### Agenda

### **Aurora Planning Commission Meeting**

Tuesday, March 5, 2024 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/85801338575?pwd=NWtLV01aM2I2WXQzZGkxbnFDTW5FZz09

Meeting ID: 858 0133 8575

Passcode: 789377

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

### 2. ROLL CALL

Chairman Joseph Schaefer Commissioner Bud Fawcett Commissioner Jonathan Gibson Commissioner Bill Graupp Commissioner Craig McNamara Commissioner Jim Stewart Commissioner Tyler Meskers

### 3. CONSENT AGENDA

a) Planning Commission Minutes – February 6, 2024

### 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

Type II Home Occupation (HO 24-01)

### 8. OLD BUSINESS

- a) Airport Land Use Update
- b) Economic Opportunities Analysis

### 9. ADJOURN

### Minutes

### **Aurora Planning Commission Meeting**

Tuesday, February 6, 2024 at 7 P.M. City Council Chambers, Aurora City Hall 21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT: Curt Fisher, City Planner; 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 Commissioner Bud Fawcett-Present Commissioner Jonathan Gibson-Present Commissioner Bill Graupp-Present Vice Chair Craig McNamara-Present Commissioner Jim Stewart-Present Commissioner Tyler Meskers-Absent

### 3. CONSENT AGENDA

a) Planning Commission Minutes – January 2, 2024

Commissioner Jim Stewart moved to accept the Consent Agenda, Commissioner Craig McNamara seconded, and the motion carried.

- 4. VISITORS-NA
- 5. CORRESPONDENCE-NA
- 6. NEW BUSINESS-NA

### 7. HEARING

LA 2023-01 – Legislative text amendments to Title 8, 10, and 16 Chair Schaefer noted before the commission a set of proposed code amendments and clarified the Planning Commission does not make decisions but rather provides recommendations only. Commissioner McNamara asked whether stormwater specifications were vetted or if additional discussion was needed. Chair Schaefer directed attention to page 19 of the packet on proposed stormwater code. City Planner Curt Fisher noted the primary concern regarding stormwater analysis requirements is the way these are worded in mixing public works and planning requirements in a way that is not clear or consistent with planner's experience with how development gets reviewed and eventually approved. Requirements in AMC 16.34.090 A.4. are to evaluate the capacity of public facilities to handle additional runoff that is anticipated to be generated through development proposals. Limits are

expressed in terms of an impervious area that is proposed. The plumbing permit requirements are not supposed to be a substitute for civil engineering calculations, so the two requirements are meant to work together. The Clackamas County memo references specialty codes that should already be being used in stormwater evaluations. As such, the Planner suggested deleting the plumbing code from the zoning code and including reference to specialty code sections in Title 15. Chair Schaefer noted the spirit of the changes was to limit the amount of engineering analysis (or cost) for smaller sites.

There was consensus to go with an impervious surface requirement of 10,000 square feet (Salem standard) which would affect fewer people with single family lots that fall well under the exemption. This standard would also ensure that businesses that do not meet that threshold take care of the runoff from a larger amount of impervious surface. "For sites of once acre or larger," p.19 of the packet, will be replaced with "[For sites with 10,000 square feet or more of impervious surface (new and existing)] a stormwater analysis, calculations..." There was Planning Commission consensus that all bold print on page 20 of the packet (p.9 of staff report) be removed. There should be a reference in Title 15 that specialty codes are adopted to make it clear that the city's building permit review team reviews those requirements.

Commissioner Bud Fawcett moved to accept the above changes and otherwise adopt the application for code amendments as presented, which motion was seconded by Commissioner Craig McNamara and carried.

The above code amendments will move on to City Council for a hearing in March.

### 8. OLD BUSINESS

a) Airport Land Use Update

Commissioner Gibson noted an ongoing conversation at Positive Aurora Airport Management (PAAM) about the trees issue and controller positions needing filled.

Commissioner Schaefer noted the usual airport topics. First, on the TLM church camp case, there was a hearing at the Circuit Court with motion(s) to dismiss but still no decision from the judge yet. TLM has submitted a new application to Marion County, this time all about helicopters with changes to the site plan and traffic patterns. The new plan has significantly reduced parking spaces, from between 480 and 511 down to 277 spaces. This still leaves the southwest portion of the property open to through-the-fence uses. The traffic study was mentioned but not discussed in detail. The application amounts to space for Columbia Helicopters and a designation for life flight, and the last application had a designation for Wilson Construction not mentioned in the current application.

The 2012 master plan case is still sitting at the Court of Appeals, waiting for a decision with no specific deadline. On the new master plan, there was going to be a meeting of the public advisory committee last week, but the meeting was canceled a day or two before the meeting because the FAA approval of the forecast numbers changed. Schaefer has not been tracking this closely. Commissioner Bill Graupp noted that meeting links were incorrect on the ODAV website, so staff fixed the links and delayed the meeting to give

complainants time to process the information via the updated links. That meeting has been rescheduled to Tuesday, March 12, 5-7pm.

### b) Economic Opportunities Analysis

-Target Industries Approach Rulemaking – Background & Draft Charge The document attached in the packet regards rulemaking by the state and generally speaking is the airport part of the EOA. The rule will not be in effect for a couple of years and will not apply to Aurora. A draft issues list needs to be completed as a priority. The first EOA meeting was productive, and the second EOA meeting will take place in late February or early March. Employment information requested from the state in a timely manner took longer than expected to receive and has delayed this second meeting.

### 9. ADJOURN

Chair Schaefer closed the public hearing at 7:40pm, adjourning the Planning Commission meeting also at the same time.

Joseph Schaefer, Chair	
ATTEST:	
Stuart A. Rodgers, City Records	er



### City of Aurora

### "Aational Historic Site"

# STAFF REPORT PUBLIC HEARING BEFORE PLANNING COMMISSION

**STAFF REPORT:** Home Occupation, Type II, 2024-01 (HO 24-01)

**HEARING DATE:** March 5, 2024

**APPLICANT/OWNER:** Martin Victor Young

20737 Yukon Street NE Aurora, OR 97002

**REQUEST:** Type II Home Occupation permit approval to operate auto sales

business from a home at 20737 Yukon Street NE.

SITE LOCATION: 20737 Yukon Street NE. Map 041W13CA, Tax Lot 15700

**SITE SIZE:** 0.22 acres, or approximately 9,583 square feet

**DESIGNATION:** Low Density Residential (R-1)

**CRITERIA:** Aurora Municipal Code (AMC) Chapters

16.10 Low Density Residential16.46 Home Occupations16.60 Conditional Uses

**ATTACHMENTS:** Exhibit A: Vicinity Map

Exhibit B: Applicant's Home Occupation Submittal

Exhibit C: Public Notices

### I. PROCEDURE

Type II Home Occupations are processed as Quasi-Judicial Decisions. Quasi-Judicial Decisions are conducted as stated in Chapter 16.76 of the AMC. Section 16.46 provides the criteria for reviewing Home Occupations. Type II Home Occupations are listed as a Conditional Use in the R-1 zone.

The application was received and fees paid on January 22, 2024. The application was determined complete by staff on January 31, 2024 and notice was mailed to surrounding property owners on February 1, 2024 and notice was published in a newspaper of general circulation in the City. The City has until **May 30, 2024**, or 120 days from the completeness date of the application to approve, modify and approve, or deny this proposal.

### II. APPEAL

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

### III. CRITERIA AND FINDINGS

The applicable review criteria for Home Occupations are found under 16.46 -Home Occupations of the Aurora Municipal Code (AMC) for Conditional Uses.

### Chapter 16.46 HOME OCCUPATIONS

### 16.46.010 Purpose.

It is the purpose of this chapter to permit residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters and to establish approval criteria and standards to ensure that home occupations are conducted as lawful uses which are subordinate to the residential use of the property and are conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

### 16.46.025 Home Occupation Standards.

- A. 1. No person shall carry on a home occupation, or permit such use to occur on property which that person owns or is in lawful control of, contrary to the provisions of this chapter.
  - 2. Home Occupations shall only be conducted under a valid city business license.
  - 3. The Home Occupation applicant must reside full time at the address of the home occupation.
  - 4. No employees, workers, or subcontractors shall visit the premises for any reason.

**Findings:** The Applicant is seeking a business license with the city of Aurora to do business at this address and intends to apply for state licenses. The Applicant resides full time at the application listed address-20737 Yukon St. NE Aurora, OR 97002. The Applicant will be the only person conducting business at the address and states there will be no other employees, workers, or subcontractors will visit the premises for any reason.

- B. Type I Home Occupations. A Type I home occupation shall not permit:
  - 1. Evidence that a business is being conducted from the premises.
  - 2. Exterior signs which identify the property as a business location;
  - 3. Clients or customers to visit the premises for any reason;
  - 4. Exterior storage of materials.

**Findings:** The Applicant states the business will require posting of a State registered LLC license, City authorized business license, State authorized auto dealers license, and display of a sign and certificate required by Oregon dealers handbook. Customers will also be visiting the premises. The application does not satisfy the criteria for a Type I Home Occupation. Therefore, a Type II Home Occupation application is required and included in this application.

- C. Type II Home Occupations. The following is allowed for Type II home occupations:
  - 1. Evidence that a business is being conducted from the premises.

**Findings:** See finding under subsection B above.

2. For properties located outside the historic commercial and historic residential overlays, one non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. All signs on properties located in the historic commercial or historic residential overlays require approval by the Historic Review Board pursuant to Chapter 17.20.

**Findings:** The site is not located in the Historic District. This criterion does not apply.

3. No more than five daily customers or clients. Customers and clients may not visit the business between the hours of 10:00 p.m. and 8:00 a.m. and shall not generate excessive traffic or monopolize on-street parking;

**Findings:** The Applicant states that business hours will be from 4pm to 8pm Monday through Friday and 10 am to 8pm Saturday and Sunday. Vehicles for sale will be advertised entirely online and the Applicant states they will limit the potential site visits to less than 5 customers a day and schedule the visits so that not more than one customer will be present on site at the same time to minimize parking demand. The Applicant anticipates the actual number of customers will be less than 5 per week. Conditions are recommended to ensure the business in conducted as the Applicant has stated. This criterion is met as conditioned.

4. Storage of materials, goods and equipment which is screened entirely from view by a solid fence. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment shall be reviewed and approved by the city and the fire department.

**Findings:** The Applicant did not provide a response to this standard. Therefore, it is addressed with a recommended condition of approval.

### 16.46.040 General approval criteria and standards.

All home occupations shall observe the following criteria:

A. There shall be no outside volunteers or employees to be engaged in the business activity other than the persons principally residing on the premises.

**Findings:** The Applicant states there will be no employees or volunteers engaged in business activities other than persons residing at the premises.

B. There shall be no more than three deliveries per week to the residence by suppliers.

**Findings:** The Applicant states there will be no business deliveries. Presently there are 3-4 deliveries per week from Amazon, but they are all for personal and household products deliveries.

C. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line resulting from the operation. Home occupations shall observe the provisions of Chapter 16.32.

**Findings:** The Applicant states the business will not produce noise, vibration, smoke, dust, odor, heat, or glare. The Applicant states the product will be stored indoors, and that any ill effect be it audible, noxious or visible does not affect neighbors or surroundings.

D. The home occupation shall be operated entirely within the dwelling unit or a conforming accessory structure. The total area which may be used in the accessory building for material product storage and the business activity shall not exceed seven hundred (700) square feet. Otherwise, the home occupation and associated storage of materials and products shall not occupy more than twenty-five (25) percent of the combined residence and accessory structure gross floor area. The indoor storage of materials or products shall not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes.

**Findings:** The Applicant states the home is 2800 square feet not including the garage space, that the office on the main floor is  $12 \times 12$  or 144 Sq ft, and the maximum garage space that can be utilized is  $18 \times 28$  or 504 Sq. The Applicant submitted Marion County Assessor's Property Records information indicating the area of the improvements on the property to be 2,876 square feet. According to the information provided by the Applicant, the business will occupy  $648 \times 100 = 22.5 \times 100 = 22.5$ 

E. A home occupation shall not make necessary a change in the Uniform Building Code use classification of a dwelling unit. Any accessory building that is used must meet Uniform Building Code requirements.

**Findings:** The Building Permit official shall be required to verify the proposed business does not change the Uniform Building Code use classification of a dwelling unit. This is included as a recommended condition of approval.

F. More than one business activity constituting two or more home occupations may be allowed on one property only if the combined floor space of the business activities does not exceed twenty-five (25) percent of the combined gross floor area of the residence and accessory structure. Each home occupation shall apply for a separate home occupation permit, if required as per this chapter, and each shall also have separate business license certificates.

**Findings:** The Applicant states that there are no other business activities from this address.

G. There shall be no storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. Those individuals which are engaged in home occupations shall make available to the fire marshal for review the material safety data sheets which pertain to all potentially toxic and/or flammable materials associated with the use.

**Findings:** The Applicant states that there will be no painting or storage/distribution of fuels, oils or other flammable/ combustible or toxic materials associated with the business.

- H. The following uses shall not be allowed as home occupations:
  - 1. Auto-body repair and painting;
  - 2. Ongoing mechanical repair conducted outside of an entirely enclosed structure;

- 3. Junk and salvage yards;
- 4. Storage and/or sale of fireworks.

**Findings:** The Applicant states there will be no auto-body or painting of any kind, any mechanical repairs will not be performed outside of an enclosed structure and there will be no junk or salvage or fireworks storage or sale of any kind on the property.

I. There shall be no exterior storage of vehicles of any kind used for the business except that one commercially licensed vehicle may be parked outside of a structure.

**Findings:** The Applicant states all vehicles that will be for sale will be stored within the garage of the residence.

### 16.46.050 Permit procedures.

- A. \*\*\*
- B. Type II. A person wishing to engage in a Type II home occupation must be a principal occupant of the property, agree to abide by the provisions of this chapter, acquire an annual business license certificate and receive Planning Commission approval for a Type II home occupation.
  - 1. The Planning Commission shall approve, approve with conditions, or deny any application for a Type II home occupation. The decision to approve, approve with conditions, or deny an application for a Type II home occupation permit shall be made by the Planning Commission upon findings of whether or not the proposed use:
    - a. Is in conformance with the standards contained in this chapter;
    - b. Will be subordinate to the residential use of the property;

**Findings:** According to Marion County Assessor records, the owner of the property is the applicant. According to the Applicant, the operations of the business will substantially resemble activities of a home mechanic working on personal vehicles as a hobby.

c. Is undertaken in a manner that is not detrimental nor disruptive in terms of appearance or operation to neighboring properties and residents;

**Findings:** According to the Applicant, the operations of the business will substantially resemble activities of a home mechanic working on personal vehicles as a hobby. The application as presented suggests the business will not be detrimental or disruptive to the neighborhood. Property owners within 200 feet of the subject property were mailed notice of the proposed home occupation and public hearing. At the time of the staff report, the City did not receive testimony regarding the application from residents of neighboring properties.

2. All Type II home occupations are subject to Chapter 16.60.

**Findings:** Findings addressing the provisions of Chapter 16.60 are included in Chapter 16.60 of the Staff Report

3. Applications for Type II Home Occupations shall be processed in accordance with Chapter 16.76.

**Findings:** The final decision on the application will be the result of the quasi-judicial process described in Chapter 16.76.

### Chapter 16.60 CONDITIONAL USES

### 16.60.040 Approval standards and conditions.

- A. The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use based on findings of fact with respect to each of the following criteria:
  - 1. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;

**Findings:** According to the Applicant, the operations of the business will substantially resemble activities of a home mechanic working on personal vehicles as a hobby.

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

**Findings:** According to the Applicant, the operations of the business will substantially resemble the activities of a home mechanic working on personal vehicles as a hobby. The Applicant has not provided any information about the business to suggest that the proposed activities would exceed the capacity of existing public facilities serving the residential lot.

3. The requirements of the zoning district are met;

**Findings:** Type II Home Occupations are allowed in the R-1 district as a conditional use subject to the requirements of Chapter 16.46 of the AMC. With the approval of this application, this criterion will be met.

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

**Findings:** The staff report includes recommended conditions of approval to ensure that the business operates as the Applicant has stated in this application. Property owners within 200 feet of the subject property were mailed notice of the proposed home occupation and public hearing. At the time of the staff report, the City did not receive testimony regarding the application from residents of neighboring properties.

- 5. All parking and loading areas are designed and improved in accordance with the requirements set forth in Chapter 16.42;
- 6. All landscaping is designed and improved in accordance with the requirements set forth in Chapter 16.38;
- 7. All public improvements are designed and constructed in accordance with the requirements set forth in Chapter 16.34;
- 8. All facilities for the handicapped are designed in accordance with the requirements set forth in the ADA requirements;

**Findings:** The site features and public improvements will remain designed as they have to serve the existing single-family use. Based on the information the Applicant has provided, the operations of the business will substantially resemble the activities of a home mechanic working on personal vehicles as a hobby. If the business operates as the Applicant has presented, further site improvements will not be necessary.

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

**Findings:** Findings addressing the applicable chapters of this title are provided throughout this staff report.

10. Properties located in the historic commercial or historic residential overlay comply with the requirements set forth in Title 17 of the Aurora Municipal Code.

**Findings:** The site is not located in the Historic District. This criterion does not apply.

11. All applicable local, county, state, and federal licensing is maintained in good standing.

**Findings:** The Applicant states they will maintain all applicable licenses.

- B. In reviewing an application for a conditional use, the commission shall consider the most appropriate use of the land and the general welfare of the people residing or working in the neighborhood. In addition to the general requirements of this title, the commission may impose any other reasonable conditions deemed necessary. Such conditions may include, but are not limited to:
  - 1. Limiting the manner in which the use is to be conducted, including restrictions on the hours of operation;

**Findings:** The Applicant states that business hours will be from 4pm to 8pm Monday through Friday and 10 am to 8 pm Saturday and Sunday. Vehicles for sale will be advertised entirely online and the Applicant states they will limit the potential site visits to less than 5 customers a day and schedule the visits so that not more than one customer will be present on site at the same time to minimize parking demand. The Applicant anticipates the actual number of customers will be less than 5 per week. Conditions are recommended to ensure the business in conducted as the Applicant has stated.

2. Establishing additional setbacks or open areas;

**Findings:** The application does provide any information suggesting that additional setbacks are necessary and business operations are planned to be conducted within existing buildings in compliance with the existing setbacks.

3. Designating the size, number, location and nature of vehicle access points;

**Findings:** Staff finds the existing vehicle access is adequate.

4. Limiting or otherwise designating the number, size, location, height and lighting of signs;

**Findings:** The business is allowed one (1) non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. This is included as a recommended condition of approval.

5. Requiring fences, sight-obscuring hedges or other screening and landscaping to protect adjacent properties;

**Findings:** Based on the information submitted, the business will be conducted entirely indoors. Therefore, additional screening is not necessary.

6. Protecting and preserving existing soils, vegetation, wildlife habitat or other natural resources.

**Findings:** Based on the information the Applicant has provided, the business will not impact soils vegetation, wildlife habitat or other natural resources.

### IV. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, the Planning Commission may **approve** the application for a Type II Home Occupation (HO 24-01) with the following conditions:

- 1) The Applicant shall comply with all City of Aurora and State of Oregon building and fire codes.
- 2) One (1) non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. This is included as a recommended condition of approval.
- 3) Customer and client visits shall be limited to no more than five (5) per day. Customers and clients may not visit the business between the hours of ten (10) p.m. and eight (8) a.m. and shall not generate excessive traffic or monopolize on-street parking.
- 4) There shall be no exterior storage of vehicles of any kind. One commercially licensed vehicle may be parked outside of a structure.
- 5) Storage of materials, goods and equipment must screened entirely from view by a solid fence. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment shall be reviewed and approved by the city and the fire department.
- 6) The applicant is required to acknowledge that they have read all of AMC Section 16.46 for Home Occupations and shall maintain a signed copy acknowledging understanding of and conformance with the provisions of AMC 16.46 on file with the City of Aurora.
- 7) A business license shall be on file with the City of Aurora at all times that the Home Occupation is in operation. The home occupation permit shall become invalid if the applicant moves his or her residence.

### V. PLANNING COMMISSION ACTION

- A. Approve the home occupation permit (file #HO 24-01) for an auto resale business:
  - 1. As recommended by staff, or
  - 2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for a home occupation permit for an art studio, work rooms, and classroom to teach individual students on the property's accessory structure stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).

### **EXHIBIT A**



### **EXHIBIT B**

# City of Aurora Planning/Development Application

. (Check appr	ropriate box)
SITE DEVELOPMENT REVIEW (AMC 16.58)  FLOOD PLAN DEV. PERMIT (AMC 16.18)  HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)  Certificate of Appropriateness  Demolition Permit  Sign Review	ropriate box)  CONDITIONAL USE (AMC 16.60)  VARIANCE (AMC 16.64)  HOME OCCUPATION (AMC 16.46)  Type I  NON-CONFORMING USE (AMC 16.62)  LAND DIVISION
☐ MANUFACTURED HOME PARK (AMC 16.36) ☐ COMPREHENSIVE PLAN AMENDMENT (AMC 16.80) ☐ Text ☐ Map	Subdivision (AMC 16.72) Partition (AMC 16.70) Property Line Adjustment (AMC 16.68)
ZONING ORDINANCE AMENDMENT (AMC 16.80)  Text	☐ APPEAL TO(AM16.74-16.78) ☐ OTHER
APPLICANT GENERAL INFORMATION	
Applicant Martin V Young	Email martinv@web-ster.com
Mailing Address 20737 Yukon St. NE Aurora, Oregon	Phone503-333-4384
Property Owner Same as Above	Email
	Dhawa
ancient dial applicant	Fmail
	Phone
PROPERTY DESCRIPTION Address 20227 Viving State 1	, 10/ L
Address 20737 Yukon St NE Aurora, Oregon Legal Description (attach add'l sheet if necessary)	Tax Map #15700-Keil Park II # 61' Tax Lot # R342867
Total Acres or Sq. Ft. <u>0.22 Acres-9545 Sq Ft</u> Existing Zoning residential -R1 Propo	Existing Land Use residential-R1
Proposed use frome pussiness/ Hobby	osed Zoning (if applicable) no change
ACTION REQUESTED: (use additional shoots as poods at	
Home occupation bussiness- part time/ Hobby- No changes to home  ATTACHMENTS:	or property , see A HARAGE Sheet
and processing of the application will not begin until the application polication may be obtained from the specific sections of the Aurora questions as to submittal requirements, contact the City Hall prior to form in submitting this application, the applicant should be prepared as at stiff all the required applicable criteria. The filing fee deposit many proval of the application and is refundable to the extract that the feet of the applicant that the applicant that the feet of the applicant that the a	pplication, the City of Aurora requires that all pertinent material ation is made. If the application is found to be incomplete, review on is made complete. The submittal requirement relative to this a Municipal Code pertaining to this application. If there are any small submission of the application. If there are any small submission of the application. This fee in no way assures the state of the submission. This fee in no way assures its not used to cover all actual costs of processing the application. Delete and true to the best of my knowledge. I understand that any that the original fee paid is only a deposit and I agree to pay all
//	Date /
gnature of Roperty Owner	Date
Office Use Only: Received By:	_ Date: 1/22/24 Fee Paid \$ 1000
Receipt #Case File #Planning Director	r Review Date: 1 22 24
Last updated 3-15-2022	

### Martin Victor Young

### 20737 Yukon St NE. Aurora OR 97002

10 December 2023

To whom it may concern,

I am submitting an attached application for a business license to operate a small discrete auto retail sale business from my home at 20737 Yukon St NE Aurora Oregon 97002.

The business will be operated as a hobby and the potential autos that will be for sale will be housed within the three attached garages on the property The sale and required paperwork will be conducted in my home office on the first floor of the residence. This floor has 2 bathrooms, and one will be designated for customer use. Parking for proposed buyers will be in the residence driveway which is oversized and will easily accommodate an additional visitor.

No Improvements to the interior or exterior of the residence or surroundings will need to be performed to satisfy the Code or business requirements. If granted I will secure and operate with all required State and local licenses and insurance. All advertisements will be through the internet and there will be no advertising visible at the residence. No Maintenance activities will be undertaken on the cars for sale aside from possibly minor repairs (within the garage) and light surface and interior cleaning. The quantity of cars sold annually will be less than 15 but realistically I would think 10 or less would be the actual.

The foot traffic and visitors anticipated 1-3 per week and business hours will be restricted to 4 pm to 8 pm Monday thru Friday and 10 am to 8 pm Saturday and Sunday

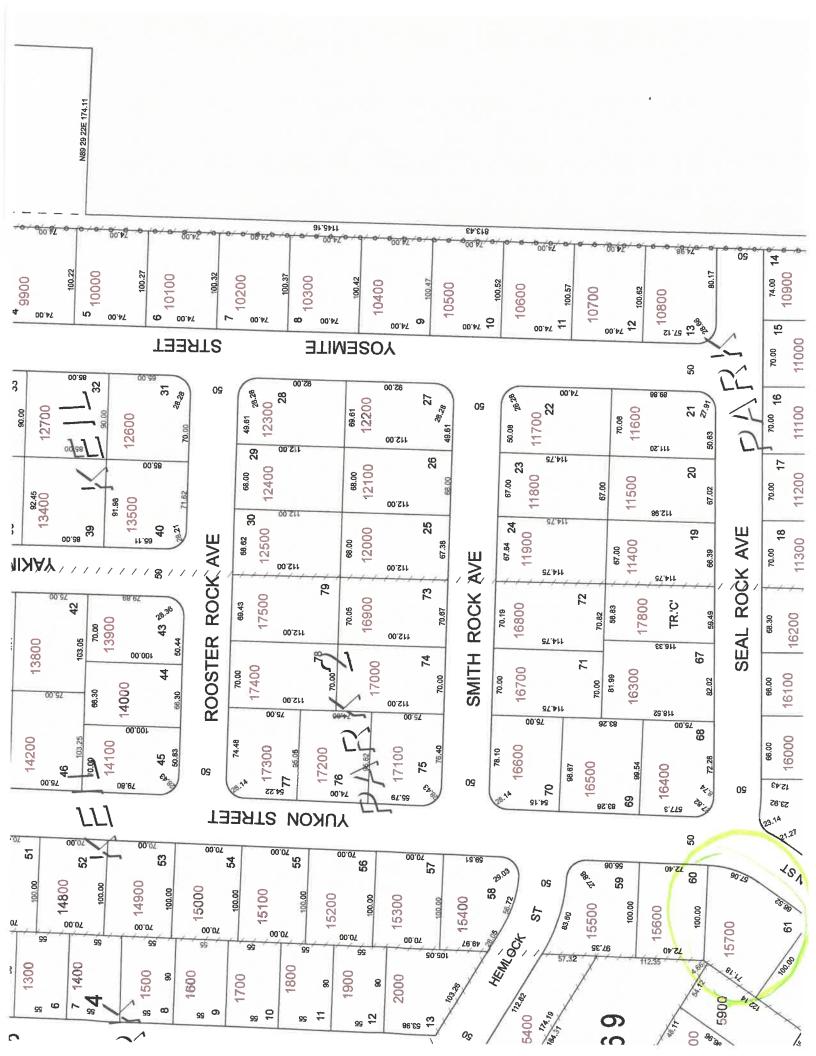
I will be required to display a sign by *DMV TITLE AND REGISTRATION HANDBOOK* Chapter R: Dealers R2 01/01/24 3. Display an exterior sign permanently affixed to the land or a building that identifies the dealership by the name shown on the vehicle dealer certificate, with letters clearly visible to the major avenue of traffic. I propose the sign to be attached to the garage no larger than the residential address number "MVY Motors LLC". All business transactions will be conducted within the residence aside from potential test drives.

If granted the license I will operate this business so that it does not compromise the residential neighborhood appearance or atmosphere or have any adverse impact on my neighbors or community.

Thank you for your consideration.

Martin Victor Young





# Marion County Land Use Planning and Zoning



ArcGIS Web AppBuilder
Maps and spatial data made available to the public by Marion County are not legally recorded information and are not intended to be used as such. In no way does Marion County warrant the accuracy, reliability or timeliness of any of the data provided on these maps.



### Marion County Planning & Development Overlage

20737 YUKON STINE

Parcels: 041W13CA15700

Tax Acct: 342867

Situs: 20737 YUKON ST NE

Tax Map: PDF

### Google Maps

Owner:

YOUNG, MARTIN VICTOR & YOUNG, JANE ANET WAMBU! 20737 YUKON ST NE

AURORA, OR, 97002

**Property Details:** 

Acres: 0.22 AC

Plat Info: KEIL PARK II IN AURORA

Property Class: 101 Year Built: 2008 Building Area: 3,514 SF

Property Values: Land RMV: \$125,000 Structures RMV: \$630,060 Total RMV: \$755,060 Assessed Value: \$407,330

Zoning Info:

Code: R1

Planning Office: AURORA

District Info: City: AURORA

School: NORTH MARION

Fire: AURORA

Zoom to

Oregor

### Land/On-Site Developments for Tax Account ID 342867

ID	Туре	Acres	Sq Ft	Levy Code Area
0	On Site Development - URBAN - AVERAGE			15069
1	001 Residential	0.22	9545	15069

### Improvements/Structures for Tax Account ID 342867

ID	Туре	Stat CLass	Make/Model	Class	Area/Count	Year Built	Levy Code Area
1	RESIDENCE	152 Multi Story above grade		5	2876	2008	15069
1,1		YARD IMPROVEMENTS GOOD			1	2008	15069

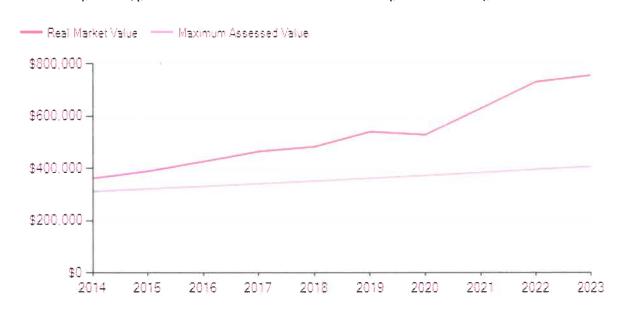
### Value Information (per most recent certified tax roll)

RMV Land Market: \$125,000 RMV Land Spec. \$0

Assess.:

**RMV Structures:** \$630,060 RMV Total: \$755,060 AV: \$407,330 SAV: \$0 **Exception RMV:** \$0 RMV Exemption Value: \$0 **AV Exemption Value:** \$0 **Exemption Description:** None M5 Taxable: \$755,060 MAV: \$407,330 MSAV:

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years. For a detailed explanation, please see definition of Assessed Value above (hover over the "i").



### **December 10, 2023**

### **Property Identification**

**Account ID:** 

342867

Tax Account iD:

342867

Tax Roll Type:

Real Property

Situs Address:

20737 YUKON ST NE AURORA OR 97002

Map Tax Lot:

041W13CA15700

Owner:

YOUNG, MARTIN VICTOR & YOUNG, JANE ANET WAMBUI

20737 YUKON ST NE AURORA, OR 97002 **Manufactured Home Details:** 

Other Tax Liability:

Subdivision:

**KEIL PARK II IN AURORA LOT 61** 

**Related Accounts:** 

### **Owner History**

Grantee	Grantor	Sales Info	Deed Info
YOUNG,MARTIN VICTOR & YOUNG,JANE ANET WAMBUI 20737 YUKON ST NE AURORA OR 97002	HANAUSKA,THOMAS W PO BOX 217 AURORA OR 97002	5/31/2018 \$495,000.00 00 1	5/31/2018 40830146 WD 342867
HANAUSKA,THOMAS W PO BOX 217 AURORA OR 97002	G CAM LTD PO BOX 1144 AURORA OR 97002	6/26/2008 \$462,033.00 33	6/26/2008 29770422 WD 342867
G CAM LTD PO BOX 1144 AURORA OR 97002			10/30/2007 T.P.46-063 PAPL 342847, 342848, 342849, 342850, 342851, 342852, 342853, 342854, 342855, 342856, 342857, 342858, 342859, 342860, 342861, 342862, 342863, 342864, 342865, 342866, 342867, 342868, 342869, 342870, 342871, 342872, 342873, 342874, 342875, 342876, 342877, 342878, 342879, 342880, 342881, 342882, 342883, 342884, 342885, 342886, 342887, 342888

### **Property Details**

**Property Class:** 

101

**RMV Property Class:** 

(Contact Local Triviadiation)

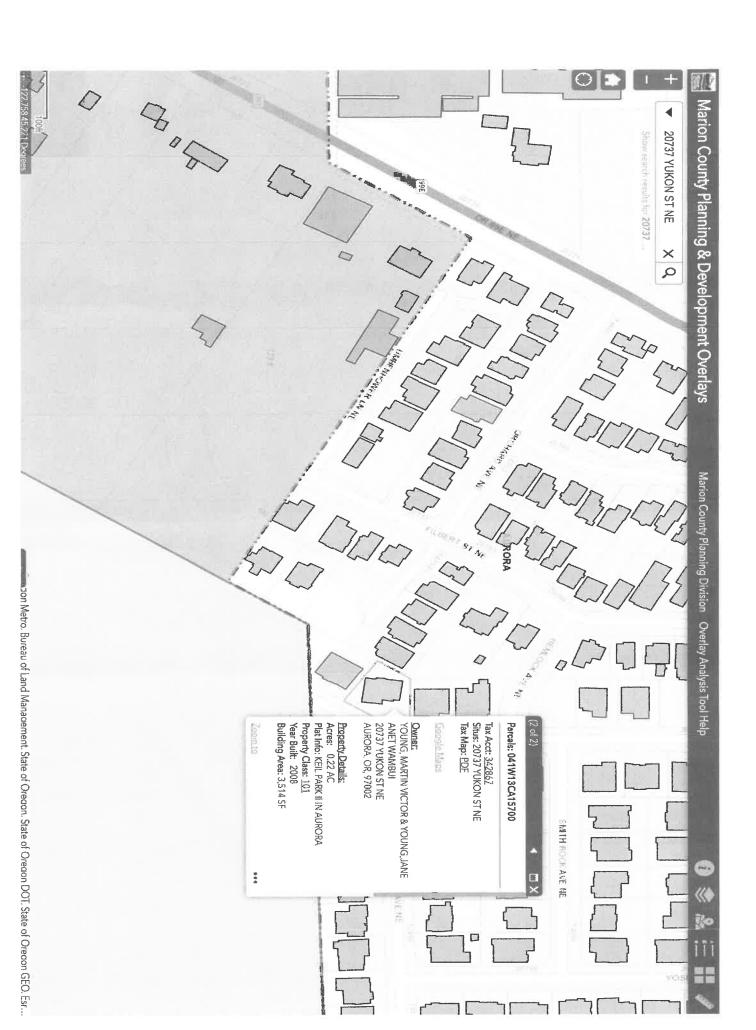
101

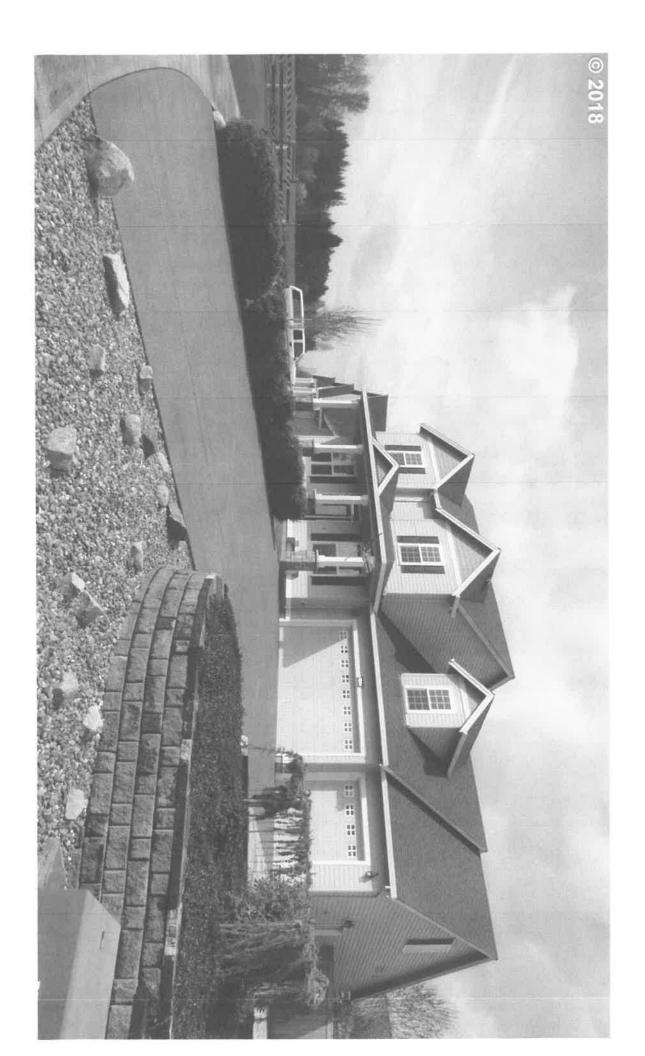
Zoning:

AV Exemption(s): RMV Exemption(s):

Deferral(s):

Notes:





### **Chapter 16.46 HOME OCCUPATIONS**

### 16.46.010 Purpose.

It is the purpose of this chapter to permit residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters and to establish approval criteria and standards to ensure that home occupations are conducted as lawful uses which are subordinate to the residential use of the property and are conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

### 16.46.025 Home Occupation Standards.

- A. 1. No person shall carry on a home occupation, or permit such use to occur on property which that person owns or is in lawful control of, contrary to the provisions of this chapter.
  - 2. Home Occupations shall only be conducted under a valid city business license.
  - 3. The Home Occupation applicant must reside full time at the address of the home occupation.
  - 4. No employees, workers, or subcontractors shall visit the premises for any reason.

Applicant Response: A1. Presently no business is being conducted at the 20737 Yukon St. property. A2. I am presently seeking a business license with the city of Aurora to do business at this address. If granted I will apply for state licenses to business at this address. A3. I presently reside full time at the application listed address-20737 Yukon St. NE Aurora, OR 97002. A4. I will be the only person conducting business under this license. There will be no employees, workers, or subcontractors and none will visit the premises for any reason.

- B. \*\*\*
- C. Type II Home Occupations. The following is allowed for Type II home occupations:
  - 1. Evidence that a business is being conducted from the premises.

**Applicant Response:** *C1.* The business will be Evidenced by Possing a State registered LLC license, City authorized business license, State authorized auto dealers liscense, and display a sign and certificate required by Oregon dealers handbook chapter R(3) and (4).

2. For properties located outside the historic commercial and historic residential overlays, one non-illuminated sign, not exceeding one hundred forty-four (144) square inches, which shall be attached to the residence or accessory structure or placed in a window. All signs on properties located in the historic commercial or historic residential overlays require approval by the Historic Review Board pursuant to Chapter 17.20.

**Applicant Response:** *C2.* The property lies outside the historic district. 1 non-illuminated sign will be affixed to the garage that complies with the above requirement and be less that 144 sq inches and also complies with Oregon dealers handbook chapter R(3).

3. No more than five daily customers or clients. Customers and clients may not visit the business between the hours of 10:00 p.m. and 8:00 a.m. and shall not generate excessive traffic or monopolize on-street parking;

Applicant Response: C3. The business hours will be from 4pm to 8pm Monday through Friday and 10 am to 8pm Saturday and Sunday. The advertisement for the vehicle for sale will be entirely online no on

site display or sale signs and as such I will limit the potential views onsite to 5 or less customers daily. I anticipate the actual number of customers will be less than 5 per week. All potential client views will be scheduled so as not to overlap. This will reduce any excessive traffic and I will request they park in my driveway so that on- street parking is not utilized.

4. Storage of materials, goods and equipment which is screened entirely from view by a solid fence. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment shall be reviewed and approved by the city and the fire department.

### 16.46.040 General approval criteria and standards.

All home occupations shall observe the following criteria:

A. There shall be no outside volunteers or employees to be engaged in the business activity other than the persons principally residing on the premises.

**Applicant Response:** There will be no employees or volunteers engaged in business activities other than persons residing at the premises.

B. There shall be no more than three deliveries per week to the residence by suppliers.

Applicant Response: There will be literally no business deliveries. Presently there are 3-4 deliveries per week from Amazon, but they are all for personal and household products deliveries.

C. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line resulting from the operation. Home occupations shall observe the provisions of Chapter 16.32.

Applicant Response: The business will not produce noise, vibration, smoke, dust, odor, heat, or glare. The product will be stored indoors, and I will make paramount that any ill effect be it audible. noxious or visible does not affect my neighbors or surroundings.

D. The home occupation shall be operated entirely within the dwelling unit or a conforming accessory structure. The total area which may be used in the accessory building for material product storage and the business activity shall not exceed seven hundred (700) square feet. Otherwise, the home occupation and associated storage of materials and products shall not occupy more than twenty-five (25) percent of the combined residence and accessory structure gross floor area. The indoor storage of materials or products shall not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes.

Applicant Response: The home is 2800 sq ft not including the garage space. The office on the main floor is 12x 12 or 144 Sq ft and the maximum garage space that can be utilized is 18x 28 or 504 Sq. The combination of both is below the threshold of 700 sq ft and below 25% of the combined structure space utilized.

E. A home occupation shall not make necessary a change in the Uniform Building Code use classification of a dwelling unit. Any accessory building that is used must meet Uniform Building Code requirements.

**Applicant Response:** No code change – no accessory building

F. More than one business activity constituting two or more home occupations may be allowed on one property only if the combined floor space of the business activities does not exceed twenty-five (25) percent of the combined gross floor area of the residence and accessory structure. Each home

occupation shall apply for a separate home occupation permit, if required as per this chapter, and each shall also have separate business license certificates.

**Applicant Response:** There are no other business activities from this address. This is an application for a single business.

G. There shall be no storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. Those individuals which are engaged in home occupations shall make available to the fire marshal for review the material safety data sheets which pertain to all potentially toxic and/or flammable materials associated with the use.

**Applicant Response:** There will be no painting or storage/distribution of fuels, oils or other flammable/combustible or toxic materials associated with the business.

- H. The following uses shall not be allowed as home occupations:
  - 1. Auto-body repair and painting;
  - 2. Ongoing mechanical repair conducted outside of an entirely enclosed structure;
  - 3. Junk and salvage yards;
  - 4. Storage and/or sale of fireworks.

Applicant Response: There will be no auto-body or painting of any kind, any mechanical repairs will not be performed outside of an enclosed structure and there will be no junk or salvage or fireworks storage or sale of any kind on the property.

I. There shall be no exterior storage of vehicles of any kind used for the business except that one commercially licensed vehicle may be parked outside of a structure.

Applicant Response: All vehicles that will be for sale will be stored within the residence garage.

### 16.46.050 Permit procedures.

- A. \*\*\*
- B. Type II. A person wishing to engage in a Type II home occupation must be a principal occupant of the property, agree to abide by the provisions of this chapter, acquire an annual business license certificate and receive Planning Commission approval for a Type II home occupation.
  - 1. The Planning Commission shall approve, approve with conditions, or deny any application for a Type II home occupation. The decision to approve, approve with conditions, or deny an application for a Type II home occupation permit shall be made by the Planning Commission upon findings of whether or not the proposed use:
    - a. Is in conformance with the standards contained in this chapter;
    - b. Will be subordinate to the residential use of the property;
    - Is undertaken in a manner that is not detrimental nor disruptive in terms of appearance or operation to neighboring properties and residents;
  - 2. All Type II home occupations are subject to Chapter 16.60.
  - 3. Applications for Type II Home Occupations shall be processed in accordance with Chapter 16.76.

### 16.46.060 Type II applications.

An application for a Type II home occupation shall be made on forms provided by the city and shall be accompanied by:

- A. The applicant's statement or narrative which explains how the proposal conforms to the approval criteria in Sections 16.46.040;
- B. A site plan of the property drawn to scale with a north arrow indicated. The site plan shall show all major features of the property including buildings, major vegetation, access for public streets, sidewalks, etc.;
- C. A floor plan of all structures on the property which are to be used for the home occupation(s);
- D. A copy of the title transfer instrument;
- E. The property owner of record signature(s) or written authorization.

# Pamplin Media Group

## -Ad Proof-

This is the proof of your ad, scheduled to run on the dates indicated below. Please proofread carefully, and if changes are needed, please contact Kristine Humphries prior to deadline at (971) 204-7785 or khumphries@pamplinmedia.com.

Date: 02/13/24 Account #: 101500 File #: HO 24-01

Company Name: AURORA, CITY OF Contact: STUART A. RODGERS Address: 21420 MAIN ST NE

**AURORA** 

**Telephone:** (503) 678-1283

Fax:

**Ad ID:** 316680 **Start:** 02/21/24 **Stop:** 02/21/24

Total Cost: \$85.54 Columns Wide: 1

Ad Class: 1216

**Phone #** (971) 204-7785

Email: khumphries@pamplinmedia.com

**Amount Due:** \$85.54

### Run Dates

Canby Herald/Pioneer 02/21/24

# CITY OF AURORA PUBLIC NOTICE OF QUASI-JUDICIAL HEARING APPLICATION FOR TYPE II HOME OCCUPATION 20737 YUKON STREET NE, AURORA, OR

**Hearing Date / Time:** March 5, 2024, starting at 7:00 P.M.

Place: Aurora City Hal

Aurora City Hall 21420 Main Street NE Aurora, Oregon 97002

Name of Project: 20737 Yukon Street Home Occupation

Nature of Application: Type II Home Occupation permit (case file

HO 2024-01)

Project Location: 20737 Yukon Street NE, Aurora, OR

Tax Assessor Map/Lot: 041W13CA/15700

**Zone:** Low Density Residential (R-1)

**Request:** Type II Home Occupation Permit to operate an

auto retail sales business from a home at

20737 Yukon Street NE

Additional information is available at City Hall, 21420 Main Street NE, Aurora, Oregon.

Type II Home Occupations are processed as Quasi-Judicial Decisions. Quasi-Judicial Decisions are conducted as stated in Chapter 16.76 of the Aurora Municipal Code (AMC). Chapter 16.46 provides the criteria for reviewing Home Occupations. Type II Home Occupations are listed as a Conditional Use under the R-1 zone, therefore the approval standards and criteria for conditional uses under AMC Chapter 16.60 also apply.

The Planning Commission's review will determine if the application satisfies the approval criteria for Home Occupations under Chapter 16.46 of the AMC. will be granted for this application. The public hearing on this matter will be conducted in accordance with the rules of Chapter 16 of the Aurora Municipal Code and the rules of procedure adopted by the City Council. Oral testimony may be presented at the public hearing. At the public hearing, the planning commission will review a staff report, open the public hearing and invite both oral and written testimony.

A copy of this application, all documents, and evidence are available for inspection at no cost and copies will be provided at reasonable cost, the staff report will be available for inspection at no cost, or copies at reasonable cost, at least seven days prior to the hearing. The Applicant and any person who submits comments during the comment period shall receive the notice of decision.

Issues which may provide a basis for appeal must be raised in writing during the comment period. Failure to raise an issue in the hearing or during the comment period, in person or by letter, or failure to provide sufficient specific detail to give the decision maker or hearing body an opportunity to respond to the issue, precludes appeal to the land use board of appeals on that issue. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

Published February 21, 2024 Canby Herald Newspaper

CH316680

# ADDITIONAL DOCUMENTS

TAXLOT	СОМР	DEV	In city limits?	TOTAL ACRES	BUILDABLE ACRES	STREET	OWNERNAME
Commercial Redevelopa	able						
041W13C000104	C/I	R	N	2.34	2.34	20837 HIGHWAY 99E NE	ENSIGN INVESTMENTS LLC
041W13C000600	C/I	R	N	1.05	1.05	20627 HIGHWAY 99E NE	M & H FARMS LLC
041W13B001400	С	R	Υ	2.36	1.50	21111 HIGHWAY 99E NE	HELLHAKE MARY ALICE
<b>Commercial Vacant</b>							
041W13B002600	С	V	Υ	0.52	0.52	14713 OTTAWAY RD NE	PNR LLC
041W13C000200	С	V	Υ	5.59	5.59		M & H FARMS LLC
Industrial Redevelopabl	e						
041W14D000800	ı	R	N	2.41	2.41	20517 HIGHWAY 99E NE	ZIMMERLEE TERESA F
041W14D000900	I/C	R	N	2.85	1.85	20567 HIGHWAY 99E NE	CARILLO-GARCIA ERASMO
041W13B001800	1	R	Υ	1.45	1.45	14603 OTTAWAY RD NE	WEIK, ROBERT A & WEIK, MARILYN
041W13B001200	ı	R	Υ	1.99	1.60	21111 HIGHWAY 99E NE	HELLHAKE MARY ALICE
041W13B001100	I	R	Υ	2.17	0		HELLHAKE MARY ALICE
041W14D001000	I/C	R	N	13.52	6.00		M & H FARMS LLC

24.31

Total

TAXLOT	COMP	DEV	ACRES	STREET	OWNERNAME	Slope
041W13B002600	С	V	0.52	14713 OTTAWAY RD NE	PNR LLC	
041W13C000200	C/I	V	5.59		M & H FARMS LLC	0.00268589692
	Subtotal		6.11			

			In city				How buildable			
TAXLOT	COMF	DEV	limits?	ACRES	EXISITING DEVELOPMENT	BUILDABLE AREA	area was	ADDRESS	OWNERNAME	Slope
							The existing			
							structures have			
					Split zoned. No RMV for		no assigned			
					existing structures.		market value			
					Commercial portion		and the majority			
041W13C000104	C/I	R	Υ	2.34	unimproved.	2.34	of the	20837 HIGHWA	ENSIGN INVESTMENTS LLC	
							The exisitng			
							residences have			
							very low value			
					Nonconforming residence		and are unlikely			
041W13C000600	С	R	N	1.05	valued at \$1,160	1.05	to conformwith	20627 HIGHWA	M & H FARMS LLC	
							The buildable			
					Application submitted for		portion in the C			
					boat storage. 1.5 acres		district is not			
041W13B001400	C/I	R	Υ	2.36	available for Com.	1.5	planned to be	21111 HIGHWA	HELLHAKE MARY ALICE	

Subtotal 4.89

TAXLOT ACRES STREET OWNERNAME COMP DEV Slope

0.00

			In city			BUILDABLE	How buildable area was			
TAXLOT	COMP	DEV	limits?	ACRES	EXISITING DEVELOPMENT	ACRES	determined.	STREET	OWNERNAME	Slope
041W14D000800	I	R	N	2.41	Nonconforming residential and farm	2.41	The existing residence and accessory uses are not likely to conform with future industrial zoning but could be coverted to a permitted use.	20517 HIGHWAY 99E NE	ZIMMERLEE TERESA F	
					Potentially nonconforming residential values at \$489,930. 1.85 acres disqualified from farm		The existing residence is not likely to conform with future industrial or commercial zoning and the undeveloped portion has been disqualified from farm			
041W14D000900	I/C	R	N	2.85	use per assessor  Application for boat storage submitted. 1.6	1.85	use. The buildable portion in the C district is not planned to be developed under the current	20567 HIGHWAY 99E NE	CARILLO-GARCIA ERASM	10
041W13B001200	I	R	Υ	2.36	acres available.  Nonconforming SFR and	1.60	proposal.  The current use of the property is nonconforming in the I	21111 HIGHWAY 99E NE	HELLHAKE MARY ALICE	
041W13B001800	1	R	Υ	1.45	accessory buildings	1.45	district.	14603 OTTAWAY RD NE	WEIK, ROBERT A & WEIK	, MARILYN E
041W14D001000 041W13B001100	I/C	R R	N	13.52	Ag Building. ± 6 acres for growing Application for boat storage submitted.	6.00	The property is outside of city limits and appears to be in farm use. 6 acres used for growing. Current application under review.	21111 HIGHWAY 99E NE	HELLHAKE MARY ALICE	
5-11115b001100				2.17	storage sastificed.	U	TCVICW.	ZIIII IIIOIIWAI JJE NE	TIELETTAKE WANT ALICE	
					Subtotal	13.31				