

Aumsville Planning Commission and City Council NOTICE OF PUBLIC HEARINGS



Thursday, April 20, 2017 (APC) and Monday, May 8, 2017 (ACC)

ZONE CHANGE, PARTITION, SITE DEVELOPMENT REVIEW, & VARIANCE APPLICATIONS

for property located at 1150 Cedar Lane & 543 11th Street, Aumsville, Oregon

Public hearings for these applications have been set before the Aumsville Planning Commission on **Thurs., Apr. 20, 2017, 6:00 PM**; and the Aumsville City Council on **Mon., May 8, 2017 at 7:00 PM**. Both hearings will be held at the community center, 555 Main St, Aumsville, OR.

The applications were submitted by **Jerry Flowers** to re-zone, partition, and develop property (located at Cedar Lane and 11th Street) for multi-family housing. As part of the request for a re-zoning of the property, the comprehensive plan maps would be updated to request the change. The applications also include a request for a variance regarding the number and size of required parking spaces. The applications include lots 600, 1200, 1900, and 2000 located at, and adjacent to, **1150 Cedar Lane and 543 11th Street, Aumsville, OR**.

The applicable criteria for the applications are set forth in Sections 16.05, 20.35, 21.06 and Section 13.04 of The Development Ordinance as follows:

Section 16.05 – Zoning Criteria

- (A) That the change is in conformance with the Aumsville Comprehensive Plan, or that there was a mistake in the amended plan, or conditions in the area have changed since adoption of the amended plan. This includes both the plan map, and the goals, objectives and policies of the plan.
- (B) That there is a public need for the proposed use or zone.
- (C) That this need will best be met by a zone change of the property in question as compared with other property.
- (D) That there is no other appropriately zoned property in the surrounding area that could be used.
- (E) That the range of uses allowed by the proposed zone will not over-burden existing and future capacity of public facilities.

20.35 Partition Decision Criteria: Approval of a partitioning request shall require compliance with the following decision criteria:

- (A) Each parcel shall satisfy the dimensional standards of applicable zoning district, unless a variance from these standards is approved.
- (B) Adequate public facilities shall be available to serve the existing and newly created parcels.
- (C) The partitioning shall comply with the applicable design criteria in Section 20.70.

21.06 Site Development Review – Approval Criteria

The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

1. The application is complete, as determined in accordance with Section 12.02 and Section 21.05;
2. The application complies with all of the applicable provisions of the underlying land use zone, including: building and yard setbacks, lot area and dimensions, lot coverage, and other special standards as may be required for certain land uses;
3. Characteristics of adjoining and surrounding uses;
4. The application complies with the supplementary zone regulations contained in Sections 18.00, 19.00, and 22.00;
5. Conditions required as part of a land division (Section 20.00), conditional uses (Section 14.00), or other approval shall be met;
6. Provision for adequate noise and/or visual buffering from non-compatible uses;
7. Drainage and erosion control needs;
8. Public health factors;
9. Problems that may arise due to development within potential hazard area; and
10. Retention of existing natural features on site.

13.04 Criteria for Granting a Variance: A variance from the terms of this ordinance shall not be granted unless ALL of the following circumstances exist:

(A) Compliance with the applicable requirement or standard of this ordinance would:

1. Create a hardship due to one or more of the following conditions:

- (a) The physical characteristics of the land, improvements, or uses that are not typical of conditions in the zoning district; or
- (b) Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district; or
- (c) That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this ordinance by the applicant.

2. Not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located.

(B) Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:

- 1. Granting the variance will not create significant adverse affects to the appearance, function, or safety of the use or uses on the subject property; and
- 2. Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped properties.

(C) Approval of this application will allow the property to be used only for the purposes authorized by the zoning district.

A copy of the applications, all documents and evidence submitted by or on behalf by the applicants, and applicable criteria are available for inspection at Aumsville City Hall for free or may be requested at a per copy cost with a public record request form. A copy of any staff report will be available for inspection at no cost at least 7 days prior to the hearing and a copy will be available at a per-copy cost. Additional information may be obtained from Lora Hofmann, Administrative Assistant or City Administrator Ron Harding at (503) 749-2030 and written testimony must be directed to their attention, for the public record, at city hall, 595 Main Street, Aumsville, Oregon 97325, or at the hearing.

Written and verbal testimony is to be directed toward the criteria and anyone wishing to testify needs to sign in and ask to be recognized. The hearing will be conducted with the staff presentation first, followed by the applicant's case, testimony of persons in favor, opposing testimony, governmental agencies testimony, general testimony, rebuttal, questions, summaries and the hearing will then be closed. Failure to raise issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Aumsville Planning Commission opportunity to respond to the issue, precludes appeal to the Aumsville City Council on this issue.

The meeting location is accessible for persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations must be made at least 48 hours prior to the meeting. Please call (503) 749-2030 and leave a message or Oregon Relay Service for TDD at (800) 735-2900.