

**AGENDA**  
**Aurora City Council Meeting**  
Tuesday, November 08, 2016, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

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**1. CALL TO ORDER OF THE AURORA CITY COUNCIL MEETING**

**2. CITY RECORDER DOES ROLL CALL**

Mayor Bill Graupp  
Councilor Jason Sahlin  
Councilor Tom Heitmanek  
Councilor Bob Southard  
Councilor Kris Sallee

**3. CONSENT AGENDA**

- a) City Council Minutes – October, 2016
- b) Planning Commission – October, 2016
- c) Historic Review Board Meeting Minutes – NA, 2016

**4. CORRESPONDENCE –**

**5. VISITOR**

Anyone wishing to address the Aurora City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Aurora City Council could look into the matter and provide some response in the future.

**6. REPORTS**

- a) Mayors Report
- b) Planning
- c) Public Safety
- d) Finance Officer
- e) Public Works
- f) Parks Committee
- g) City Recorder
- h) City Attorney
  - Letter sent to 21367 Hwy 99E for nuisance violation

**7. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- a) Ordinance 484 An Ordinance Amending the City of Aurora Municipal Code (Buffer Requirements For Marijuana Businesses in the Industrial Zone) 1<sup>st</sup> reading.

**8. NEW BUSINESS**

- a) Discussion and or Action on Ordinance Number 484
- b) Discussion and or Action on Going Out For RFP for Legal Services.

**9. OLD BUSINESS**

- a) NA

**10. FUTURE TOPICS**

- a)

**11. ADJOURN**

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, October 11, 2016, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT:** Kelly Richardson, City Recorder  
Mary Lambert, Finance Officer  
Darrel Lockard, Public Works Superintendent  
Officer Bell, Marion County  
Eleanor Beatty, Kaiser Law  
Linda Kendrick, Kaiser law  
Renata Wakeley, City Planner

**STAFF ABSENT:**

**VISITORS PRESENT:**

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**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Mayor Bill Graupp at 7:00 pm

**2. CITY RECORDER DOES ROLL CALL**

Mayor William Graupp- Present  
Councilor Jason Sahlin - Present  
Councilor Kris Sallee-Present  
Councilor Robert Southard-Present  
Councilor Tom Heitmanek - Absent

**3. CONSENT AGENDA**

- a) City Council Meeting Minutes – September, 2016
- b) Planning Commission – August, 2016
- c) Historic Review Board Meeting – NA

**ACTION ITEM: NA**



- A. Adopt the findings in the staff report and adopt Legislative Amendment 16-01:
  1. As presented by staff and recommended by the Planning Commission; or
  2. As amended by the City Council (stating revisions).
- B. Take no action on Legislative Amendment 16-01.
- C. Continue the public hearing:
  1. To a time-certain, or
  2. Indefinitely

## BACKGROUND

In January 2016, the Aurora City Council adopted Ordinance 480 amending the Commercial and Industrial zone codes to adopt reasonable time, place, and manner restrictions on marijuana related businesses, including a restriction on marijuana grow sites and/or processing sites requiring a 1000-foot buffer between other marijuana businesses (established at the time of initial permit application).

The public hearings and staff reports related to the adoption of Ordinance 480 can be found in file #LA-2015-01.

On August 18, 2016, the City of Aurora received an application to amend the Industrial zone code (Section 16.16) to remove the 1,000-foot buffer requirement between marijuana businesses (See Exhibit B).

The following sections of the Aurora Municipal Code (AMC) are proposed for amendment:

- 16.16 Industrial

Legislative Amendment 16-01 includes the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~striketrough~~ format for review purposes (see Exhibit A).

## FINDING OF FACT AND CONCLUSIONS

Staff and the Aurora Planning Commission, after careful consideration of the testimony and evidence in the record, adopted the following Findings of Fact and Conclusions:

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on

September 12, 2016, 23-days prior to the first evidentiary hearing and 30-days prior to the City Council hearing tentatively scheduled for October 11, 2016.

2. Amendments to the Aurora Municipal Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Staff finds the application is subject to section 16.80.020 as a Legislative Amendment as the applicant proposes a change to the Industrial zone code for all industrial properties within the City of Aurora that applies to a broad class of people and a variety of factual situations and any change would be an expression of local government policy rather than a closely circumscribed factual situation or a relatively small number of impacted parties. As such, legislative amendment application shall be processed in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.
3. AMC 16.74.030 outlines notice requirements. At least ten days prior to the first public hearing, the City shall publish notice in a newspaper of general circulation. The notice of the planning commission and city council hearings was published in the Canby Herald on September 21, 2016, at least 10 days prior to the scheduled October 4, 2016 Planning Commission hearing. In addition, owners of industrially zoned properties within the Aurora urban growth boundary were mailed notice of the pending application on September 21, 2016.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the Planning Commission and the decision by the City Council.
5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission reviewed the proposed legislative amendments at their October 4, 2016 public hearing and recommended the City Council adopt LA-2016-01 after their October 11, 2016 public hearing via a vote of 5-1.

## FINDINGS

*In accordance with 16.74.060.A., the recommendation by the Planning Commission and the decision by*

*the Council shall be based on consideration of the following factors:*

1. *Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;*

FINDINGS: Goal 1, Citizen Involvement: A public hearing on the proposed amendments is schedule before the Planning Commission on October 4, 2016 and a second hearing is scheduled before the City Council on October 11, 2016. Notice was posted at City Hall and published in the Canby Herald. Owners of industrially zoned properties within the Aurora urban growth boundary

were mailed notice of the pending application on September 21, 2016. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff and the Planning Commission found Goal 1 is met.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged AMC for processing of legislative amendment applications to the zoning ordinance. Goal 2 generally supports clear and thorough local procedures. Staff and the Planning Commission found Goal 2 is met.

Goal 3, Agricultural Lands and Goal 4, Forest lands are found not to be applicable.

Goal 5, Open Spaces, Natural Resources, and Historic Areas: The proposed amendments do not affect regulations within the Aurora Historic District nor does it affect open spaces or natural resources. Goal 5 does not apply.

Goal 6, Air, Water and Land Resource Quality: Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards: Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreational Needs: Goal 8 is not applicable. The proposal does not address Goal 8 resources.

Goal 9, Economic Development: The draft code amendments responds to an application received from a tenant on an industrially zoned property. According to the applicant, the removal of the 1000-foot buffer from other marijuana related businesses would benefit the City's economic development by increasing potential city revenue via increased business and potential taxation

and would promote employment and business opportunities in the industry. Staff and the Planning Commission found Goal 9 is met.

Goal 10, Housing: Goal 10 is not applicable. The proposal does not address Goal 10 resources.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable as the code amendments address permitted uses under State law on properties already zoned for industrial development. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues as the proposed code amendment applies to existing industrially zoned properties within the City limits and permissible uses within these zones.

ORS 197 does not include specific notice requirements for legislative processes but the City met all noticing requirements under AMC for Legislative Amendments. ORS 227.186, more commonly known as Measure 56 notice, does not apply as the proposed amendment does not reduce permissible uses of properties in the affected zones. Owners of industrially zoned properties within the Aurora urban growth boundary were mailed notice of the pending application on September 21, 2016.

*2. Any federal or state statutes or rules found applicable;*

FINDINGS: Staff finds the adoption actions are consistent with Oregon Revised Statute 197.610(1) for notice to the Department of Land Conservation and Development. Measure 56 notice was not required as the proposed amendments do not reduce permissible uses on industrial

lands. Notice of the proposed code amendment was mailed to all industrial zoned property within the urban growth boundary.

Beyond the State-imposed and regulated standards for marijuana related facilities, jurisdictions are permitted to adopt reasonable time, place and manner restrictions to meet the intent of their development code and comprehensive plans. Proposed amendments to address these new regulations and to further clarify the locations of specific facilities were adopted via Ordinance 480 and include buffers from schools and daycares; prohibiting marijuana related businesses from being adjacent to residential zones, parks or churches; limiting hours of operation; and requiring a conditional use permit application and approval.

According to the applicant, the additional requirement for a 1000-foot buffer between marijuana related businesses is unnecessary as it does not provide additional protections against security threats nor does it maintain higher livability standards for residents. The applicant also states the AMC already contains fair and thoughtful provisions to safeguard the City's livability and limits the marijuana industries footprint upon the City via other conditional use permit criteria and because of the State of Oregon's existing security standards, the AMC buffer requirement is unnecessary.

Staff and the Planning Commission found the City may amend the Industrial zone code to remove the 1000-foot buffer requirement and still meet applicable state statutes related to marijuana grow and processing sites and this criterion is met.

*3. The applicable comprehensive plan policies and map; and*

The applicable Aurora Comprehensive Plan Goals align with the Statewide Planning Goals and associated policies as outlined under FINDINGS, subsection A.1 above. Staff and the Planning Commission found the proposed amendment to the industrial zone code can meet this criteria, as outlined under subsection A.1 above.

*4. The applicable provisions of the implementing ordinances.*

FINDINGS: The draft code amendment responds to request from a property owner and tenant of industrially zoned property. The proposed code amendment is not found to deter employment or business opportunity but rather to clarify locations of a permitted conditional use in the industrial zone and allow for greater economic uses of industrial properties while maintaining the permitted and conditional uses in the zone, and the zone development and design standards.

Staff and the Planning Commission found the proposed code amendment can be adopted in compliance with the implementing ordinances as the proposed code amendment does not proposed to amend the development or design standards of the applicable zone or other requirements of the Aurora Municipal Code. Staff and the Planning Commission found this criterion is met.

*In accordance with 16.74.060.B., consideration may also be given to proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.*

**FINDINGS:** Staff and the Planning Commission found there was no change in circumstance, mistake or inconsistency in the comprehensive plan or implementing ordinances. Rather, the proposed code amendment is a result of an application for zone text amendment from Lovena Green Farms. In accordance with AMC 16.74.020.A.5, an owner of property or contract purchaser may apply for a zone code text amendment. The application is signed by the property owner of record. Staff and the Planning Commission found this criterion does not apply.

**EXHIBIT A** Aurora Municipal Code (AMC) section 16.16- Industrial zone code proposed amendments

**EXHIBIT B** Zoning Ordinance Amendment application

- Questions for the City Planner, hearing none move on to testimony
- Applicant presents to council their application request for removal of the 1000 foot buffer stipulation in Ordinance 480. Applicant feels that the state highly regulates these types of facilities and believes the buffer zone violates goal 9 we believe that this type of business enhances security, livability and economic development.
- No one else spoke during this time either for or against the application.

**Open for comments or discussion for City Council,**

- Mayor Graupp asks if 10am-5pm hours of operation impact the industrial zone, Wakeley states yes it does and the applicant is open to removing it and tacking it on the the text amendment if that is alright with all concerned.
- At this time council discusses that this text amendment would potentially open the entire zone up to these types of business and if everyone is ok with that then we can move forward. Councilor Sallee is concerned with setting precedence and Wakeley explains this is not an exception or precedence because it opens it up to the entire Industrial zone.
- Councilor Southard enquires about the amount of tax revenue that could be generated and at this point it is unknown.
- Council also discusses the potential of changing the 1000 foot buffer from entire industrial zone to 1000 foot buffer between each property line.
- Hearing closed at 8:09

Councilor Sahlin also has issues with the many violations that are happening on site and how our code doesn't allow us to stop approvals/application process when violations are on site. Which seems to be a consensus of the group this is a concern.

A Motion is made to approve the application and recommendation from the Aurora Planning Commission with two changes one to remove the 1000 foot buffer between businesses to 100 foot buffer between properties and to remove the hours of operation stipulation for the industrial zone only by Councilor Sahlin and is seconded by Councilor Southard. 3 in favor, Graupp, Southard & Sahlin 1 against, Sallee.

## 7. REPORTS

- a) Mayor Bill Graupp informs council he has been to two separate functions in the last 2 weeks first at PSU for populations forecasting an League of Oregon Cities conference. Top legislative concerns are, Recreational Immunity, PERS, Property tax reform.

Council discussed. RFP for legal services.

**ACTION ITEM: NA**

- b) Planning, has been working on various code updates to address recent concerns on processes.

**ACTION ITEM: NA**

- c) Public Safety, Officer Bell reports nothing really unusual except to say that on Friday there was a report of a clown coming to the North Marion School so had to follow up on that it turned out to be nothing. One major call on a person sleeping in a car with children present there was an arrest made and DHS called.

Council discussed, NA

**ACTION ITEM: NA**

- d) Finance,
- Report attached is going well normal activity.
  - Attended first conference in Salem there were 7 sessions great training.
  - Audit questionnaires have gone out.

**ACTION ITEM: NA**

e) Public Works

- Report is attached Lockard informs council that there was a power outage and a few systems had to be reset. PGE doesn't know what caused the outage.
- Work is moving forward on the Storm Water Master Plan.
- More discussion regarding tree removal in and around the park the contractor has been delayed.

Council discussed.

**ACTION ITEM: NA**

f) Parks Committee

Councilor Sahlin nothing really other than the trees. Mayor Graupp informs the group the school doesn't have any extra soccer goals.

**ACTION ITEM:**

g) City Recorder

- Report as attached

Council discussed, sending a letter to Cam

**ACTION ITEM: Contact G. Cam again regarding paving.**

h) City Attorney

- City Attorney report, Linda Kendrick passed the bar and congratulations.
- Nothing has been filed as of yet from Ross RV Cart.
- Mr. Bixler had requested that his performance bond be released and it was the consensus of the council to move in that direction at the successful closing of the property.

Council discussed, What they should do regarding the Reneau 21367 Hwy 99E property and it was the consensus of the council to move forward with fines and send another letter and discuss next steps.

**ACTION ITEM: Councilor Sahlin is concerned with the maintenance and upkeep of the sidewalks and trees and would like Planning Commission to look into the legal precedence on this.**

*Mayor Graupp informs the group that after having lunch with Dennis Koho he had announced that he may be opening a new practice and is interested in the cities business again.*

## 8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- a) Discussion and or Action on Resolution Number 716 A Resolution to Add City of Gervais to the IGA for Court Judge Services.

Motion to approve Resolution Number 7169 and accept the proposed addition of The City of Gervais to the IGA for Court Judge Services is made by Councilor Sahlin and is seconded by Councilor Southard. Motion Passed by all.

## 9. NEW BUSINESS

- a) Discussion and or Action of Resolution Number 716 and the Addendum to the IGA for Court Judge Services.

## 10. OLD BUSINESS

- a) Discussion and or Action on Employee Manual, to have staff begin review.
- b) Discussion and or Action on Council Procedures. Councilor Sallee wants to review this next month.
- c) Discussion and or Action on Code Chapter 8 regarding noxious vegetation, Consensus of Council to leave it as is.

## 11. FUTURE TOPICS

- a) Discuss going out for RFP for Legal Services.

## 12. ADJOURN

Mayor Graupp adjourned the October 11, 2016 Council Meeting at 9:10 PM.

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Bill Graupp, Mayor

ATTEST:

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Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, October 4, 2016, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT** Kelly Richardson, City Recorder  
Renata Wakeley, City Planner

**STAFF ABSENT:** NA

**VISITORS PRESENT:** Bob Smets, Aurora  
Corine Celco,  
Tyler Mesker, Aurora  
Chris Green,  
Mary Hellake, Aurora

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**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Chairman Schaefer at 7:01 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Joseph Schaefer - Present  
Commissioner Craig McNamara- Present  
Commissioner Bud Fawcett - Present  
Commissioner Jonathan Gibson - Present  
Commissioner Mercedes Rhoden-Feely - Present  
Commissioner Tara Weidman - Present  
Commissioner TBA

**3. CONSENT AGENDA**

- a) Planning Commission Minutes – September, 2016
- b) City Council Meeting Minutes – August, 2016
- c) Historic Review Board Minutes – NA

Motion to approve the consent agenda as presented was made by Commissioner Gibson and is seconded by Commissioner McNamara. Motion approved by all.

**4. CORRESPONDENCE –**

- a) FEMA NFIP\_ESA\_Consultation in Oregon, Chair Schaefer explains that this is what we have been discussing regarding flood plain issue this power point should help to explain it better.

April 2018 hopefully major remapping should take place however not sure if they have funding yet.

- b) Letter from Defazio 4<sup>th</sup> District regarding flood plains and construction projects with issues. Section 9 you need review and approval for NIMS. Along 99E we would send info to ODOT and then they might ask us to do this or say nothing. Defazio district 6-7 UGB grant projects funding from Federal dollars and he is getting an earful from local jurisdictions regarding lag time to get permits approved.

#### 5. 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.

#### 6. PUBLIC HEARING, OPENS AT 7:07PM

- a) Discussion and or Action on Legislative Amendment LQ-16-01 Application for Lavena Green Farms. Chair Schaefer reads into the record the legal overview of the meeting. Nothing is declared. Staff Wakeley reads her staff report into the record,

# Memorandum

## MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

105 HIGH STREET S. E. SALEM, OREGON 97301-3667  
TELEPHONE: (503)588-6177 FAX: (503)588-6094

TO: Aurora Planning Commission  
FROM: Renata Wakeley, City Planner  
RE: Legislative Amendment 2016-01 (LA-16-01)  
DATE: September 27, 2016

### REQUESTED ACTION

The Planning Commission's options for taking action on Legislative Amendment 16-01 include the following:

- A. Adopt the findings in the staff report and recommend that the City Council adopt Legislative Amendment 16-01:
  - 1. As presented by staff; or
  - 2. As amended by the Planning Commission (stating revisions).
  
- B. Recommend that the City Council take no action on Legislative Amendment 16-01.

C. Continue the public hearing:

1. To a time-certain, or
2. Indefinitely.

### BACKGROUND

In January 2016, the Aurora City Council adopted Ordinance 480 amending the Commercial and Industrial zone codes to adopt reasonable time, place, and manner restrictions on marijuana related businesses, including a restriction on marijuana grow sites and/or processing sites requiring a 1000-foot buffer between other marijuana businesses (established at the time of initial permit application).

The public hearings and staff reports related to the adoption of Ordinance 480 can be found in file #LA-2015-01.

On August 18, 2016, the City of Aurora received an application to amend the Industrial zone code (Section 16.16) to remove the 1,000-foot buffer requirement between marijuana businesses (See Exhibit B).

The following sections of the Aurora Municipal Code (AMC) are proposed for amendment:

- 16.16 Industrial

Legislative Amendment 16-01 includes the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~strike through~~ format for review purposes (see Exhibit A).

### FINDING OF FACT AND CONCLUSIONS

The Aurora Planning Commission, after careful consideration of the testimony and evidence in the record, adopts the following Findings of Fact and Conclusions:

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on September 12, 2016, 23-days prior to the first evidentiary hearing and 30-days prior to the tentative City Council hearing on October 11, 2016.
2. Amendments to the Aurora Municipal Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Staff finds the application is subject to section 16.80.020 as a Legislative Amendment as the applicant proposes a change to the Industrial zone code for all industrial properties within the City of Aurora that applies to a broad class of people and a variety of factual situations and any change would be an expression of local government policy rather than a closely circumscribed factual situation or a relatively small number of impacted parties. As such, legislative

amendment application shall be processed in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.

3. AMC 16.74.030 outlines notice requirements. At least ten days prior to the first public hearing, the City shall publish notice in a newspaper of general circulation. The notice of the planning commission and city council hearings was published in the Canby Herald on September 21, 2016, at least 10 days prior to the scheduled October 4, 2016 Planning Commission hearing. In addition, owners of industrially zoned properties within the Aurora urban growth boundary were mailed notice of the pending application on September 21, 2016.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the Planning Commission and the decision by the City Council.
5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission will review the proposed legislative amendments at a October 4, 2016 public hearing. If applicable, the City Council will hold a public hearing on the Planning Commission recommendation for LA-2016-01 at a tentatively scheduled hearing on October 11, 2016.

## FINDINGS

*In accordance with 16.74.060.A., the recommendation by the Planning Commission and the decision by the Council shall be based on consideration of the following factors:*

1. *Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;*

FINDINGS: Goal 1, Citizen Involvement: A public hearing on the proposed amendments is scheduled before the Planning Commission on October 4, 2016 and a second hearing is scheduled before the City Council on October 11, 2016. Notice was posted at City Hall and published in the Canby Herald. Owners of industrially zoned properties within the Aurora urban growth boundary were mailed notice of the pending application on September 21, 2016. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff finds Goal 1 is met.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged AMC for processing of legislative amendment applications to the zoning ordinance. Goal 2 generally supports clear and thorough local procedures. Staff finds Goal 2 is met.

Goal 3, Agricultural Lands and Goal 4, Forest lands are found not to be applicable.

Goal 5, Open Spaces, Natural Resources, and Historic Areas: The proposed amendments do not

affect regulations within the Aurora Historic District nor does it affect open spaces or natural resources. Staff finds Goal 5 does not apply.

Goal 6, Air, Water and Land Resource Quality: Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards: Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreational Needs: Goal 8 is not applicable. The proposal does not address Goal 8 resources.

Goal 9, Economic Development: The draft code amendments responds to an application received from a tenant on an industrially zoned property. According to the applicant, the removal of the 1000-foot buffer from other marijuana related businesses would benefit the City's economic development by increasing potential city revenue via increased business and potential taxation and would promote employment and business opportunities in the industry. Staff finds Goal 9 is met.

Goal 10, Housing: Goal 10 is not applicable. The proposal does not address Goal 10 resources.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable as the code amendments address permitted uses under State law on properties already zoned for industrial development. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues as the proposed code amendment applies to existing industrially zoned properties within the City limits and permissible uses within these zones.

ORS 197 does not include specific notice requirements for legislative processes but the City met all noticing requirements under AMC for Legislative Amendments. ORS 227.186, more commonly known as Measure 56 notice, does not apply as the proposed amendment does not reduce permissible uses of properties in the affected zones. Owners of industrially zoned properties within the Aurora urban growth boundary were mailed notice of the pending application on September 21, 2016.

*2. Any federal or state statutes or rules found applicable;*

**FINDINGS:** Staff finds the adoption actions are consistent with Oregon Revised Statute 197.610(1) for notice to the Department of Land Conservation and Development. Measure 56 notice was not required as the proposed amendments do not reduce permissible uses on industrial lands. Notice of the proposed code amendment was mailed to all industrial zoned property within the urban growth boundary.

Beyond the State-imposed and regulated standards for marijuana related facilities, jurisdictions are permitted to adopt reasonable time, place and manner restrictions to meet the intent of their development code and comprehensive plans. Proposed amendments to address these new regulations and to further clarify the locations of specific facilities were adopted via Ordinance 480 and include buffers from schools and daycares; prohibiting marijuana related businesses from being adjacent to residential zones, parks or churches; limiting hours of operation; and requiring a conditional use permit application and approval.

According to the applicant, the additional requirement for a 1000-foot buffer between marijuana related businesses is unnecessary as it does not provide additional protections against security threats nor does it maintain higher livability standards for residents. The applicant also states the AMC already contains fair and thoughtful provisions to safeguard the City's livability and limits the marijuana industries footprint upon the City via other conditional use permit criteria and because of the State of Oregon's existing security standards, the AMC buffer requirement is unnecessary.

Staff finds the City may amend the Industrial zone code to remove the 1000-foot buffer requirement and still meet applicable state statutes related to marijuana grow and processing sites and this criterion is met.

*3. The applicable comprehensive plan policies and map; and*

The applicable Aurora Comprehensive Plan Goals align with the Statewide Planning Goals and associated policies as outlined under FINDINGS, subsection A.1 above. Staff finds the proposed amendment to the industrial zone code can meet this criteria, as outlined under subsection A.1 above.

*4. The applicable provisions of the implementing ordinances.*

**FINDINGS:** The draft code amendment responds to request from a property owner and tenant of industrially zoned property. The proposed code amendment is not found to deter employment or business opportunity but rather to clarify locations of a permitted conditional use in the industrial zone and allow for greater economic uses of industrial properties while maintaining the permitted and conditional uses in the zone, and the zone development and design standards.

Staff finds the proposed code amendment can be adopted in compliance with the implementing ordinances as the proposed code amendment does not proposed to amend the development or design standards of the applicable zone or other requirements of the Aurora Municipal Code. Staff finds this criterion is met.

*In accordance with 16.74.060.B., consideration may also be given to proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.*

FINDINGS: Staff does not find a change in circumstance, mistake or inconsistency in the comprehensive plan or implementing ordinances. Rather, the proposed code amendment is a result of an application for zone text amendment from Lavena Green Farms. In accordance with AMC 16.74.020.A.5, an owner of property or contract purchaser may apply for a zone code text amendment. The application is signed by the property owner of record. Staff finds this criterion does not apply.

EXHIBIT A Aurora Municipal Code (AMC) section 16.16- Industrial zone code proposed amendments

EXHIBIT B Zoning Ordinance Amendment application

Following the staff report there are various questions from the Commissioners for staff

- McNamara asked if the 1000 foot buffer aligned with other cities and Chair Schaefer stated no not really this is unique to Aurora.
- Commissioner Fawcett wanted to know if we could amend the text to stop/amend the hours of operation at the same time as this application. As it is clear it's really difficult and really not applicable to monitor hours.

Opens Testimony,

Applicant Corrine Celko, Emerge Law Group along with Chris Green and fiancée with Lavena Green Farms, thanks staff for outlining the process and for complete information given in the staff report. The applicant goes on to explain in brief their application and that it meets all of the criteria as needed in goal 9. Applicant points out in their opinion the benefits to the city for taxes and growth. Applicant ends with the fact that the State highly regulates these types of businesses and feels it would be very safe and in the correct zone to be a benefit. Applicant references the Kohl memo and gives a brief explanation.

No one else speaks for or against at this time.

Chair Schaefer closes the public hearing at 7:37 pm.

Commissioners briefly discuss the testimony given and clarify that it is only for the industrial zone.

A motion to approve and recommend to Council the findings in the staff report as presented is made by Commissioner Weidman and is seconded by Commissioner Fawcett. Schaefer Opposed, McNamara, Fawcett, Weidman, Gibson, Feely Approved. Motion Approved.

## 7. NEW BUSINESS

a) NA

## 8. OLD BUSINESS

a) Discussion Regarding Code Revision List,

- Airport overlay concern, Schaefer I do not see where we are in the airport flight path and do not think it is necessary to have height restrictions however we need to verify before we propose any changes.
- Potential vacation of a portion of 2<sup>nd</sup> street at the dead end area by museum. Several blocks were platted that way so wagons could make u-turns without any problems. When I travel on 2<sup>nd</sup> street I see a lot of gravel. Schaefer proposes narrowing the area 15 feet on each side and allowing the property owners to maintain the area and have less street space.
- Storm water and ponds along with drainage, Schaefer the Orchard view situation is a perfect example I think that requiring each subdivision to have these items and maintain them on their own is the best path. Currently the city is working on The Storm Water Master Plan.
- Code enforcement, issues have traditionally been handled casually, we do have a process for staff to follow what we don't have is bringing them into compliance through Planning Commission and land development issues. We need to have a plan. I think if you need application they should apply for all at the same time. Code enforcement if you need 3 you need to apply for all three. Problem is that we cannot hold up one for the other so we need them to apply for all at the same time.
- A development agreement written as a contract and it would be great to have a check list.
- Final plat requirements, current language if you get preliminary plot agreement completed submit within 2 years. We propose all of the conditions have to be met within the 2 years and moving along.
- Code provision single family residence in commercial zone and then go back to a residence. Argument if it's in commercial zone you shouldn't allow it to go back to a residence. Gibson I think there needs to be a balance and to lean towards the current need at the time. Wakeley currently you allow residence on 2<sup>nd</sup> floor. Liaison Heitmanek how often is this issue, it's not like a mass would become residence. Schaefer with residential going so high you could see more. Schaefer we could potentially have measure 49 claim situation let's talk about this further next month.
- land division. Housekeeping to abide with state.
- Remove reference to off premise signage we cannot regulate content.
- Annexation by voter approval is no longer legal for contiguous properties.
- 1658020 G not required to SDR propose to strike.
- Minor and major amendments to land use action, we see plans and then they talk to bank or investor and then maybe later or time goes on they decide well this little section doesn't comply so they change it. We need to have a process for minor or major change.
- Remove recording requirement for a development agreement approval, Aurora landuse approval issued those are the conditions of approval and historically the city has

required a development agreement be recorded. Wakeley thinks there the same. Schaefer says landuse is approval and agreement is a contract. Schaefer I think it should remain. Wakeley to strike. Schaefer there is a debate before landuse or after landuse. big advantage for both by getting a contract you have more certainty. Wakeley how do you get comments from Engineers, PWS. Look at ORS 94.504 Threshold per projects.

- Hours of operation to remove hours of operation from zone code for industrial zone concerning marijuana businesses.

## 9. COMMISSION/DISCUSSION

- a) City Planning Activity (in your packets) Status of Development Projects within the City.

## 10. ADJOURN

Chair Schaefer adjourned the October 4, 2016 Aurora Planning Commission Meeting at 8:35 P.M.



Chair Schaefer

ATTEST:



Kelly Richardson, CMC  
City Recorder

## Report from the Finance Officer for November 8, 2016

- Revenue and expense report through September, the third month of fiscal year 2016-2017, is included. This report shows budgeted amounts and percent of budget received/spent.
- The ending bank balances at September 30, 2016 are:
  - Checking - \$ 131,395.30
  - LGIP - \$ 1,687,341.93
- The auditors were in on October 18<sup>th</sup>. They were able to complete their in house research that day and are now working on the draft financial statement.
- I attended the Oregon Government Finance Officers Association fall conference in Salem on October 24<sup>th</sup>, 25<sup>th</sup>, and 26<sup>th</sup>. They had a good variety of informational sessions and several interesting speakers for their general sessions. I attended the following informational sessions: Budget 101; Government Accounting 101 and 201; Best Practices in Utility Rate Setting; Top 10 Wage and Hour Mistakes; and, Transparency in Government. This was a great opportunity for me to learn with and from my peers in finance.
- I will begin putting together the 2017-2018 budget sheets.
- Keeping current with payables and receivables.

Respectfully,



Mary C. Lambert

**CITY OF AURORA - TREASURER'S REPORT Ending September 30, 2016**

| FUND | BUDGET             | BALANCE @ July 1, 2016 | TOTAL REVENUES    | % TO DATE     | BUDGET less contingency | TOTAL EXPENSES    | % TO DATE | END BALANCE August 31, 2016 | Year to Date Gains / (Losses) |
|------|--------------------|------------------------|-------------------|---------------|-------------------------|-------------------|-----------|-----------------------------|-------------------------------|
|      |                    |                        |                   |               |                         |                   |           |                             |                               |
| 10   | GENERAL            | 952,994.00             | 47,729.36         | 8.13%         | 560,407.00              | 87,562.18         | 15.62%    | 413,767.42                  | \$ (39,832.82)                |
| 15   | CITY HALL BUILDING | 148,300.00             | 13,443.82         | 47.84%        | 148,300.00              | 0.00              | 0.00%     | 146,749.61                  | \$ 13,443.82                  |
| 20   | AURORA COLONY DAYS | 25,700.00              | 7,765.00          | 30.21%        | 19,768.00               | 10,096.32         | 51.07%    | 9,080.65                    | \$ (2,331.32)                 |
| 25   | PARK RESERVE       | 1,157.00               | 2.59              | 17.27%        | 1,157.00                | 0.00              | 0.00%     | 1,152.33                    | \$ 2.59                       |
| 29   | PARK SDCs          | 49,815.00              | 96.09             | 0.60%         | 49,815.00               | 0.00              | 0.00%     | 42,873.00                   | \$ 96.09                      |
| 30   | STREET/STORM       | 284,850.00             | 18,209.60         | 17.37%        | 187,395.00              | 31,338.76         | 16.72%    | 140,401.38                  | \$ (13,129.16)                |
| 35   | ST/STORM RESERVE   | 95,150.00              | 2,468.93          | 5.72%         | 95,150.00               | 0.00              | 0.00%     | 84,828.05                   | \$ 2,468.93                   |
| 39   | ST/STORM SDCs      | 60,670.00              | 109.96            | 0.27%         | 60,670.00               | 0.00              | 0.00%     | 49,071.11                   | \$ 109.96                     |
| 40   | WATER OPERATING    | 559,200.00             | 70,975.82         | 21.02%        | 350,042.00              | 89,644.01         | 25.61%    | 238,275.58                  | \$ (18,668.19)                |
| 45   | WATER RESERVE      | 107,550.00             | 240.44            | 0.40%         | 107,550.00              | 0.00              | 0.00%     | 107,289.09                  | \$ 240.44                     |
| 49   | WATER SDCs         | 144,312.00             | 253.35            | 0.29%         | 144,312.00              | 0.00              | 0.00%     | 113,051.93                  | \$ 253.35                     |
| 50   | SEWER OPERATING    | 505,600.00             | 48,045.85         | 19.33%        | 337,634.00              | 65,911.96         | 19.52%    | 211,039.91                  | \$ (17,866.11)                |
| 55   | SEWER RESERVE      | 94,300.00              | 212.34            | 0.55%         | 94,300.00               | 2,835.00          | 3.01%     | 93,660.16                   | \$ (2,622.66)                 |
| 57   | G. O. DEBT SERVICE | 344,375.00             | 4,851.20          | 1.49%         | 344,375.00              | 0.00              | 0.00%     | 27,142.87                   | \$ 4,851.20                   |
| 59   | SEWER SDCs         | 51,603.00              | 97.40             | 0.34%         | 51,603.00               | 0.00              | 0.00%     | 43,463.65                   | \$ 97.40                      |
|      | <b>TOTALS</b>      | <b>3,425,576.00</b>    | <b>214,501.75</b> | <b>11.42%</b> | <b>2,552,478.00</b>     | <b>287,388.23</b> |           | <b>1,721,846.74</b>         | <b>\$ (72,886.48)</b>         |
|      |                    |                        |                   |               |                         |                   |           | 1,721,846.74                |                               |

**City Council**  
**Public Works Activity Report**  
November 2016

**Waste Water:**

- Wastewater master plan, ongoing.
- Working on return line from pump station 6 to head works, isolating from influent meter.  
(Completed 11/3/16)
- Transferring sludge to tanks

**Water:** Routine operation and maintenance.

- Wells are running 9.5 hours daily producing an average 170,000 gal per day. Total water production 5,253,000 Gallons. Well 5 is on.
- 4 Water meters installed / replaced.
- Backflow program
- Plan for future water supply

**Streets:** Routine operation and maintenance.

- Marking out storm water lines for master plan 90% complete
- Monitoring street lights.
- Catch basins cleaning.
- Trees are an issue in the business area for height over curbs.( will address after the growing season Late Aug, ongoing issue )

**Park:**

- Hazardous trees to be removed (more will be taken down after Aug.).
- Park sprinklers are off.

Notice for Council

Administration

Public Works scheduling and planning for staff.  
Budget on track for current 2016-2017

Respectfully: Darrel Lockard PWS

**Public works project list**

Storm water master plan (in process).  
Wastewater master plan.  
Waste water irrigation system (summer) in process.  
Wastewater Ras return line to be installed,( done)  
Fix tennis net  
Water meters replacement (ongoing)

# Memo

To: City Council  
From: Kelly Richardson  
CC: None  
Date: 11/3/2016  
Re: Recorders Report Month of October 2016 report

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Activities and ongoing projects are as follows:

- ❖ Ongoing secretarial duties for the City Council and Planning and Historic Review Board, along with attending the meetings once a month.
  - Working on publication documents
- ❖ Attending Conference Committee And Records Committee Meetings
- ❖ Records Request update
  - 0 pending request
- ❖ Ongoing needs of the City, discussion items.
- ❖ Working on various items requested from last month meeting
  - **Council Procedures samples**
  - **Employee manual**, I have almost all of the necessary edits done and have been in contact with CIS regarding any time sensitive issues.
  - **IGA List**
- ❖ Working on various code violations;
  - **1 Citation went out in October**
- ❖ Updating of website pages, going slow but have been plugging away at it.
- ❖ Working on analyzing various procedures.



Eleanor C. Beatty  
\* Linda P. Kendrick  
Weisha R. Mize

\*Licensed in OR and WA

October 17, 2016

Richard & Jennifer Reneau  
PO Box 75  
Aurora, OR 97002

RE: 21367 Hwy 99 E, Tax Lot 2200, Aurora, OR 97002

Dear Mr. & Mrs. Reneau,

This office represents the City of Aurora. As you remember, the City sent you a notice that a violation level nuisance was declared on the above mentioned property on October 1, 2015. You were given 30 days to bring your property into compliance before the City would take action. On October 7, 2015, you responded to the letter by disputing the violation.

Upon receipt of that letter the City invited you to attend the November, 2015 City Council Meeting to try to work out the issue. You chose to not attend the meeting. You were again invited to January, 2016 City Council Meeting, but again, you declined.

The City also demanded that you provide an abatement plan to rectify the situation or it would abate on your behalf and bill for any and all costs incurred. You have yet to respond to that demand. You are again invited to attend the upcoming City Council Meeting on November 8, 2016. If we do not hear from you and you again decline to attend the meeting to work on resolving this issue, we will apply the \$500/day fine against your property, retroactive to the date of the initial violation notice of October 1, 2015. To date the fine would assess at \$190,500. Please be aware that the fine will become a lien against the property which could ultimately result in foreclosure of the property. Additionally, we will begin the abatement process and bill you for all associated costs.

We strongly encourage you to finally address this issue by coming to the November meeting and discussing it with City Council.

Sincerely,

Linda Kendrick  
KEIZER LAW, PC  
Attorneys at Law

cc: Kelly Richardson, City Recorder, City of Aurora

**ORDINANCE 484**

**AN ORDINANCE AMENDING THE AURORA DEVELOPMENT CODE, TITLE 16 OF THE AURORA MUNICIPAL CODE, RELATED TO BUFFER REQUIREMENTS FOR MARIJUANA BUSINESSES IN THE INDUSTRIAL ZONE**

**WHEREAS**, the Aurora Municipal Code, more commonly known as “Title 16 of the Aurora Development Code”, includes regulations concerning the location of land uses within the various zones within the City of Aurora; and

**WHEREAS**, the Aurora City Council wishes to amend 16.16-Industrial Zone of the Aurora Municipal Code to establish rules governing buffering requirements between marijuana businesses in the zone; and

**WHEREAS**, the Aurora Planning Commission conducted a public hearing on October 4, 2016 at which time interested parties were given full opportunity to be present and heard and passed a motion recommending the City Council approve the proposed rules amending the Aurora Municipal Code under Legislative Amendment 2016-01 (File No. LA-16-01).

**WHEREAS**, the Aurora City Council conducted a public hearing on October 11, 2016 at which time interested parties were given full opportunity to be present and heard on the proposed rules amending the Aurora Municipal Code under Legislative Amendment 2016-01 (File No. LA-16-01).

**NOW, THEREFORE, THE CITY OF AURORA DOES ORDAIN AS FOLLOWS:**

Section 1. The City Council of the City of Aurora does hereby adopt the staff report dated October 5, 2016, including those certain findings of fact and conclusionary findings and supporting documentation contained in the staff report.

Section 2. The City Council of the City of Aurora does hereby amend Title 16- Aurora Development Code sections 16.16-Industrial as included under “Exhibit A” of this Ordinance.

PASSED and adopted by the City Council of the City of Aurora on this 13th day of December, 2016 by the following votes:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved by the Mayor on this 13<sup>th</sup> day of December, 2016.

SIGNED: \_\_\_\_\_  
Bill Graupp, Mayor Date

ATTEST: \_\_\_\_\_  
Kelly Richardson, CMC City Recorder Date

## EXHIBIT A

### Chapter 16.16

#### I INDUSTRIAL ZONE

##### Sections:

- 16.16.010 Purpose.
- 16.16.020 Permitted uses.
- 16.16.030 Conditional uses.
- 16.16.040 Development standards.

##### 16.16.010 Purpose.

The land designated as industrial is the only area capable of accommodating anticipated economic development activities that are non-retail in nature. With its excellent transportation access, this area provides the opportunity for land-intensive commercial business, such as lumber yards or equipment sales and service, as well as lumber yards or equipment sales and service, as well as manufacturing. (Ord. 415 § 7.65.010, 2002)

##### 16.16.020 Permitted uses.

In the I zone, all uses are subject to site development review, Chapter 16.58. Only the following uses and their accessory uses are permitted:

- A. Agricultural supplies;
- B. Nurseries, greenhouses, and landscaping supplies requiring outside storage including wholesale or retail;
- C. Cabinet or carpentry shop;
- D. Research services;
- E. Retail facilities on sites greater than one hundred thousand (100,000) square feet;
- F. Manufacturing of finished products excluding all processes involving the refining or rendering of fats or oils;
- G. Manufacturing of components for use in finished products excluding all processes involving the refining or rendering of fats or oils;
- H. Packaging of previously processed materials;
- I. Participation sports and recreation: indoor and outdoors;
- J. Processing and packing of food products excluding all processes involving the refining or rendering of fats or oils;
- K. Processing of previously processed materials for use in components or finished products excluding all processes involving the refining or rendering of fats or oils;
- L. Processing of materials for use in any construction or building trades;
- M. Public support facilities;
- N. Tire retreading or vulcanizing;
- O. Major impact utilities including telecommunications facilities subject to Chapter 16.50;
- P. Warehouse and wholesale distribution and sales;
- Q. Welding, sheet metal or machine shop;

## EXHIBIT A

- R. Eating or drinking establishments;
- S. Parking structure or lot or storage garage;
- T. Printing or publishing plant;
- U. Veterinary office or animal hospital;
- V. Service station, car wash, motor vehicle, farm implement, boat or trailer rental, sales or services including body repairs;
- W. Machinery repair;
- X. Transportation terminals and storage yards;
- Y. Participation sports and recreation, indoor and outdoor. (Ord. 415 § 7.65.020, 2002)

### 16.16.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 16.60, other relevant sections of this title and any conditions imposed by the planning commission:

- A. Child day care facility, licensed by the state;
- B. Junkyard or wrecking yard screened from adjacent streets;
- C. Commercial amusement facilities including bowling alleys, video arcades, and movie theaters other than adult motion picture theaters;
- D. Home occupations (Type II) subject to Chapter 16.46;
- E. Recycle stations, provided that a ten (10) foot perimeter setback containing both externally visible landscaping meeting buffering standards and solid screening surrounds the property, all operations are conducted entirely within buildings, and all building setbacks shall be a minimum of thirty (30) feet from any property line. (Ord. 415 § 7.65.030, 2002)

F. Marijuana grow site and/or marijuana processing site subject to the following standards:

1. Buffers which shall only be measured at the initial land use application and not subsequent annual renewals:
  - a. Elementary, middle or high school, public or private: 1000 feet
  - b. Day care: 1000 feet
  - c. Other properties that contact a marijuana businesses: 1000 feet
  - d. May not be adjacent to a residential zone, a public park, or a church.
2. The use must be located within a permanent, enclosed structure.
3. The use may not be allowed as a home occupation.
4. Applicant and all employees must pass a criminal background check.
5. The term of a conditional use approval may not exceed one year.
6. Waste materials containing any amount of marijuana or by products must be locked in a secure container on-site.
- ~~7. Hours of operation are limited to 10 am to 5 pm.~~
- ~~7.8. Drive through windows are prohibited.~~

### 16.16.040 Development standards.

A. There is no minimum size for lots or parcels served by municipal sewer. Minimum sizes for lots or parcels without municipal sewer shall be as determined by the county sanitarian.

## EXHIBIT A

B. There is no minimum lot width or depth.

C. Unless otherwise specified, the minimum setback requirements are as follows:

1. There is no minimum front yard setback except as required for buffering of off street parking in accordance with Section 16.38.050.

2. On corner lots, the minimum setback for the side facing the street shall be ten (10) feet.

3. No additional side or rear yard setback shall be required except fifty (50) feet screened and buffered in accordance with Chapter 16.38 shall be required where abutting a residential zoning district.

D. No building shall exceed fifty (50) feet in height. Within one hundred (100) feet of a residential zone, no building shall exceed thirty-five (35) feet in height. All buildings greater than thirty-five (35) feet in height are subject to Chapter 16.24.

E. Landscaping shall be in accordance with Chapter 16.38. All outside storage areas require buffering and screening as defined in Chapter 16.38.

F. Parking shall be in accordance with Chapter 16.42.

G. All properties located outside the designated historic commercial overlay and the historic residential overlay and adjacent to Highway 99 or Ehlen Road shall be collectively referenced as "gateway properties." The standards of Chapter 16.56 shall apply to all aspects of the site including, but not limited to, structural facade, yard and landscaping that are immediately adjacent to and visible from Highway 99 or Ehlen Road.

H. Additional requirements shall include any applicable section of this title. (Ord. 415 § 7.65.040, 2002)