

## **CHAPTER VII: OTHER GOALS AND IMPLEMENTATION**

### ENERGY CONSERVATION

- GOAL:**
- 1) To utilize local available energy resources.
  - 2) Conserve energy and use renewable energy resources.
  - 3) Efficiently use all types of energy.
- OBJECTIVE:**
- 1) Make use of solar orientation in development regulations (solar access).
  - 2) Provide information sources on energy conservation methods.
  - 3) Energy conservation to be a criteria used in land use decisions.
  - 4) City to implement programs to reduce energy use.
- POLICY:**
- 1) The City may encourage future development to investigate the use of alternative energy sources.
  - 2) The City shall encourage and support government agencies in providing information regarding alternative energy sources.
  - 3) Encourage the utilization of solar energy for space heating and cooling.
  - 4) Encourage that existing structures be updated for active and/or passive solar systems.
  - 5) The city shall make energy conservation and waste reduction a regular practice in purchasing, operating and maintaining its buildings, vehicles, equipment and facilities, as well as take advantage of renewable energy resource opportunities.
  - 6) The City shall encourage its residents and businesses to take action to conserve energy and use renewable energy resources. The City's efforts shall be coordinated with those of utilities, State and Federal agencies and other organizations.
  - 7) The City shall revise all land development standards to provide and protect solar access,

## IMPLEMENTATION

The Comprehensive Plan provides a policy framework for guiding all urban growth and development, and provisions of public facilities and services. However, the Plan is only the initial step in the planning process. The achievement of the goals, objectives and policies of the Plan are also part of the planning process. The devices by which the city may implement the Comprehensive Plan are detailed in this Chapter.

The method by which Comprehensive Plans are implemented vary greatly, but most always involves the cooperative efforts of private citizens, business people, and local, state and federal governments. These implementing methods may be grouped into four categories: Regulatory Controls, Intergovernmental Cooperation, Public Improvement Financing and Community Program Planning. The second part of this chapter involves a continuous planning process for plan revisions and citizen involvement.

## REGULATORY CONTROLS

### The Development Ordinance:

The Development Ordinance is a means of plan implementation, which regulates the use of land by dividing the city into residential, commercial, industrial, and other zoning districts. It establishes uniform regulations within each district as to use, building height, lot size, building setbacks from streets and property lines, housing density, landscaping and other similar requirements.

State laws and recent Oregon Supreme Court decisions have defined the relationship of Comprehensive Plans and zoning. Oregon law (ORS Chapter 197) not only requires cities to adopt comprehensive plans, it also requires that their zoning ordinances conform to the Comprehensive Plan. The Baker vs. City of Milwaukee court decision is also supportive of the state mandate. In this decision, the court rules that in the event of a conflict between the city's zoning ordinance and comprehensive plan, the comprehensive plan shall be the guiding document.

Furthermore, another court decision, Fasano vs. Washington County, has ruled that all zone changes must conform to the Comprehensive Plan. Therefore, once the zoning ordinance has been amended to conform to the Comprehensive Plan, any subsequent zone change must first be preceded by an amendment to the Comprehensive Plan.

In light of the state land use planning mandate and recent court decisions, the enactment of a development ordinance is an important part in implementing the Plan. Although zoning and other regulatory controls are considered as negative instruments to regulate the standards of development, The Development Ordinance is designed to provide flexibility and incentive for a compatible mixture, and yet, balanced arrangement of land uses, good layout and design, quality development and open space. Therefore, The Development Ordinance gives effect to the goals, objectives and policies of the Comprehensive Plan.

Land division regulations play an important part of the ordinance in the achievement of the goals, objectives and policies of the Comprehensive Plan by prescribing standards for the subdivision of land. Subdivision regulations establish reasonable minimum standards for the streets, block and lot sizes and lists improvements to be provided by the subdivision. These rules

will regulate subdivision and partitioning so that high standards of layout and design will be maintained. The regulations also provide for the dedication of land for public purposes including streets and parks, or payment of a parks acquisition and development fee for continued improvement of recreation opportunities in the city. In addition, the regulations may require that sites for public improvements be reserved for a reasonable period to allow time for acquisition by the appropriate public agency or school district.

Signs are also regulated by The Development Ordinance. This ordinance provision regulates the placement, height and area of signs. The overall objective is to encourage signs that do not obstruct, but signs that will compliment development and the aesthetic goals of Aumsville.

#### Building Code:

Building codes define standards for structural strength, and standards for fire, safety, plumbing and electrical installation. These codes help to insure the safety and welfare of the public, but have limited effect in preventing blight in older, built-up areas. Aumsville has adopted the Uniform Building Code, together with all updates.

### INTERGOVERNMENTAL COOPERATION

Another method of implementing the Comprehensive Plan is through a cooperative effort between the City and other public agencies or cities. Some of the policies and public improvement proposals can best be achieved through a joint effort with other agencies. For example, improvement of Main Street would require cooperation of the County and City. Therefore, the City should seek to join with other agencies in implementing specific policies of this Comprehensive Plan.

Seeking advice and consultation on the part of the Planning Commission and City officials is a communication process that can be effective in implementation of the Comprehensive Plan and policies. Both communication and coordination are necessary means in developing support from other public and private agencies or groups for city policies.

### PUBLIC IMPROVEMENT FINANCING

Most public improvements for streets, sewer and water trunk lines, public buildings and other public projects greatly influence the growth pattern of the City, but require large public expenditures. There are numerous resources, though, for the financial assistance of public improvements. From the federal government, grants-in-aid are available through the Department of Housing and Urban Development; the Federal Highway administration; the Department of Health, Education and Welfare; the Department of Agriculture; and the Environmental Protection Agency, just to name a few. Funds are available for such projects as streets, sewer and water facilities, parks and open space and public buildings. In addition to direct grants-in-aid, several low-interest loan programs are available to both the public and private sector. Low-interest loans for home rehabilitation or for new housing, although not public improvements, are available and are clearly in the community interest. Federal Reserve Sharing funds are available, but most often these funds must compete for other immediate budgeting needs. Community

Development Block Grants are also available to the City. Under this program, the City may apply for money for such community projects as public works, housing and social services.

### COMMUNITY PROGRAM PLANNING AND CITIZEN INVOLVEMENT

The Community Program addresses the needs of the community such as expansion of the police department and more patrolmen, community recreation programs and social and health related programs. Continued growth of the city and changing values will require that new and expanded programs be initiated.

No one aspect of the Comprehensive Plan preparation review and adoption process is more significant than the participation and input of the City's citizens. The City of Aumsville has continually enlisted the efforts of citizens in all phases of City decision making. Special attempts have been made to represent all interests and geographical areas. The policy of the city is to have citizens become increasingly involved in the continuing planning process, if only on an ad hoc basis, to periodically review and comment on land use matters and other social and economic development issues. This citizen involvement program is in concert with the first goal of the Statewide Planning Goals and Guidelines established by the Land Conservation and Development Commission, which requires the development of "...a citizens involvement program in all phases of the planning process." The planning effort in Aumsville is open, accessible and solidly supported by the citizens of the City, and every effort will be expanded to keep it that way.

The monthly "Aumsville Newsletter" has been designated as the primary means of citizen information. If the publication of the newsletter is, at some later date, discontinued, the City must designate other means by which it will keep the citizens of the community informed, and submit their proposal for review and approval to the state Citizen Advisory Commission and LCDC. The Planning Commission is recognized as the "Citizen Advisory Board" if enough interest is not generated by the community to establish a separate "board."

### PLAN REVISION

The value of a Comprehensive Plan as a statement of public policy for the growth and development of Aumsville is measured, in part, by the ability of the Comprehensive Plan to reflect changing needs and desires of the community. Continued growth and development will present new problems and issues that will need to be addressed and resolved. Therefore, the Comprehensive Plan and implementing measures are then to be evaluated at a different rate than projected by the Comprehensive Plan. However, major revisions to the Comprehensive Plan, such that would result in a widespread and significant impact beyond the immediate area, are not to be made more frequently than every two years.

Changes to the urban growth boundary, Comprehensive Plan Map changes of residential to industrial, or any similar change are considered to have significant impact. Therefore, the Comprehensive Plan and implementing measures are to be reviewed at least once every two years and a public statement issued on whether any revision is needed. The review should begin with an examination of data on development trends, population growth and effectiveness of policy statements to guide daily and long-term decision making.

Minor changes to the Comprehensive Plan that do not have significant effect beyond the immediate area are not to be made more frequently than once a year. Proposals for minor changes to the Comprehensive Plan are to be reviewed, collectively, at a set time period each year. This once-a-year process is important for maintaining the public's confidence in the Comprehensive Plan and credibility for daily decision making. Changes to the Comprehensive Plan are to be based on special studies or other resource data and used as a factual basis to support the change. The public need and justification for a change, must be justified and documented. Major revisions and minor changes to the Comprehensive Plan and implementing ordinances must be adopted by the city council following the forwarding of a recommendation by the Planning Commission based upon citizen involvement, and coordination with other governmental units and agencies. Notice of the time, place and purpose of the initial Planning Commission's hearing shall be mailed not less than 20 days prior to the date of the hearing to all property owners whose property would be "re-zoned". "Re-zoned" is defined to include any action that adopts or amends an ordinance in a manner that limits zone" e.g. uses, setbacks, design review, conditional use and variance. Notice of all hearings shall be given by publication in the Aumsville Newsletter. Public notices may also appear in a newspaper of general circulation if it is deemed advisable or if the newsletter is discontinued.