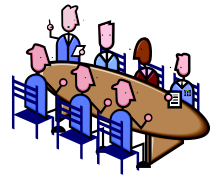


Aumsville Planning Commission and City Council  
**NOTICE OF PUBLIC HEARINGS**



Thursday, Sept. 7, 2017 (APC) and Monday, Sept. 11, 2017 (ACC)

**ANNEXATION, SUBDIVISION, SITE DEVELOPMENT REVIEW & VARIANCE APPLICATIONS**  
for property located at 569 11th Street, Aumsville, OR 97325

Public hearings for the applications have been set before the Aumsville Planning Commission on **Thurs., Sept. 7, 2017, 6:00 PM**; and the Aumsville City Council on **Mon., Sept. 11, 2017 at 7:00 PM**. Both hearings will be held at the Community Center, 555 Main St, Aumsville, OR.

The application was submitted by **Lyons Real Property, LLC** (Jerry Flowers) to annex property located at 569 11th Street, create a four-lot subdivision for single family residential, and obtain a variance from full-street improvements.

The applicable criteria for the applications are set forth in Sections 17.05, 20.45, 21.06 and 13.04 of The Development Ordinance as follows:

**Section 17.05 - Annexation Criteria**

- (A) The annexation proposal is in conformance with the adopted Comprehensive Plans of both the city and Marion County, or amendments to that effect can be achieved.
- (B) That the annexation will provide development that is at present unable to be met by existing available land in the city.
- (C) That there is a present and future capacity of public services to accommodate future development.
- (D) That the annexation will be consistent with the purpose served by the city, and all of its regulations.
- (E) That the majority of eligible voters called upon to vote have consented to the annexation.

**Section 20.45 - Subdivision Decision Criteria:** Approval of a subdivision request shall require compliance with the following decision criteria:

- (A) The overall dwelling density shall be consistent with policies contained in the Comprehensive Plan.
- (B) Each lot shall satisfy the dimensional standards of applicable zoning district, unless a variance from these standards is approved.
- (C) Adequate public facilities, including transportation, shall be available to serve the newly created lots and transportation shall be coordinated with the school district. The subdivision shall comply with applicable requirements of Section 22.15 Transportation Impacts.
- (D) The subdivision shall comply with the applicable design criteria in Section 20.70.

**Section 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.

**Section 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. Exceptional and extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and there are circumstances over which the owner of the property, since enactment of this ordinance, have had no control.

- B. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this ordinance.
- C. The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflicts with the objectives of any city plan or policy.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same zone.
- E. The variance requested is the minimum variance, which would alleviate the hardship.
- F. That the special conditions and circumstances do not result from the actions of the applicant.

A copy of the staff report, applications, all documents and evidence relied upon by the applicant and application criteria are available for public inspection at the Aumsville City Hall at no cost and a copy is also available at a reasonable cost. Additional information may be obtained from Administrative Assistant Lora Hofmann or City Administrator Ron Harding at 503 749-2030 and written testimony must be directed to the attention of 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 should sign in and ask to be recognized by the Chair. Failure to raise issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Aumsville City Council opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals 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.