (ISCP).

C.

Compliance with state, federal and local environmental regulations is the continuing obligation of the property owner and operator.

(Ord. 415 § 7.90.020, 2002)