AGENDA
Aurora Planning Commission Meeting
Tuesday, February 03, 2014, 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 PLANNING COMMISSION MEETING**

2. **CITY RECORDER DOES ROLL CALL**

   a) Chair Schaefer
   b) Commissioner Fawcett
   c) Commissioner Gibson
   d) Commissioner Graham
   e) Commissioner Willman
   f) Commissioner Weidman
   g) Commissioner Rhoden-Feely

3. **CONSENT AGENDA**

   a) Planning Commission – January, 2015
   b) City Council Minutes – December, 2014
   c) Historic Review Board Meeting Minutes – November, 2014

4. **CORRESPONDENCE –**

   a) ODOT Comparability Study 99E and Young Street

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. **NEW BUSINESS**

   a) None

7. **OLD BUSINESS**

   a) Discussion and or Action Chapter 5 Training Material Land Use and Development.
   b) Discussion and or Action on Marijuana regulations.

8. Commission Action/Discussion

a) City Planning Activity (in Your Packets) Status of Development Projects within the City

9. ADJOURN

Minutes
Aurora Planning Commission Meeting
Tuesday, January 6, 2015, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT Kelly Richardson, CMC City Recorder

STAFF ABSENT; None

VISITORS PRESENT: None

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

   Meeting was called to order by Chairman Schaefer at 7:03 pm

2. **CITY RECORDER DOES ROLL CALL**
   Chair Schaefer
   Commissioner Graham
   Commissioner Fawcett - Absent
   Commissioner Gibson
   Commissioner Rhoden-Feely - Absent
   Commissioner Weidman - Absent
   Commissioner Willman

3. **CONSENT AGENDA**
   a) Planning Commission Minutes Meeting, December 2, 2014
   b) City Council Meeting Minutes, December 2014
   c) Historic Review Board Minutes, NONE

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

4. **CORRESPONDENCE - NA**

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.

   No comments were made during this section.

6. NEW BUSINESS

a) Discussion and or Action on the Non-Remonstrance Agreement for 21042 Jenny Marie Lane property owner Bill Rosacker.
Staff recommendation to approve the application based on the staff report presented there were no questions.

Motion is made to approve the Non-Remonstrance Agreement as presented by the staff report with the condition that it must be recorded with Marion County was made by Commissioner Gibson and is seconded by Commissioner Willman. The Motion is passed by all.

b) Discussion and or Action on Chapter 4 Training Material Land Use and Development. Chair Schaefer went over the following material with the group.

Chapter 4: Making Land Use Decisions

Welcome to Chapter 4 – Making Land Use Decisions. In this section, we discuss the different types of land use decisions made by city and county government, time requirements for these decisions and the public hearing and appeals processes. We have divided them into specific sections for easy reference.
It is important to note that this chapter is only a general summary of planning procedures and requirements. For information about a specific statute, legal precedent, goal or rule, cities and counties should contact the appropriate governmental agency. If you have legal issues or concerns, consult an attorney who specializes in land use law.

Local Land Use Decisions

According to state law, there are three main types of land use decisions: legislative, quasi-judicial and ministerial. In most cases, public notice is required. Public hearings are required for certain types of decisions. Although local governments must establish procedures and requirements consistent with state statutes, they have considerable flexibility in assigning appeal to the planning commission. Some planning commission decisions may be appealed to the governing body. Some jurisdictions employ hearings officers to make certain types of land use decisions which are then subject to appeal to the planning commission or governing body. In all cases, local government land use decisions may be appealed to the Land Use Board of Appeals, or LUBA. All decisions must be consistent with state statutes, the statewide planning goals, case law and other applicable legal requirements.
Limited land use decisions and expedited land divisions are special categories of local decisions that are subject to specific procedures and standards outlined in state statutes.

Legislative Land Use Decisions

Legislative decisions establish local land use policies. They typically become part of the comprehensive plan or zoning code. In the case of map designations, legislative decisions are applicable to broad geographical areas rather than single properties or sites. In most communities, proposed legislative amendments to the comprehensive plan or zoning code are considered first by the planning commission, which holds one or more public hearings. The

commission's recommendation is then considered by the governing body which holds at least one public hearing before taking final action.

Quasi-Judicial Land Use Decisions

Local governmental bodies make quasi-judicial decisions when they apply existing policies or regulations to specific situations or development proposals. Other quasi-judicial decisions amend the zoning or comprehensive plan map, policies or regulations in relation to a specific development proposal. Additional examples of quasi-judicial decisions are conditional use permits, variances, partitions, subdivisions, annexations and road and street vacations.

Ministerial Land Use Decisions

Ministerial land use decisions are made by local planning staff based on clear and objective standards and requirements applicable to a specific development proposal or factual situation. Examples include building permits for a use permitted by code or a determination that a proposed structure meets setback or height requirements. Ministerial decisions do not require a public notice or hearing.

Limited Land Use Decisions and Expedited Land Divisions

To streamline approval of relatively minor actions within an urban growth boundary, or UGB, the legislature has approved two other kinds of decisions. The first, limited land use decisions, are made by the locally designated decision-maker and are subject to procedures and notice requirements outlined in state statutes. Examples include tentative partitions, tentative subdivisions, site review and design review.
The second, expedited land divisions for residential uses within a UGB, are made by planning staff after public notice. They are subject to procedures and requirements outlined in state statutes. The local government may not hold a hearing on such an application and must make its decision within 63 days of the application. Decisions may be appealed to a referee hired by the local government and finally to the State Court of Appeals according to state law.

Process

Procedures for legislative and quasi-judicial land use decisions are outlined in statutes and interpreted through case law. These procedures are ultimately incorporated into local plans and ordinances. Legislative procedures are generally more flexible than quasi-judicial procedures because they deal with relatively broad public policy issues. Quasi-judicial procedures are often more complex and specific, and require "due process." This is a legal term that entitles all affected parties prior notification of a proposed action and the opportunity to present and rebut evidence before an impartial tribunal. For quasi-judicial decisions, governing body members, hearings officers and planning commission members should avoid or limit communications outside of the formal public hearing process. They are required to disclose any contact outside the public hearing regarding a specific case in order to provide an opportunity for rebuttal or other corrective action. The local government must maintain a record of the proceedings and adopt findings of fact regarding the reasons for their decision. Within UGBs, this process must be completed within 120 days. Outside UGBs, the process must be completed within 150 days. In both cases, there are specific provisions to extend the time limit.

Land Use Application

Legislative land use decisions are subject to post acknowledgment plan amendment (PAPA) requirements contained in state statutes. For quasi-judicial land use decisions, the 120- or 150-day review process begins after the planning staff receives required application forms and supporting information that advocate for a certain land use or proposed development. Many local governments will schedule pre-application conferences with the prospective applicant.

Public Notice

Notice for legislative land use decisions must be provided to the public as outlined in local procedures and must be forwarded to the Director of DLCD as required by the state statute. DLCD provides notice to those who have requested to be included on the agency's notice list. For quasi-judicial decisions, specific parties must be notified at least 20 days prior to the public hearing: the applicant; property owners within 100 feet of the property if within a UGB, within 250 feet if located outside a UGB and within 500 feet if located within a farm or forest zone; and any neighborhood or community organizations whose boundaries include the site. Some local governments also require that notice be posted on the property.

Public Hearing

For legislative decisions, the planning commission usually holds initial hearings on a proposal before forwarding its recommendation to the governing body. Legislative decisions require final action by the governing body. Hearing procedures are relatively flexible and there are no limitations on outside contact between decision makers and the public.

For quasi-judicial decisions, most cities and counties hold at least one hearing before the planning commission or hearings officer prior to forwarding a recommendation or allowing an appeal to the governing body. At the hearing, the presiding officer summarizes the procedures and planning staff describes the case, including the applicable criteria in the comprehensive plan or zoning code, and its recommendation.

Applicants then present their case for approval and others may support them. Opponents then have the opportunity to challenge the applicant's case. All parties have the right to present and advance of or during the hearing precludes appeal to LUBA on that issue. This is commonly referred to as the "raise it or waive it" requirement. Under state law, some types of land use decisions may be made without a hearing if notice is provided and no party requests it.

Decision and Findings

Legislative decisions require a record and findings, but the requirements are less rigorous than for quasi-judicial decisions. The record must be adequate to show that the legislative action is within the legal authority of the city or county. The record must show that the jurisdiction followed applicable procedures. Legislative decisions must be consistent with substantive requirements in state statutes and the statewide planning goals. For example, an updated housing element must be consistent with ORS 197.303-314 and Statewide Planning Goal 10 (Housing).

After hearing the staff report and public testimony on an application for a quasi-judicial decision, the hearings body makes its decision. As noted before, this must be based only on applicable criteria in the local code and relevant evidence and testimony. There are four choices of action: approve the application; approve the application subject to specific conditions; deny the application; or continue the review process to obtain additional information. In this case, the applicant may need to agree to a time extension.

The final decision must include findings of fact and conclusions of law that are adequate to explain the basis for the action. Draft findings are often prepared by staff and may be available in advance of the hearing. Adoption of findings may occur immediately following the hearing and include any modifications to the draft, based on additional evidence and testimony. In some cases, the prevailing party, legal counsel or staff are asked to prepare the final version of the findings which are then adopted at a separate meeting before the time limit expires. The final decision must be based on what is known as "substantial evidence" that a reasonable person would rely on in reaching the decision.

Appeals

Local ordinances specify how initial decisions by local staff, a hearings officer, or the planning commission can be appealed to the local governing body. Certain appeals are limited to evidence submitted to the initial decision-maker and may include an opportunity for additional oral or written argument.

As we have noted before, only parties that have stated their case before the local government have 21 days to file a Notice of Intent to Appeal with LUBA. Following this filing, and during a timeframe prescribed by law the local government must provide the complete record of the proceedings with the board. Once the record is filed and accepted, the petitioner and respondent(s) file their briefs with the board. LUBA will hear oral arguments from the parties and issue a written opinion that either affirms, reverses, or remands the decision for additional consideration. The board's decision may be appealed to the Court of Appeals, or finally, to the Oregon Supreme Court. Specific timelines in state law provide for a speedy review of land use decisions and increase certainty for both the community and applicant.

Alternatives to formal appeals include mediation, which can save all parties time and money. For more information on mediation assistance, contact DLCD.

Staff Role

Planning staff are usually the first individuals an applicant meets. They are responsible for explaining all procedures and requirements, reviewing the application for completeness and preparing the staff report. Staff presents its report and recommendation to the decision maker. Often, the staff recommendation is accepted with or without conditions. Staff generally prepares the final decision documents and findings of fact documenting the reasoning to support the decision.

A pre-application conference with prospective applicants may help them understand the procedures and requirements for the land use proposal, including any additional research or information that may be needed. In some cases, applicants may be encouraged to meet with neighborhood groups or other affected parties to review their proposal.

Staff prepares a public notice for proposed land use decisions that describes the location of the subject property, the nature of the application and the proposed use. The notice also explains: criteria from the comprehensive plan and land use regulations that pertain to the application; the date, time, and location of the public hearing; the name of a local government representative to contact; and requirements for public testimony and how the hearing is conducted. When a staff report is prepared, it must be made available to all interested parties seven days prior to the public hearing. In some cases, the staff report includes draft findings explaining the reasoning for the recommended decision.

As noted earlier, LUBA may remand or return a case to the local government for additional review. If a decision is remanded, the local government must decide whether to proceed, based

on the existing record or to allow additional evidence and testimony. Legal requirements related to remand may be complicated. Staff should work with their legal counsel to define procedures and requirements before the remand is formally considered.

Ex Parte Contact, Bias and Conflicts of Interest

Ex Parte Contact

An ex parte contact occurs when a decision-maker receives information, discusses the land use application or visits the site in question outside the formal public hearing. This does not include discussions with and information received from staff. Failure to disclose such contact may result in reversal or remand of the decision. If ex parte contact does occur, the decision-maker must disclose it on the record at the hearing, describe the circumstances under which it occurred and present any new evidence introduced through that contact. The presiding officer must give parties the opportunity to rebut the substance of the ex parte contact. State statutes clearly delineate requirements for ex parte contacts.

Bias

Bias occurs when decision-makers have a prior judgment of the case that prevents them from making an objective decision based on the facts. Such decision-makers should excuse themselves from the proceedings. Even though bias is often subjective, not all personal views or positions are actual bias in the eyes of the law. While it is not unusual for decision-makers to have a perspective or background, the threshold test is if this will influence their decision. Decision-makers should carefully consider any issues related to their personal bias and be prepared to step aside if necessary.

Conflict of Interest

A conflict of interest occurs if any action by public officials results in financial gain or loss to themselves or a relative or business associate. According to state law, it must be disclosed. There are two types of conflicts of interest, actual and potential. An actual conflict of interest is one that would occur as a result of the decision. If that is likely, the decision-maker must disclose it and not participate in the decision. A potential conflict is one that could occur as a result of the decision. In that case, disclosure is still required, but the decision-maker may participate in the decision.

Legal Issues Related to Ex Parte Contacts, Bias or Conflicts of Interest

Decision makers should consult with the local government's legal counsel if they have any questions or concerns regarding Ex parte contacts, Bias or Conflicts of Interest.

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7. OLD BUSINESS

a) Discussion and or Action on Recreational and or Medical Marijuana regulations. No discussion or action taken at this time.

8. ADJOURN

Chair Schaefer adjourned the January 6, 2015 Aurora Planning Commission Meeting at 7:40 P.M.

_____
Chair Schaefer

ATTEST:

_____
Kelly Richardson, CMC
City Recorder

Minutes
Aurora City Council Meeting
Tuesday, December 09, 2014, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT: Mary Lambert, Finance Officer
Darrel Lockard, Public Works Superintendent
Kelly Richardson, CMC City Recorder
Dennis Koho, City Attorney
Pete Marcellais, Marion County Deputy

STAFF ABSENT: None

VISITORS PRESENT: Jan Peel, Aurora Visitors Association
Joseph Schaefer, Aurora

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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 Graupp- Present
   Councilor Sahlin-Present
   Councilor Brotherton-Present
   Councilor Vlcek – Present
   Councilor Sallee - Present

3. **CONSENT AGENDA**
   a) City Council Meeting Minutes – November 12, 2014, Councilor Brotherton has a few formatting concerns regarding the November 12 minutes. Councilor Sallee agrees and has a few concerns as well.
   b) Planning Commission
   c) Historic Review Board Minutes – October 2014

   Motion to approve the consent agenda as presented but with formatting issues discussed was made by Councilor Sallee and is seconded by Councilor Brotherton. Motion approved by all present

4. **CORRESPONDENCE - NA**

5. **VISITORS**

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.
No comments were made during this section.

6. REPORTS

a) Mayor Bill Graupp

- Mayor's report, Graupp touches on various topics regarding the election Graupp doesn't go into specifics.

  Council discussed, nothing in this section

  ACTION: None

b) Marion County Deputy

- Deputy report is attached

  Council discussion, there are no questions from council at this time.

  ACTION: None

Officer Marcellais presents the City Council with a token of thanks for allowing him to serve the community of Aurora with a shadow box filled with various badges and patches. At this time Mayor Graupp asks Deputy Marcellais to make sure the new deputy keeps the relationship with North Marion School District intact.

c) Traffic Safety Committee

- Traffic report no one is present. Deputy Marcellais informs the Council that all of the stop signs need the stop lines painted on the pavement. Marcellais also informs the council of a crash at the 2nd street intersection where the driver couldn't see the stop sign at all. Public Works and I are looking into moving the stop sign to a better location.

  Council discussed the issues surrounding the stop sign lines and the need for them to be done.

  ACTION: The Council decides that something should go in the next city news letter informing the public of the speeding concerns around the town and that they have a zero tolerance position on this. At the same time informing the public that Officer Marcellais will be monitoring our local streets more closely.

d) Finance Officer

- Finance officer report, the tax revenues payments are coming in much quicker this year so that is nice.
- In the coming months we will be looking closure at the various accounts to determine if anything needs to be done.
- On your desk tops you will see the completed audit report for year ended 2014.

Council discussed briefly the audit report and how pleased with Finance Officer Lamberts first audit and how quickly it was completed.

ACTION: None

e) Public Works

- Public Works report, there have been a lot of alarms the Telemetry has been acting up currently we are trying to identify the issues.
- TMDL report is now complete the report had some revisions they have been completed and the report has been resubmitted.
- Water operation and maintenance is going well. The first reading with the new handheld had a few problems however we are working through them.
- Budget appears to be on track so far
- Started reviewing for next year's budget
- The City needs to begin setting some dollars aside for pump maintenance.

Council discussed a overgrown tree issue along Ottaway Rd.

ACTION: Councilor Vlcek asks Public Works Superintendent Lockard to look into the over grown trees along Ottaway Rd. Lockard will speak to the property owner.

f) Parks Committee

- Park report, Councilor Sahlin was wondering about the trees in the park from a previous meeting. Councilor Vlcek informed the council that he was simply waiting for nicer weather before he begins.

Council discussed, Public Works request for a pole saw to make trimming trees easier. Everyone on Council agrees this would make it easier.

ACTION: None

g) City Recorder

- Recorder report, Nothing new really most items are routine every month items
- Asks Council to acknowledge the letter submitted by Verizon Wireless to proceed with applying for their permits.

Council discussed, nothing

ACTION: None

Mayor Graupp informs the Council that he will be out of town beginning Saturday until next Saturday.

h) City Attorney

- City Attorney report

- The lease agreements with Sprint and AT&T along with Verizon are clear that they will reimburse the city for any and all taxes.
- The Orchard View Home Owners Association situation is ongoing.
- The title insurance has been purchased that is required for the Eddy situation. A court appearance is expected very soon. Mr. Eddy's attorney made contact to inform the city that there are two possible deals on the table. Councilor Brotherton asks City Attorney Koho if the City would get stuck with the cleanup of the property and all of the costs associated with it and Koho answered yes the city would.

Council discussed nothing at this time. Other than the need for a meeting prior to the hearing on the Eddy matter.

ACTION: Mayor Graupp requests a meeting prior to the court hearing between himself Council President Sahlin and yourself. Finance Officer Lambert request to be involved in the meeting as well.

7. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

a) None

8. NEW BUSINESS

a) Discussion and or Action on Recommendation of Planning Commission to Renew Chair Schaefer and Commissioner Graham 4 year terms.

Motion to approve the recommendation from Planning Commission and Re-Appoint Chair Schaefer and Commissioner Graham to another 4 year term is made by Councilor Sahlin and is seconded by Councilor Sallee. Motion passed by all present.

b) Discussion or Action on Recommendation of Historic Review Board to Renew Chair Abernathy and accept the letter of resignation of Bill Simon.

Motion to approve the recommendation from Historic Review Board to Re-Appoint Chair Abernathy and accept the resignation of Member Simon is made by Councilor Sallee and is seconded by Councilor Brotherton.

c) Discussion and or Action on Allocation of Net Income from the Aurora Outdoor Antiques Faire.

Jan Peel with the Aurora Colony Visitor Association (ACVA) addresses the Council and gives a brief back ground of the Committee. The ACVA came about in 2005 when the Chamber of Commerce dissolved due to the fact that they were sued and couldn't afford the insurance any longer. At which time an agreement was made with the City that they would in a sense sponsor our event under the Cities insurance with the agreement that we would retain our ability to use the dollars raised during the fund raising to complete our downtown improvements each year. We (ACVA) have never asked the City for any of the revenue sharing money to

complete our projects we have always used our dollars raised in the Antique Faire. However this year when we wanted to purchase decorations for the downtown area Barb Pierson was told there was no money for that because our fundraising dollars were put in with all the other dollars of Aurora Colony Days. Since some of them were not as profitable our dollars were used for that. I am asking Council to again separate it out and allow us to use our dollars earned for our projects. The ACVA maintains the 2nd street restrooms with those dollars and many other viable downtown improvements.

The Council has a brief discussion regarding the issue Mayor Graupp sates that they had pared down the budget and combined all the day's events into one line item. There were also some concerns of legality as to how the funds should be issued.

ACTION: It is the consensus of the Council to table this discussion in this forum and suggest a meeting between the Mayor, Council President Sahlin and City Attorney Koho along with the ACVA.

d) Discussion and or Action on Audit Report if Available.
There is a brief discussion and praise to Finance Officer Lambert on a job well done a no exception audit report.

A motion is made to accept the 2014 Audit Report by Councilor Vlcek and is seceded by Councilor Sallee. Motion is passed by all present.

e) Acknowledgement of Formal Election Results.

A motion is made to formally accept the 2014 elections results is made by Councilor Vlcek and is seconded by Councilor Brotherton. Motion is passed by all present.

9. OLD BUSINESS

a) None

Councilor Vlcek informs the City Council that he will be resigning from Council as soon as a suitable replacement is found. Mayor Graupp asks him to stay on until after the new budget cycle in May. Councilor Vlcek agrees to try to accommodate the request.

10. ADJOURN

Mayor Graupp adjourns the December 09, 2014 Council meeting at 8:13 P.M.

Bill Graupp, Mayor

ATTEST:

Kelly Richardson, CMC
City Recorder

Minutes
Aurora Historic Review Board Meeting
Thursday, November 20, 2014, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT	Kelly Richardson, CMC City Recorder
STAFF ABSENT:	None
VISITORS PRESENT:	Bill Graupp, Mayor Alexander Costic, Salem Richard Rothweiler, Salem Barry Webb, Aurora Craig Johnson, Aurora Deyther Walter, Aurora

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1. **CALL TO ORDER OF THE HISTORIC REVIEW BOARD MEETING**

   The meeting of November 20, 2014 was called to order by Chair Abernathy at 7:01 pm

2. **CITY RECORDER DOES ROLL CALL**
   Chair Abernathy – Present
   Member Simon – Present
   Member Frochen – Present
   Member Fraser – Present
   Member Townsend - Present

3. **CONSENT AGENDA**
   a) Historic Review Board Meeting Minutes – October 23, 2014, Place Kuri Gill as a visitor and fix a few typo's on page 2 and remove the sentence that begins with unfortunately.
   b) City Council Minutes – October, 2014
   c) Planning Commission – October, 2014

   A motion to approve the HRB minutes of October 23, 2014, with corrections made was made by Member Townsend and is seconded by Member Fraser. Passed by all.

4. **CORRESPONDENCE - NA**

5. **VISITORS**

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

6. **NEW BUSINESS**

   a) None

7. **OLD BUSINESS**

   a) Continuation Discussion and or Action on Christ Lutheran Church Entry Remodel and Elevator Proposal 15029 2nd Street. The applicant's architecture firm presents to the board a revision of the original plans with the reworking of the elevations bringing the steeple into compliance of the code along with reworking the flat roof to be screened by a parapet. Over all the board is very pleased with the revisions that are made. Pastor Craig will bring in samples of the materials at the appropriate time.

Consensus of the Board is to recommend the revised set of plans to the Planning Commission for approval. At this time we have no more concerns.

   b) Discussion and or Action on Sign Inventory,
      - Member Townsend presents her information to the board; regarding Christa Café, Back Porch Vintage, American Legion Hall, The Colony Pub, and Colony Grocery. The information is placed in the files for use at a later date.

      There is no discussion regarding Members Townsends report.

      Action: None

   c) Discussion and or Action on Historic Inventory List, no discussion at this time.

ACTION ITEM: Board Member Townsend asks the board if we should discuss the projects that we would like to see for the upcoming grant period and what we would recommend to City Council. The board decides on a few projects as listed;

- Historic Guidelines printing of revisions including new section, picket fences.
- Any dollars left over would be set aside for pre-application conferences for projects with limited resources available to them.
- Historic inventory, add previous text and any updates and photos to new corrected inventory.

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8. ADJOURN

Chairman Abernathy adjourned the meeting of November 20, 2014 at 8:45 pm.

Gayle Abernathy, Chairman

ATTEST:

Kelly Richardson, CMC
City Recorder

Aurora

Land Use Compatibility Statement

I certify that I have reviewed the information submitted regarding the Oregon Department of Transportation project entitled:

Young St. Safety & ADA Ramps; Highway 99E, MP 24.88 to MP ~~45.64~~ 25.82

Legal Description: Township 4,5,6,7 S Range 1,2,3 W Section see plan sheets Taxlot _____ Nearest ____

I have made the following finding:

☐ This project is *not* regulated by the local comprehensive plan and zoning ordinance.

☐ This project is consistent with the local comprehensive plan and zoning ordinance.

☐ This project is *not* consistent with the local comprehensive plan and zoning ordinance.

The following local approvals must be obtained for this project:

☐ Plan Amendment ☐ Zone Change

☐ Development Permit ☐ Conditional Use Permit

☐ Other _____ ☐ Other _____

☐ Other _____ ☐ Other _____

COMMENTS: Other than the above, will ODOT need a noise variance for night work?

_____

_____

_____ (Signature of Local Planning Official) _____ (Print or Type Name)

_____ (Title) _____ (City/County)

_____ (Date)

Projects identified in a locally adopted Transportation System Plan are considered to be consistent with the Comprehensive Plan (the TSP is an element of the Comp Plan). Roadway maintenance and minor improvements, which are not typically identified in a TSP, are also considered to be consistent.

This form was prepared by ODOT to comply with OAR 731-015. ODOT may present these findings to other regulatory agencies to satisify the review requirements of those agencies.

INTEROFFICE MEMO

TECHNICAL SERVICES
Roadway Engineering
Office Phone: (503) 986-5818
Fax Number: (503) 986-5817

DATE: 11/8/12

TO: Melissa Sutkowski

File Code:

FROM: Carol Cartwright
503-986-5826

SUBJECT: **DAP Plan Narrative** – OR99E: Young Street Safety & ADA Ramps (Woodburn) Sec.

Location and description

The project is located along OR99E and will rebuild the traffic signal at Young St. and 99E. There are safety and operational problems with the existing intersection signal configuration. The signal system operation limitations will be ameliorated by replacing the signal. The radii will be modified to accommodate or design for WB67 interstate vehicles. Driveway accesses will be modified or moved to remove as many conflict and congestive points for motorists as possible.

There are approximately 70 non-standard ADA ramps along 99E from MP 24.88 to 45.64 that will be brought up to standard by adding truncated domes or reconstructing as necessary.

The let date for this project is scheduled for September of 2014.

Geometry and Layout

The existing horizontal and vertical alignment will not be altered. The vertical and horizontal clearance will not be changed.

Utilities

There are underground gas, telephone and water lines along with overhead power lines within the limits of the project. Some of the underground utilities will be in conflict however the designer will work to minimize these. Some of the aerial power poles will need to be relocated. Vertical clearance to the power lines will need to be verified. The

City of Woodburn will upgrade some waterlines within the area of the project and this work may be incorporated into the contract.

Deleted: will

Traffic Control & Mobility

Young Street at OR99E: Pacific Highway East (OR99E) will remain open to traffic throughout construction with work activities causing lane closures on any leg of the intersection restricted to off-peak traffic volume periods.

As needed for active work, the traffic signal will be turned off and flagger control will be implemented for each leg of the intersection only during off-peak traffic volume periods.

Short term (less than 20-minute) complete closures in one direction of travel at one time will be allowed during off-peak traffic volume periods for installation of traffic signal mast arms over travel lanes.

No work zone traffic control plan (TCP) sheets will be included in the project plan sheet set. ODOT Standard Drawings associated with TCP will be included for this purpose.

Silverton Ave. will be signed as a detour for the northbound Pacific Highway East (OR99E) to eastbound Hillsboro – Silverton Highway (OR214) turning movement.

Temporary signing plan sheets (2) will be included for this detour configuration.

ADA Ramps: The locations of these ramps are throughout the Pacific Highway East (OR99E) portion of the project area. Short term standard traffic control signing and delineation will be implemented as needed per site referencing ODOT Standard Drawings.

Work requiring short term lane closures will be limited to off-peak traffic volume periods.

Drainage

The project will not increase the impermeable surface area in the signal replacement. All 4 existing quadrants are bordered by paved areas. New inlets will convey the storm runoff into the existing drainage facilities. Effort will be taken to minimize utility conflicts.

The ADA ramp replacement will not alter any drainage patterns.

Surfacing

There will be approximately 1300 tons of asphalt material for full depth reconstruction in the area of the radii and a 3" inlay along 99E for length of 800' between MP 32.80 and MP 32.95. The inlay will extend 100' from the intersection in each direction along Young St. The full depth section consists of 9" AC over 14" base rock.

Design Exceptions

A design exception will be required in order to justify leaving the median, lanes and shoulders substandard widths. The existing curb to curb distance along 99E is 60' where the ODOT standard for a 5 lane section requires 74'. There will be a section of sidewalk that is less than the ODOT minimum of 5' so an exception will be needed for that as well.

Deleted: s

Safety Features

The existing safety and operational concerns will be overcome by reconstructing the traffic signal. This will be done while matching the existing lane configuration.

The ADA ramps along this corridor will be brought up to current ODOT standard.

Environmental

Due to the service stations that were located at the Young St. intersection, hazardous materials are documented. Haz-Mat investigations are ongoing. All other environmental concerns fit into a categorical exclusion and no mitigation will be required.

Right-of-Way

Right-of-way will be acquired in the area of Young St. Design effort has been directed toward minimizing right-of-way acquisitions.

Construction easements will be required for some of the ADA ramp construction.

Background and Constraints

The timeline for procuring the new signal equipment, will be critical to avoid having to install a temporary signal. The standard time allotted is 6 months from notice to proceed. The project team will investigate reducing the length of time needed to construct the signal as the first stage of the project.

DRAFT PROJECT PROSPECTUS

Part 3 Project Environmental Classification

Project Classification	
	Class 1 DEIS FEIS
X	Class 2 Categorical Exclusion
	Programmatic Categ. Exclusion
	Class 3 EA Revised EA

Key Number:	Jurisdiction:
16008	State

Project Name:	Bridge No.	County:	Reg:	Area:	District:
OR99E: Young Street Safety & ADA Ramps (Woodburn)	07657	Marion	2	Mid-Willamette Valley	03

1) Provide a brief description of the Project

The project will improve the intersection of Young Street and OR 99 in Woodburn on the east side by modifying the radii on the NE and SE quadrants. The intersection modifications at OR99E and Young St. are to address operational and safety issues. Signals will need to be replaced. The project will also replace or infill sidewalk at the intersection and leading to and over the adjacent railroad crossing. Sidewalk ADA ramp replacement or upgrade was eliminated from and earlier project (K13624) and added to this project. Approximately 68 ramps will be replaced intermittently along OR 99E from M.P. 24.95 (2nd Street in Aurora) to M.P. 45.64 (Hayesville Drive in Salem). Illumination will be added to the signal poles at Young Street. There are accesses very close to the intersection; a subteam will evaluate the the need for some access closures.

Salem East Quad T7S, R2W, Section 6
Gervais Quad T6S, R2W, Sections 3, 4, 9, 16, 17, 19, 20, 30, 31
Gervais Quad T5S, R2W, Sections 24, 25, 26, 34, 35
Woodburn Quad T5S, R1W, Sections 4, 8, 9, 17, 18, 19
Woodburn Quad T4S, R1W, Sections 12, 13, 14, 23, 26, 27, 33, 34

2) Estimated Right-of-Way Impacts (Including Easements, Number of Parcels, Acreage, and Improvements)

There is anticipated acquisition of additional right-of-way on the east side of the intersection of Young's and OR99E, at Blaine St. at MP 35.52 for one ramp, and strip temporary easements for construction. Based on locations of additional acquisition of right-of-way, more clearances may be required. Total ROW acquisition is expected to be less than a quarter acre.

3) Estimated Traffic Volume, Flow Pattern and Safety Impacts (Including Construction Impacts, Detours, etc.)

The estimated ADT for the proposed project area ranges from approximately 8,500 to 26,600 vehicles. No detours will be needed during construction, however, short single lane closures could occur.

4) Estimated Land Use and Socioeconomic Impact (Including Consistency with Comprehensive Plan)

Since this is an ODOT project, the project is not identified in the local transportation improvement plan. There are no anticipated impacts to protected resources (i.e., estuary, wetlands, greenways) givein the current scope of work. According to Dan Fricke, ODOT Planner, the project will conform with the Transportation Planning Rule, the Statewide Planning Goals, and the Comprehensive Plan.

There is no potential for this safety project to divide or disrupt an established community, or affect neighborhood character or stability. The project will not negatively affect minority, elderly, handicapped, low income, transit-dependent, or other specific interest groups. There will be some temporary construction inconvenience to drivers and pedestrians, and potential for single lane closures during radii and ADA ramp work.

The project team may evaluate closure of business accesses too close to the intersection.

5) Estimated Wetlands, Waterways and Water Quality Impacts

If the work goes off of the existing pavement, there may be impacts to wetlands, hydric soils, and floodplains. If this is the case, a wetland delineation may be necessary. According to the Soil Survey for the Marion County Area, Oregon, the soil in the area of the project includes: Amity Silt Loam (Am), Bashaw Clay (Ba), Cloquato Silt Loam (Cm), Concord Silt Loam (Co), Dayton Silt Loam (Da), Labish Silty Clay Loam (La), Terrace Escarpments (Te), Wapato Silty Clay Loam (Wc), Willamette Silt Loam (WIA) 0-3 percent slopes, Willamette Silt Loam (WIC) 3-12 percent slopes, Woodburn Silt Loam (WuA) 0-3 percent slopes, Woodburn Silt Loam (WuC) 3-12 percent
slopes, Woodburn Silt Loam (WuD) 12-20 percent slopes. According to the Soil Survey, the Bashaw Clay (Ba), Concord Silt Loam (Co), Dayton Silt Loam (Da), Labish Silt Clay Loam (La), and Wapato Silty Clay Loam (Wc) are designated as hydric soils. No wetland survey is required unless work goes beyond the roadway prism or improved areas.

Based on project scope, there will be no impact to water resources. The only resource of concern adjacent to the project would be Labish Slough, however, no work should occur that should impact the slough. No active wells will be impacted. There are no surface waters located within the project area.

The FEMA Flood Insurance Rate Map (MAP No. 41047C0213 G, dated 1/19/2000) indicated that the project area from Lakeside Drive to Labish Gardens Road (over Lake Labish Ditch) is located within zone A. The areas in zone A are special flood hazard areas inundated by 100-year floods, no base flood elevations have been determined. If the work goes outside of the existing roadway prism in the Labish area, a floodplain permit may be required.

Treatment of stormwater is not triggered by this project. Little to no new impervious surface will be created. The new surface is associated with short sections of separated sidewalk.

Good BMPS for erosion and sediment control, with stormwater inlet projection, should assure that water quality is not impacted.

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6) Estimated Biological & Threatened & Endangered Species Impacts

A search of the OBIC database indicated the following species for T4S, R1W: Painted turtle (SC) (Section 12) and Oregon giant earthworm (SOC) (Section 16); T5S, R1W: Vertrees's ceraclean caddisfly (SOC) (Section 7); T5S, R2W: Peacock Larkspur (LE) (SOC) (Section 4); T6S,
R2W: None; and T7S, R2W: Nelson's Sidalcea (LT) (Sections 8, 17, 31, and 36). A search of the USFWS database indicated the following species for Marion County: Bald eagle (T), Northern spotted owl (T), Fender's blue butterfly (E), Golden indian paintbrush (T), Willamette daisy (E), Howellia (T), Bradshaw's lomatium (E), Kincaid's lupine (T), Nelson's checker-mallow (T), Yellow-billed cuckoo, streaked horned lark, Oregon spotted frog, and Taylor's checkerspot.

Since project work is primarily at the intersection of Young's and OR 99E, no impact to species is anticipated. The project area is urban and without habitat. Rehabilitation of ADA ramps is also not expected to impact any species. The project should use BMPs for erosion and sediment control during project work, especially protecting stormdrain inlets. The project will not affect stormwater drainage patterns or add contributing area so water quality treatment is not required. The minimum level of documentation required is a No Effect Memo.

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7) Estimated Archaeology and Historical Impacts

There are no archaeologically sensitive areas that are anticipated to be impacted. Based on the project scope (ADA ramps and improvements at Young Street, there are new ground disturbances anticipated. According to Julie Schablitsky, ODOT Archaeologist, urban archaeological remains may be present in the historic town area of Aurora. Based on the project including curbs and sidewalks at Young Street, and rehabilitation of ADA ramps, an archaeological survey and clearance will be necessary. Input from ODOT Archaeologist Roedel indicates the possibility of encountering peat bogs with deep excavation, so Roedel would like to review geotech boring logs if test drilling occurs. The minimum level of clearance for archaeology would be a PA Memo.

No buildings were observed to be potentially eligible for the National Register at the intersection of Young's and OR 99E. However, the railroad is just south of the intersection and sidewalk improvements for pedestrians crossings of the Willamette Valley Railway tracks are part of the project. Railroads are generally considered eligible for the National Register. The project historian must evaluate the project area(s) with the likely documentation being a PA Memo.

If the project scope of work changes from the original scope, additional historic surveys and clearances may be required.

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8) Estimated Park, Visual Impacts and 4(f) Potential

The project area is not located on a designated State or Federal Scenic Highway. There are no natural or visual resources in the

project area. The project will not introduce new features into the viewshed.

No 4(f) evaluation is expected for this project unless ROW or easement is required from the parcel of a historic resource or park. No adverse impact to historic resources is expected. There are no parks, recreational sites, etc. in or adjacent to the project area.

9) Estimated Air, Noise and Energy Impacts

Some ADA ramp work for this project is within an air quality non-attainment area in Salem. However, there will be no change to horizontal or vertical alignments and no additional travel lanes will be added. The project is not anticipated to include adding lanes, additional signalization, channelization, and/or alignment changes. No air quality evaluation is needed.

There will be no change to the horizontal or vertical alignment of OR99E. There is no change to the number of through travel lanes. This is not a new roadway. There is no anticipated removal of topographical features. No noise evaluation is necessary.

The project is not anticipated to affect energy use due to changes to traffic patterns or volumes, or involve speed zone changes. No detour routes are anticipated.

10) Estimated Hazardous Materials Impacts

The project will require ROW acquisition on the east side of Youngs/OR99E intersection, and will require excavation at the intersection, and potentially at many of the ADA ramp rehabilitaton locations (68). The intersection of Youngs/OR99E shows evidence of old gas stations. Currently there is Woodburn Cardlock (complete LUST cleanup) and Woodburn Carcraft, Inc. (a waste generator) closest to the intersection. Project work will also occur at the railroad crossing where there may be diesel or other chemicals present in the soil. The depth of excavation if needed at the intersection or ADA ramp locations is not yet evaluated. The length of OR99E has numerous businesses that appear on DEQ profiler. Likely a corridor study and possible soil sampling could be required.

Input from ODOT Hazmat Coordinator Bretherton regarding the project is that the level of effort will be HMCA and more than likely limited phase 2 work to assess the impacts of recognized environmental conditions. The two gas stations have documents already on DEQ Webdocs but the northwest corner of the intersection of Youngs Street with OR99 is a big question mark. Also there are a number of the ADA ramps that could be upgraded on or adjacent to very old gas stations or other problem sites.

11) Preliminary Identification of Potential Areas of Critical Concern and Controversial Issues

--If test drilling occurs, the ODOT Archaeologist would like to review geotech boring logs for the presence of peat deposits.
--DEQ databases indicated several sites of potential concern. A Level 1 Hazmat report should be completed prior to any construction work.
-- Coordinate with ODOT Rail Division for work within 500 feet of the railroad.
--If the work goes outside of the existing roadway prism, a floodplain permit may be required.
--If the work goes ouside of the existing roadway prism, there may be impacts to wetlands. If this is the case, a wetland delineation may be necessary.

12) Documentation Requirements

Clearances:
State and/or Federal Endangered Species Act, likely NE Memo
State Historic Preservation Office (Historic), likely PA Memo
State Historic Preservation Office (Archaeological), likely PA Memo
ODOT Erosion Control Plan
Hazmat Materials Clearance, likely Level 1 and soil sampling

DRAFT PROJECT PROSPECTUS

Part 3 Project Environmental Classification

Project Classification	
	Class 1 DEIS FEIS
X	Class 2 Categorical Exclusion
	Programmatic Categ. Exclusion
	Class 3 EA Revised EA

Key Number:	Jurisdiction:
16008	State

Project Name:	Bridge No.	County:	Reg:	Area:	District:
OR99E: Young Street Safety & ADA Ramps (Woodburn)	07657	Marion	2	Mid-Willamette Valley	03

13) Estimated Pre-Construction Activity Impacts (drilling, survey work, etc.)

Based on the scope of work, there are no anticipated geological concerns. However, test drilling may be required for relocation of signal pole foundations. Preliminary clearance for plants, wetlands. and archaeology are required prior to test drilling.

ODOT Archaeologist Roedel has requested the opportunity to review any geotech boring logs for the presence of peat deposits.

14) Preliminary Identification of Public/Stakeholder Concerns

- Coordinate with businesses at the intersection of OR99E and Youngs St. to minimize disruption to public access during construction work.
- Closure of some access points will require coordination with affected businesses.

DRAFT PROJECT PROSPECTUS

Part 3 Project Environmental Classification

Project Classification	
	Class 1 DEIS FEIS
X	Class 2 Categorical Exclusion
	Programmatic Categ. Exclusion
	Class 3 EA Revised EA

Key Number:	Jurisdiction:
16008	State

Project Name:	Bridge No.	County:	Reg:	Area:	District:
OR99E: Young Street Safety & ADA Ramps (Woodburn)	07657	Marion	2	Mid-Willamette Valley	03

A "Categorical Exclusion" (Class 2) is a category of actions which does not individually or cumulatively have a significant environmental effect (40 CFR 1508.4, 23 CFR 771.115).

The NEPA context of "significant" is defined at 40 CFR 1508.27 in order to determine whether a U.S. DOT project is excluded from preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS).

Please answer the following questions:

Categorical Exclusions

23 CFR 771.117(a) - Would the project involve any of the following effects:

Y	N	U	N/A	
○	◉	○	○	1 Induce significant impacts to planned growth or land use for an area?
○	◉	○	○	2 Require relocation of significant numbers of people?
○	◉	○	○	3 Have a significant impact on any natural, cultural, recreational, historic or other resources?
○	◉	○	○	4 Involve significant air, noise, or water quality impacts?
○	◉	○	○	5 Have significant impacts on travel patterns?

23 CFR 771.117(b) - Would the project involve unusual circumstances such as:

Y	N	U	N/A	
○	◉	○	○	1 Significant environmental impacts?
○	◉	○	○	2 Substantial controversy on environmental grounds?
○	◉	○	○	3 Significant impacts to properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act?
○	◉	○	○	4 Inconsistencies with any federal, state, or local law, requirements or administrative determination relating to the environmental aspects of the project?

If you answered "YES" to one or more of the above questions, you likely DO NOT have a Class II project. If you answered "UNKNOWN" to one or more of the above questions, you MAY NOT have a Class II project.

In either of these cases, you should discuss the NEPA classification with an Environmental Manager, the REC Program Coordinator, the NEPA Program Coordinator,

and/or the FHWA Environmental Coordinator prior to classifying the project of the Prospectus Part 3.

If you answered "NO" to ALL of the above questions, the project is likely a Class II Action.*

DRAFT PROJECT PROSPECTUS

Part 3 Project Environmental Classification

Project Classification	
[ ]	Class 1 DEIS FEIS
[X]	Class 2 Categorical Exclusion
[ ]	Programmatic Categ. Exclusion
[ ]	Class 3 EA Revised EA

Key Number:	Jurisdiction:
16008	State

Project Name:	Bridge No.	County:	Reg:	Area:	District:
OR99E: Young Street Safety & ADA Ramps (Woodburn)	07657	Marion	2	Mid-Willamette Valley	03

Type of Categorical Exclusions:

Y N U N/A
◉ ○ ○ ○

A. Is the proposed action specifically listed under 23 CFR 771.117 (c)?
If "YES" please identify what:

ADA ramp and sidewalk improvements, and traffic signals are covered under (c)(3) and (c)(8).

Y N U N/A
◉ ○ ○ ○

B. Is the proposed action specifically listed under 23 CFR 771.117 (d)?
If "YES" please identify what:

Adjustment of corner radii may fall under (d)(1).

*While Class 2 actions do not require preparation of an EA or EIS, they may yet require additional environmental analysis of impacts to the natural and built environment.

Some 23 CFR 771.17 (d) list Class II actions may require a NEPA type process to facilitate coordination with regulatory agencies and stakeholder involvement.

Prepared By:			FHWA or State Official Approval:	
Date:	Revised: [ ]	Phone Number:	Date:	Phone Number:

REGION ENVIRONMENTAL CHECKLIST
ATTACHMENT TO PART 3 (PROJECT ENVIRONMENTAL CLASSIFICATION)

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn)	**Key No:** 16008

Instructions:

This checklist should be completed and attached to the Part 3. It will provide information to assist in appropriately classifying projects. A "Yes" answer indicates areas of concern, a "No" answer indicates no concerns, and UNK indicates that you didn't check into that area. The primary intent of the checklist is to ensure these items have been considered, and where appropriate, researched. When something of potential impact is found, explain in the appropriate section of the Part 3. If you have any questions, please call (503) 986-3477. The receptionist will transfer you to the appropriate resource person for assistance.

1. Prepared By: Donna L. Hinze
2. Phone Number: 503-986-2829
3. Date: 4/26/2010
4. Applicable Bridge Number: 07657, 16212, 01758.
5. A brief description of the project: The project will improve the intersection of Young Street and OR 99 in Woodburn on the east side by modifying the radii on the NE and SE quadrants. The intersection modifications at OR99E and Young St. are to address operational and safety ... (More)

Air Quality

◉ Yes ○ No ○ Unk ○ N/A — 7 Is project in an air quality nonattainment or maintenance area? (Click on the "L" to the left to link directly to the nonattainment and maintenance area maps.)

◉ Yes ○ No ○ Unk ○ N/A — CO

○ Yes ○ No ○ Unk ○ N/A — PM2.5

○ Yes ◉ No ○ Unk ○ N/A — PM10

8 Is project missing from:

○ Yes ◉ No ○ Unk ○ N/A — STIP

○ Yes ◉ No ○ Unk ○ N/A — RTP

○ Yes ◉ No ○ Unk ○ N/A — MTIP

Comment for question 8: This project is within an air quality non-attainment area in Salem. However, there will be no significant
change to horizontal or vertical alignments and no additional travel lanes will be added. Federal Funding indentified in DRAFT PROJECT
PROSPECTUS, PART 1.

○ Yes ◉ No ○ Unk ○ N/A — 9 Does the project involve adding lanes, signalization, channelization, and/or alignment changes?

Comment for question 9: The project is not anticipated to include adding lanes, signalization, channelization, and/or alignment
changes.

Archaeology

◉ Yes ○ No ○ Unk ○ N/A — 10 Are archaeologically sensitive areas potentially affected (confluence of rivers, headlands, coves, overlooks, etc.)?

Comment for question 10: There are no archaeologically sensitive areas that are anticipated to be impacted b; a confluence of rivers,
headlands, coves, overlooks, etc. However, according to Julie Schablitsky, ODOT Archaeologist, urban archaeological remains may be
present in the historic town area of Aurora. Based on the project including curbs and sidewalks in Woodburn and planned improvements
at Young Street, an archaeological survey and clearance will be necessary.

◉ Yes ○ No ○ Unk ○ N/A — 11 Will the project entail disturbance of previously undisturbed ground? (Farmed land is not considered disturbed)

◉ Yes ○ No ○ Unk ○ N/A — 12 Does project entail new ground disturbances?

Comment for question 12: Based on the project including curbs and sidewalks in Woodburn and planned improvements at Young Street,
there are new ground disturbances anticipated. An archaeological survey and clearance will be necessary.

Biology

◉ Yes ○ No ○ Unk ○ N/A — 13 Does contact with local ODFW, NMFS or USFWS biologists indicate any ISSUES?

14 Name of Agency and Biologist / Liaison and comments: Any work located on or adjacent to the Labish Slough Bridge, will need to be
coordinated with ODFW and during the in-water work timing guidelines. According to the USFWS, Steelhea
(Lower Columbia River),

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

Chinook Salmon (Lower Columbia River), and Oregon Chub are likely present.

◉ Yes ○ No ○ Unk ○ N/A 15 Are federal terrestrial (plant or animal) T&E or candidate species in the area?
Comment for question 15: A search of the ONH database indicated the following species for T4S, R1W: Painted turtle (SC) (Section 12)
and Oregon giant earthworm (SOC) (Section 16); T5S, R1W: Vertrees's ceraclean caddisfly (SOC) (Section 7 ; T5S, R2W: Peacock Larkspur
(LE) (SOC) (Section 4); T6S, R2W: None; and T7S, R2W: Nelson's Sidalcea (LT) (Sections 8, 17, 31, and 36

A search of the USFWS database indicated the following species for Marion County: Bald eagle (T), Northern spotted owl (T), Fender's
blue butterfly (E), Golden indian paintbrush (T), Willamette daisy (E), Howellia (T), Bradshaw's lomatium (E , Kincaid's lupine (T),
Nelson's checker-mallow (T), Yellow-billed cuckoo, streaked horned lark, Oregon spotted frog, Taylor's checkerspot, Steelhead (Lower
Columbia River), Chinook Salmon (Lower Columbia River), and Oregon Chub.

○ Yes ○ No ○ Unk ○ N/A 16 Is the project within a wildlife collision hot spot, priority wildlife linkage area, or otherwise known to be a barrier to wildlife passage?
Comment for question 16:

○ Yes ○ No ○ Unk ○ N/A 17 Are state terrestrial (plant or animal) T&E candidate species in the area?
Comment for question 17:

○ Yes ○ No ○ Unk ○ N/A 18 Will the proposed action affect migratory birds or bats?
Comment for question 18:

◉ Yes ○ No ○ Unk ○ N/A 19 Are any Federal Aquatic T&E or proposed species present?
Comment for question 19: There is no surface water located within the proposed project area. However, any work located on or
adjacent to the Labish Slough Bridge, will need to be coordinated with ODFW and during the in-water work timing guidelines. According
to the USFWS, Steelhead (Lower Columbia River), Chinook Salmon (Lower Columbia River), and Oregon Chub are likely present.

○ Yes ○ No ○ Unk ○ N/A 20 Are any State Aquatic T&E or candidate species present?
Comment for question 20:

○ Yes ◉ No ○ Unk ○ N/A 21 Does the project occur on or adjacent to BLM or USFS land?
Comment for question 21:

◉ Yes ○ No ○ Unk ○ N/A 22 Does contact with local BLM or USFS biologists indicate any issues?

23 Name of BLM or USFS biologist and comments: Any work located on or adjacent to the Labish Slough Bridge, will need to be coordinated
with ODFW and during the in-water work timing guidelines.

24 What are the results from a Natural Heritage Database search? A search of the ONH database indicated the following species for T4S,
R1W: Painted turtle (SC) (Section 12) and Oregon giant earthworm (SOC) (Section 16); T5S, R1W: Vertrees' ceraclean caddisfly (SOC)
(Section 7); T5S, R2W: Peacock Larkspur (LE) (SOC) (Section 4); T6S, R2W: None; and T7S, R2W: Nelson's Sidalcea (LT) (Sections 8, 17,
31, and 36).

25 If impacts to a waterway are possible, what are the aquatic resources i.e. (fish presence or absence, distributior etc.) at or immediately upstream or downstream of the project location?
Comment for question 25:

26 Confirmed ODFW preferred in-water work period(s) for project area? (List if applicable): Pudding River June 1 to September 15.
List any streams impacted by project:

○ Yes ○ No ○ Unk ○ N/A 27 Are there any culverts within the project limits which will be worked on and will trigger the Oregon State Fish Passage Statute (ORS 509.585)?
Comment for question 27:

○ Yes ○ No ○ Unk ○ N/A 28 Will the proposed action require fish passage plan approval?
Comment for question 28:

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

○ Yes ○ No ○ Unk ◉ N/A 29 Are there any culverts within the project limits that are on the ODFW priority list for replacement/retrofit?
Comment for question 29:

◉ Yes ○ No ○ Unk ○ N/A 30 Is the creek or river classified as Essential Salmonid Habitat by the Oregon Department of State Lands?
Comments for question 30:

○ Yes ○ No ○ Unk ○ N/A 31 Any known noxious weed populations in the area?
Comment for question 31:

○ Yes ○ No ○ Unk ○ N/A 32 Will proposed action require stormwater management approval?
Comment for question 32:

○ Yes ◉ No ○ Unk ○ N/A 33 Can proposed action be permitted with SLOPES or other programmatic agreement?
Comment for question 33:

Energy:

○ Yes ◉ No ○ Unk ○ N/A 34 Does project affect energy use as a result of changes to traffic patterns or volumes, or involve speed zone changes?
Comment for question 34: The project is not anticipated to affect energy use due to traffic patterns or volumes, or involve speed
zone changes.

Geology:

○ Yes ◉ No ○ Unk ○ N/A 35 Does discussions with Region Geologist indicate any major concerns?
Comment for question 35: Based on the scope of work, there are no anticipated geological concerns. However, test drilling may be
required for relocation of signal pole foundations.

○ Yes ○ No ○ Unk ○ N/A 36 Will ODOT owned/permitted material sources be offered for this project?

○ Yes ○ No ○ Unk ○ N/A 37 Will ODOT owned/permitted disposal sites be offered? (If YES, answer the following questions.)

38 Has the site been cleared for:

○ Yes ○ No ○ Unk ○ N/A Archaeological resources
○ Yes ○ No ○ Unk ○ N/A Historic resources
○ Yes ○ No ○ Unk ○ N/A Endangered species
○ Yes ○ No ○ Unk ○ N/A Federal Migratory Bird Treaty Act
○ Yes ○ No ○ Unk ○ N/A Water quality
○ Yes ○ No ○ Unk ○ N/A Hazardous materials
○ Yes ○ No ○ Unk ○ N/A Wetlands
Other: (Please provide details):
Please identify any other clearances:

○ Yes ◉ No ○ Unk ○ N/A 39 Is drilling / exploration anticipated?
Comment for question 39: Based on the scope of work, there are no anticipated geological concerns.

○ Yes ○ No ○ Unk ○ N/A 40 Is long term monitoring and/or post construction instrumentation and monitoring anticipated?
Comment for question 40:

○ Yes ○ No ○ Unk ○ N/A 41 Will site restoration be required?
Comment for question 41:
Additional Comments by the Geologist:

Hazardous Materials:

○ Yes ○ No ○ Unk ○ N/A 42 Does a search of the DEQ's databases indicate the presence of any potentially contaminated sites within or adjacent to the API?

○ Yes ○ No ○ Unk ○ N/A 43 Does a search of the Oregon Fire Marshall's Hazardous Materials Incident database indicate any HazMat releases within or adjacent to the API?

○ Yes ○ No ○ Unk ○ N/A 44 Will R/W Acquisition(s) include gas stations, repair facilities, industrial sites, landfills or any other non-residential facilities that may have used or stored hazardous materials?

○ Yes ○ No ○ Unk ○ N/A 46 Are ground disturbances anticipated (excavation / drilling, etc.) near known or potential hazmat sites?
List any occurrence on the above items:

Revised / Additional Hazardous Materials:

◉ Yes ○ No ○ Unk ○ N/A 42 Does the project involve any R/W acquisition or subsurface disturbance (e.g. excavation or drilling)?
Comment for question 42:

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) | **Key No:** 16008

○ Yes ○ No ○ Unk ○ N/A 43 Does a search of DEQ's databases indicate the presence of any potentially contaminated sites within or adjacent to the API? At a minimum include DEQ's Facility Profiler (click the "L" to the left to access site)? For projects involving R/W acquisition or subsurface work, also include the following:
DEQ LUST Cleanup Site database (click the "L" to the left)
DEQ ECSI Database (click the "L" to the left)
DEQ UST Facility list (click the "L" to the left)
Comment for question 43:

44 Does a search of the Oregon Fire Marshall's Hazardous Materials Incident database indicate any HazMat releases within or adjacent to the API? (Click the "L" to the left)
Comment for question 44:

◉ Yes ○ No ○ Unk ○ N/A 45 Are there any known current or historical land uses that could potentially have involved the use or storage of HazMat within or adjacent to the API?
Include heating oil tanks, industrial properties, HazMat storage or retail facilities, service stations, laundry/dry cleaning, and agricultural land where pestices may have been used, etc.
Include information from site observations and Sanborn Fire Insurance Maps (where available). Click the "L" to the left. A State Library login will be required to access this site.
Comment for question 45: old gas stations

○ Yes ◉ No ○ Unk ○ N/A 46 Does the project include any structure demolition or repair, (including demolition or repair of buildings and bridges)?
NOTE: Any such repair or demolition work will require an asbestos survey, and may also require other HazMat surveys.
Comment for question 46:

○ Yes ◉ No ○ Unk ○ N/A 47 Will the project disturb or remove items containing potentialy hazardous materials (e.g. lighting, electrical equip., hudraulics, bridge mechanics, striping paint, bridge/barrier paint, treated timbers, etc.)?
Comment for question 47:

○ Yes ○ No ○ Unk ○ N/A 48 Are there any known responsible parties within the API, with whom ODOT has established cost recovery agreements or whom ODOT could easily pursue for cost recovery? Request a review of HMDMS database thru Reg. HazMat Coord.
Comment for question 48:

Historic:

◉ Yes ○ No ○ Unk ○ N/A 49 Does any city/county comprehensive plan list any buildings/items in the project area as Goal 5 resources?
Comment for question 49: If the project scope of work changes from the original scope of work outlined in the General section of this
Part 3, additional historic surveys and clearances may be required.

○ Yes ◉ No ○ Unk ○ N/A 50 Will there be any impacts to known historic resources either listed or determined eligible for the National Register of Historic Places according to the National Register Information System?
Comment for question 50: No impacts anticipated

◉ Yes ○ No ○ Unk ○ N/A 51 Are any buildings in the project area thought to be 50 years or older?
Comment for question 51: A Determination of Eligibility (DOE) for any properties associated with right-of-way or permanent easement
will be required for any historic structures located within the project corridor. If the project scope of work changes from the
original scope of work outlined in the General section of this Part 3, additional historic surveys and clearances may be required.

○ Yes ◉ No ○ Unk ○ N/A 52 Are any apparent / unique / suspect structures of possible historical interest?
Comment for question 52: If the project scope of work changes from the original scope of work outlined in the General section of this
Part 3, additional historic surveys and clearances may be required. For additional information, please see the ODOT Baseline Report
for this project.

◉ Yes ○ No ○ Unk ○ N/A 53 Are there any Historic District/trails/bridges/railroads in the project area?
Comment for question 53: The Willamette Valley railroad

◉ Yes ○ No ○ Unk ○ N/A 54 Was the SHPO historic database consulted?
Comment for question 54: (ODOT McMurry)

REGION ENVIRONMENTAL CHECKLIST
ATTACHMENT TO PART 3 (PROJECT ENVIRONMENTAL CLASSIFICATION)

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) | **Key No:** 16008

Land Use / Planning:

55 How many jurisdictions are directly affected by the project? 1
List the jurisdictions being affected: Woodburn

○ Yes ◉ No ○ Unk ○ N/A 56 Is the project identified in an affected jurisdiction's Comprehensive Plan and/or Transportation System Plan?
Comment for question 56: Based on the scope of work, the project is not identified in the local transportation improvement plan.

57 List Comprehensive Plan designations being impacted:

58 List zoning designations being impacted:

◉ Yes ○ No ○ Unk ○ N/A 59 Is the project inside the Urban Growth Boundary (UGB)?
Comment for question 59:

○ Yes ◉ No ○ Unk ○ N/A 60 Is the project outside of a jurisdiction's UGB?
Comment for question 60: The project is located outside and within the UGB.

○ Yes ○ No ○ Unk ◉ N/A 61 If the project is outside the UGB is it expected to need additional right-of-way?
Comment for question 61:

62 If the project is outside the UGB, is the project described in OAR 660-012-0065? (Describe the connection to the OAR in comment box below).:
Comment for question 62:

○ Yes ◉ No ○ Unk ○ N/A 63 Does the project need permit or land use actions? (If YES, describe the type of permit(s) or land use action in the comment box below).
Comment for question 63:

Region Planner's opinion that the project conforms with:

◉ Yes ○ No ○ Unk ○ N/A Transportation Planning Rule

◉ Yes ○ No ○ Unk ○ N/A Statewide Planning Goals

◉ Yes ○ No ○ Unk ○ N/A Comprehensive Plan and/or Transportation System Improvement Plan (county/city or both). Requests for this information should be directed to local ODOT planning staff. Request should be made via email.
Comment for 64: According to Dan Fricke, ODOT Planner, the project is anticipated to conform with the Comprehensive Plan.

○ Yes ◉ No ○ Unk ○ N/A 65 Is the project located in a jurisdiction affected by the Coastal Zone Management Act?
Comment for question 65: The Coastal Zone Management Act does not apply.

○ Yes ◉ No ○ Unk ○ N/A 66 Are areas of Forest or EFU zoning impacted by the project?
Comment for question 66: There is no anticipation that any forest or EFU land will be impacted.

○ Yes ◉ No ○ Unk ○ N/A 67 Are other protected resources (i.e. estuary, wetlands, greenways, etc.) impacted by the project?
Comment for question 67: There are no anticipated impacts to protected resources (i.e., estuary, wetlands, greenways). Any work
located on or adjacent to the Labish Slough Bridge, will need to be coordinated with ODFW and during the in-water work timing
guidelines. Other permits (Corps/DSL) may be necessary.

○ Yes ◉ No ○ Unk ○ N/A 68 Does the project impact areas designated by the National Resources Conservation Services (NRCS) as "High-Value Farmland?"
Comment for question 68: According the Oregon Administrative Rule for Agricultural Land (660-033-020), agricultural land does not
include land within acknowledged urban growth boundaries.

○ Yes ○ No ○ Unk ○ N/A 69 Will the project result in the conversion of prime farmland, unique farmland, or land of statewide or local importance as defined by Farmland Protection Policy Act (FPPA)?
Comment for question 69: The Farmland Conversion Impact Rating is not applicable.

○ Yes ○ No ○ Unk ○ N/A 70 Does project have potential to improve multi-modal transportation options (rail, bus, bicycle paths, pedestrian walkways, etc.)?
Comment for question 70:

Noise:

○ Yes ◉ No ○ Unk ○ N/A 71 Change in horizontal alignment of existing roadway: Does the project halve the distance between the traffic noise source and the closest receptor? (see question 79 for receptor list)
If yes, amount of horizontal shift? There is no anticipated shift in the horizontal or vertical alignment.

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

If yes, amount of vertical shift:

○ Yes ◉ No ○ Unk ○ N/A 73 Does project increase the number of through travel lanes? (See Project Components screen)
Number of existing lanes: There is no anticipation that the number of through travel lanes will increase.
Number of proposed lanes:

○ Yes ◉ No ○ Unk ○ N/A 74 Is this a new roadway located on a new alignment?
Comment for question 74: This is not a new roadway.

○ Yes ◉ No ○ Unk ○ N/A 77 Are there any known noise problems / complaints?
Comment for question 77: There will be no significant change to horizontal or vertical alignments and no additional travel lanes will
be added. There are no known noise problems or complaints.

○ Yes ○ No ○ Unk ○ N/A 78 Will the project change or divert truck traffic?
Comment for question 78:

79 Approximate number of buildings / activity areas within 152 meters (@ 500 feet) of proposed right of way line: (note: area of project anlaysis may extend further to include all impacts)
Public or nonprofit: 91
Residences: 101
Schools, playgrounds, or day care center: 1
Place of worship, or cemetary: 4
Parks, picnic area, recreation area, or section 4(f) site:
Hotel, motel, office, or restaurant/bar:

Section 4(f) Potential:

○ Yes ◉ No ○ Unk ○ N/A 80 Are any parks, wildlife refuges, historic buildings, archaeological sites, recreational areas, etc. likely to be impacted?
If yes, explain: No 4(f) evaluation will be needed for this project. No adverse impact to historic resources is expected. There are
no parks, recreational sites, etc. in or adjacent to the project area.

Section 6(f) Potential:

○ Yes ◉ No ○ Unk ○ N/A 81 Were Land & Water Conservation Funds used to acquire parks, or make improvements, etc.?
If yes, explain: No Land & Water Conservation Funds have been used to acquire parks, or make improvements.

Socioeconomics:

82 General use of adjacent land:

◉ Yes ○ No ○ Unk ○ N/A Residential
◉ Yes ○ No ○ Unk ○ N/A Commercial / Industrial
◉ Yes ○ No ○ Unk ○ N/A Farm/Range
◉ Yes ○ No ○ Unk ○ N/A Public
○ Yes ◉ No ○ Unk ○ N/A Other
If other, explain:

○ Yes ◉ No ○ Unk ○ N/A 83 Do building displacements appear key to community / neighborhood or commercial / industrial areas?
Comment for question 83: There are no anticipated building displacements. However, if any building displacements or street closures
are anticipated, considerations for environmental justice are warranted. Considerations include affects to low income and minority
populations. Additional considerations include public involvement, planning, alternative analysis for the project, and mitigation
measures.

84 Number of building displacements?

○ Yes ◉ No ○ Unk ○ N/A 85 Do changes in travel patterns or travel capacity appear key to the local or regional economy?
Comment for question 85:

○ Yes ◉ No ○ Unk ○ N/A 86 Do changes in travel volume, access, or parking appear key to commercial/industrial businesses or districts?
Comments for question 86:

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

○ Yes ◉ No ○ Unk ○ N/A 87 Does this project divide or disrupt an established community, or affect neighborhood character or stability?
Comment for question 87: There is no anticipation that the project will divide or disrupt an established community, or affect
neighborhood character or stability. However, if any building displacements or street closures are anticipated, considerations for
environmental justice are warranted. Considerations include affects to low income and minority populations. Additional considerations
include public involvement, planning, alternative analysis for the project, and mitigation measures.

○ Yes ◉ No ○ Unk ○ N/A 88 Does this project affect minority, elderly, handicapped, low income, transit-dependent, or other specific interest group? CLICK the "L" to the left to access the Census fact finder.
Comment for question 88: There is no anticipation that the project will affect minority, elderly, handicapped, low income,
transit-dependent, or other specific interest group. However, if any building displacements or street closures are anticipated,
considerations for environmental justice are warranted. Considerations include affects to low income and minority populations.
Additional considerations include public involvement, planning, alternative analysis for the project, and mitigation measures.
Please provide required compliance and status information below. This will be used for generating the CE or PCE Closeout document.:

Visual:

○ Yes ◉ No ○ Unk ○ N/A 89 Is the project on a designated state or federal scenic route? *Click on the "L" button to link directly to the Oregon Byways website.
If Yes, indicate the designation (National Scenic Byway, All-American Road, ORegon Scenic Byway, Oregon Tour Route, or Oregon Memorial
Drive): The project area is not located within a designated State or Federal Scenic Highway.

○ Yes ◉ No ○ Unk ○ N/A 90 Does the Oregon Forest Practices Act apply?
If Yes, indicate whether restrictions apply to operation of power driven machinery or to harvest/clearing on private property or ODF
lands: The Oregon Forest Practices Act restrictions do not apply.

○ Yes ◉ No ○ Unk ○ N/A 91 Are major cuts/fills associated with this project?
Comment for question 91: There are no anticipated major cuts or fills.

○ Yes ◉ No ○ Unk ○ N/A 92 Are bridges or large retaining walls anticipated?
Comment for question 92: There are no bridges or large retaining walls anticipated for this project. If the project scope of work
changes from the original scope of work outlined in the General section of this Part 3, additional historic surveys and clearances may
be required.

○ Yes ◉ No ○ Unk ○ N/A 93 Does the project affect river segments or lakes designated as Oregon Scenic Waterways? Click the "L" to the left to access the Oregon Scenic Waterways Program website.
If Yes, will work occur within 1/4 mile of the bank of the Oregon Scenic Waterway? There are no surface waters located within the
project area.

○ Yes ◉ No ○ Unk ○ N/A 94 Does the project affect waterways designated as National Wild and Scenic Rivers?
If YES, identify the waterway and it's segment and list its classification (e.g., Recreation) *Click on the "L" to the left of this
question to link direction to the National Wild and Scenic Rivers Webpage*: There are no surface waters located within the project
area.

Waterways / Water Quality:

◉ Yes ○ No ○ Unk ○ N/A 95 Does city / county comp plan list any water resources as Goal 5 resources?
Comment for question 95: Potential Goal 5 Resources consist of historical homes and/or business buildings i the City of Aurora.
Based on the project including curbs and sidewalks in Woodburn, and any work located on or adjacent to the Labish Slough Bridge, will

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

need to be coordinated with ODFW and during the in-water work timing guidelines. Other permits (Corps/DSL) may be necessary. If the
project scope of work changes from the original scope of work outlined in the General section of this Part 3, additional historic
surveys and clearances may be required.

○ Yes ◉ No ○ Unk ○ N/A 96 Is the project within FEMA 100-year flood plain?
Comment for question 96: The FEMA Flood Insurance Rate Maps (MAP Nos. 41047C0133 G; 41047C0134 G; 41047C0137 G; 41047C0139 G;
41047C0250 G and 41047C0351 G, all dated 1/19/2000) indicated the project area is within zone X. These areas are determined to be
outside of the 500-Year Floodplain. If the work goes outside of the existing roadway prism, a floodplain permit may be required.

The FEMA Flood Insurance Rate Map (MAP No. 41047C0141 G, dated 1/19/2000) indicated that Little Bear Creek crosses HWY 99E just south
of the City of Hubbard. The area adjacent to Little Bear Creek (adjacent to Schmidt Lane) is located in a shaded zone X. A shaded
zone X is for areas of 500-year flood; areas of 100-year flood; and for areas protected by levees from 100-year floods. If the work
goes outside of the existing roadway prism, a floodplain permit may be required.

The FEMA Flood Insurance Rate Map (MAP No. 41047C0213 G, dated 1/19/2000) indicated that the project area from Lakeside Drive to
Labish Gardens Road (over Lake Labish Ditch) is located within zone A. The areas in zone A are special flood hazard areas inundated by
100-year floods, no base flood elevations have been determined. If the work goes outside of the existing roadway prism, a floodplain
permit may be required.

○ Yes ◉ No ○ Unk ○ N/A 97 Is the project within a FEMA regulated floodway?
Comment for question 97: If the work goes outside of the existing roadway prism, a floodplain permit may be required. Any work
located on or adjacent to the Labish Slough Bridge, will need to be coordinated with ODFW and during the in-water work timing
guidelines. Other permits (Corps/DSL) may be necessary. According to the USFWS, Steelhead (Lower Columbia River), Chinook Salmon
(Lower Columbia River), and Oregon Chub are likely present.

◉ Yes ○ No ○ Unk ○ N/A 98 Will a water quality limited stream be impacted?
Comment for question 98: The Pudding River is listed on the 303(d) list for temperature for fish rearing 17.8 degrees Celcius.
Consultant to verify impacts.

○ Yes ◉ No ○ Unk ○ N/A 99 Will any active wells be impacted?
Comment for question 99: There is no anticipation that any active wells will be impacted.

100 Select range of ADT: 750 <> 30,000
Comment for question 100: The estimated ADT for the proposed project area ranges from approximately 8,500 to 26,600 vehicles.

○ Yes ◉ No ○ Unk ○ N/A 101 Are there navigable waterway(s) within the project area?
Comment for question 101: There are no surface waters located within the project area.

○ Yes ○ No ○ Unk ○ N/A 102 Will new impervious surface be added within the project limit?
Comment for question 102:

○ Yes ◉ No ○ Unk ○ N/A 103 Will the project change the amount of impervious surface area?
Comment for question 103: Based on the scope of work, minimal new impervious associated with a separated sidewalk section will not
require water quality treatment.

○ Yes ◉ No ○ Unk ○ N/A 104 Will the project result in a change in the contributing impervious area?
Comment for question 104:

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn) **Key No:** 16008

○ Yes ◉ No ○ Unk ○ N/A 105 Will the project result in a change in storm water drainage (the type of conveyance, the location of conveyance or location of outfalls.)
Comment for question 105:

○ Yes ◉ No ○ Unk ○ N/A 106 Will the project result in the replacement or enlargement of stream crossing structures (bridges or culverts)?
Comment for question 106:

○ Yes ◉ No ○ Unk ○ N/A 107 Will the project be a complete reconstruction of the roadway (removing the pavement to base grade and replacing it)?
Comment for question 107:

○ Yes ○ No ○ Unk ○ N/A 108 Will the action involve a Clean Water Act Section 404 permit where the project actively involves impervious surface area?
Comment for question 108:

Wetlands

○ Yes ◉ No ○ Unk ○ N/A 107 Does National Wetlands Inventory Maps, Local Wetlands Inventory Maps, and/or ODOT Salmon Resource & Sensitive Area Database show any potential wetlands in the project area?
Select which databases were consulted.:
Provide the Quad name, LWI Name, or URL for the SRSAM database if applicable.:

◉ Yes ○ No ○ Unk ○ N/A 108 Do soil survey conservation maps indicate hydric soils in project area?
Comment for question 108. Also include map page # and map unit # if applicable.: According to the Soil Survey for the Marion County
Area, Oregon, the soil in the area of the project includes: Amity Silt Loam (Am), Bashaw Clay (Ba), Cloquato Silt Loam (Cm), Concord
Silt Loam (Co), Dayton Silt Loam (Da), Labish Silty Clay Loam (La), Terrace Escarpments (Te), Wapato Silt Clay Loam (Wc), Willamette
Silt Loam (WIA) 0-3 percent slopes, Willamette Silt Loam (WIC) 3-12 percent slopes, Woodburn Silt Loam (WuA) 0-3 percent slopes,
Woodburn Silt Loam (WuC) 3-12 percent slopes, Woodburn Silt Loam (WuD) 12-20 percent slopes.
According to the Soil Survey, the Bashaw
Clay (Ba), Concord Silt Loam (Co), Dayton Silt Loam (Da), Labish Silt Clay Loam (La), and Wapato Silty Clay Loam (Wc) are all
designated as hydric soils. However, since none of the work is anticipated to go off of the pavement, there are no anticipated impacts
to hydric soils.

○ Yes ◉ No ○ Unk ○ N/A 109 Do local Comprehensive Plans show any wetlands as protected resources?
Comment for question 109. List the comp. plan, figure # and page # if applicable.: If the work goes off of the existing pavement,
there may be impacts to wetlands. If this is the case, a wetland delineation may be necessary. Any work located on or adjacent to the
Labish Slough Bridge, will need to be coordinated with ODFW and during the in-water work timing guidelines.

○ Yes ◉ No ○ Unk ○ N/A 110 Is riparian or wetland vegetation evident from visual inspection?
Comment for question 110. Also note dominant vegetation if applicable.: If the work goes off of the existing pavement, there may be
impacts to wetlands. If this is the case, a wetland delineation may be necessary. Any work located on or adjacent to the Labish
Slough Bridge, will need to be coordinated with ODFW and during the in-water work timing guidelines.

From the below list of potentially applicable permits, click the appropriate cell to indicate whethe

Use the comment box to provide additional information such as type of permit (GA, NWP, etc.) and possible mitigation requirements such
as stormwater treatment or fish habitat/passage improvements.:

○ Yes ◉ No ○ Unk ○ N/A SLOPES / BO (Corps)
○ Yes ◉ No ○ Unk ○ N/A US Corps of Engineers Section 404
○ Yes ◉ No ○ Unk ○ N/A US Corps of Engineers Section 10 (tidal waters)
○ Yes ◉ No ○ Unk ○ N/A DSL Removal and Fill
○ Yes ◉ No ○ Unk ○ N/A DEQ Indirect Source (Air)
○ Yes ◉ No ○ Unk ○ N/A DOGAMI

REGION ENVIRONMENTAL CHECKLIST
ATTACHMENT TO PART 3 (PROJECT ENVIRONMENTAL CLASSIFICATION)

Project: OR99E: Young Street Safety & ADA Ramps (Woodburn)	**Key No:** 16008

○ Yes ◉ No ○ Unk ○ N/A	Coast Guard
○ Yes ◉ No ○ Unk ○ N/A	Local Jurisdiction National Pollutant Discharge Elimination System (NPDES)
◉ Yes ○ No ○ Unk ○ N/A	Rail Division
○ Yes ○ No ○ Unk ○ N/A	Local Land Use

Other: Potential for local floodplain permits required if constrution activities occur off the highway prism in areas identified as
FEMA hazard areas (see #187). The same applies for work in wetlands. [RCB, 02/07/05).

Potentially applicable clearances listed below. Click appropriate cell to identify type of clearance

◉ Yes ○ No ○ Unk ○ N/A	State and/or Federal Endangered Species Act
◉ Yes ○ No ○ Unk ○ N/A	State Historic Preservation Office (Historic)
◉ Yes ○ No ○ Unk ○ N/A	State Historic Preservation Office (Archaeological)
○ Yes ◉ No ○ Unk ○ N/A	FHWA Noise
○ Yes ◉ No ○ Unk ○ N/A	Air Conformity
○ Yes ◉ No ○ Unk ○ N/A	DEQ Commercial / Industrial Noise Regulation
◉ Yes ○ No ○ Unk ○ N/A	Hazmat Materials Clearance
◉ Yes ○ No ○ Unk ○ N/A	ODOT Erosion Control Plan
◉ Yes ○ No ○ Unk ○ N/A	ODOT Rail Division Order (Is any portion of the project within 500' of a railroad in any direction?)

Prepared by:	**Phone Number:**	**Date:**

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
1	Title Sheet
1A	Index Of Sheets Cont'd. & Std. Drg. Nos.

STATE OF OREGON

DEPARTMENT OF TRANSPORTATION

PLANS FOR PROPOSED PROJECT

PAVING & RAMPS

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.

PACIFIC HIGHWAY EAST

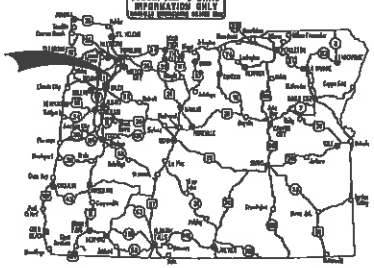
MARION COUNTY

SEPTEMBER 2014

T. 4,5,6,7 S., R. 1,2,3 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

77V-77



Overall Length Of Project - 20.76 Miles

ATTENTION:
Oregon Law Requires You To Follow Rules Adopted By The Oregon Utility Notification Center. Those Rules Are Set Forth In OAR 952-001-0010 Through OAR 952-001-0090. You May Obtain Copies Of The Rules By Calling The Center. (Note: The Telephone Number For The Oregon Utility Center Is (503) 232-1987.)

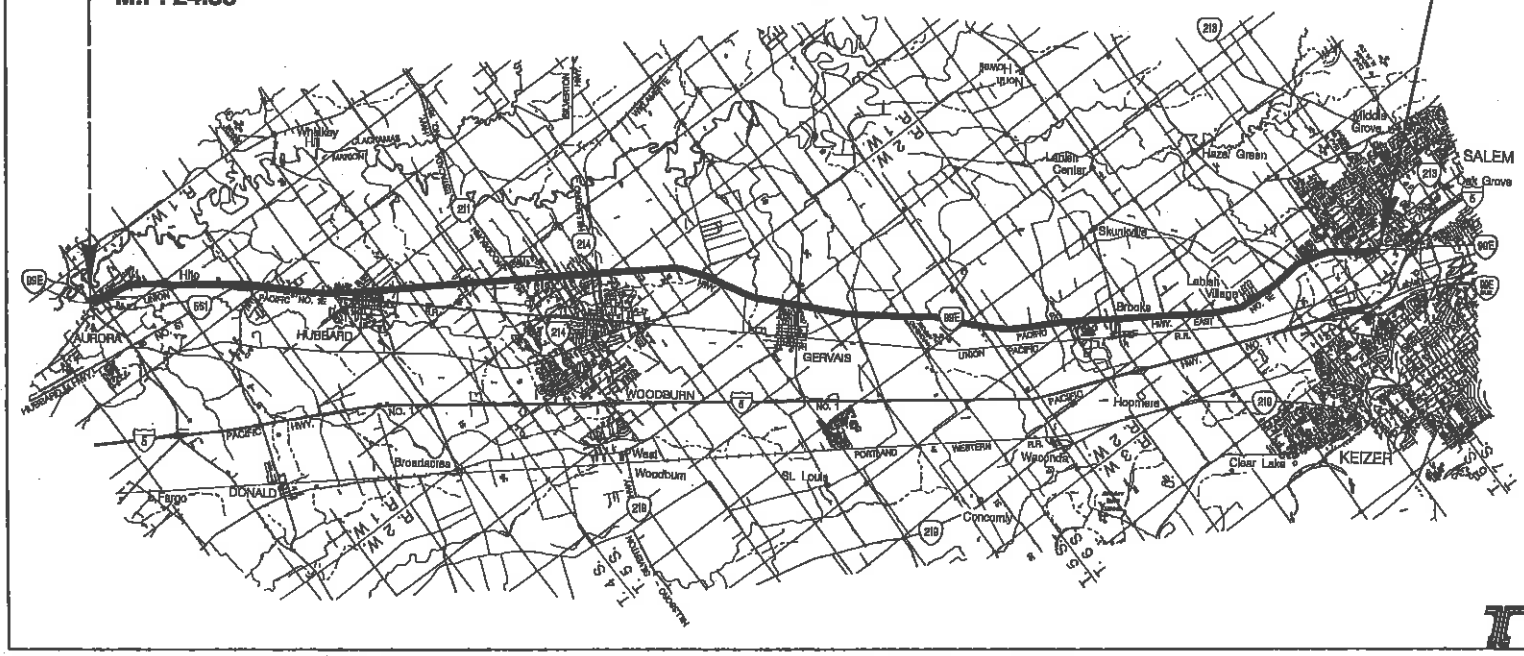
LET'S ALL WORK TOGETHER TO MAKE THIS JOB SAFE

BEGINNING OF PROJECT

M.P. 24.88

END OF PROJECT

M.P. 45.64



OREGON TRANSPORTATION COMMISSION

Pat Egan	CHAIR
David Lohman	COMMISSIONER
Mary F. Olson	COMMISSIONER
Mark Frohnmayer	COMMISSIONER
Tammy Baney	COMMISSIONER
Matthew L. Garrett	DIRECTOR OF TRANSPORTATION

These plans were developed using ODOT design standards. Exceptions to these standards, if any, have been submitted and approved by the ODOT Chief Engineer or their delegated authority.

PLANS PREPARED FOR MAINTENANCE

By: _____
Signature

Michael T. Long - R2 Tech Center Manager
Print name and title

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DIVISION	X	1

PE00 1753 000

DRAFT DESIGN
ACCEPTED PLANS
INFORMATION ONLY

INDEX OF SHEETS, CONT'D.

SHEET NO.	DESCRIPTION
2	Typical Sections
3 Thru 10 Incl.	General Construction
10A	Construction Notes
11	General Construction
11A	Construction Notes
12 Thru 15 Incl.	General Construction

Standard Drg. Nos.

RD610	– Asphalt Pavement Details
RD700	– Curbs
RD755	– Sidewalk Ramp Details
RD756, RD757	– Sidewalk Ramp Placement
RD759	– Truncated Dome Detectable Warning Surface Details And Locations

No R/W Map

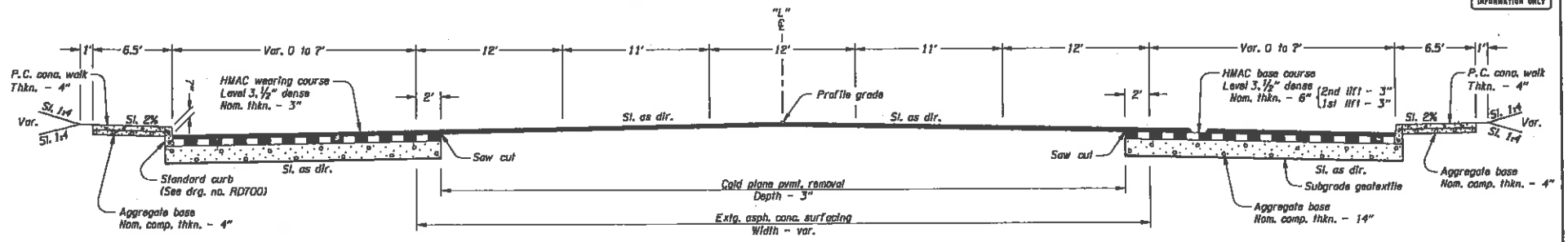
Standard Drawings located on the web at:
http://www.oregon.gov/ODOT/HWY/ENGSERVICES/standard_drawings_home.shtml

ORDOE: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

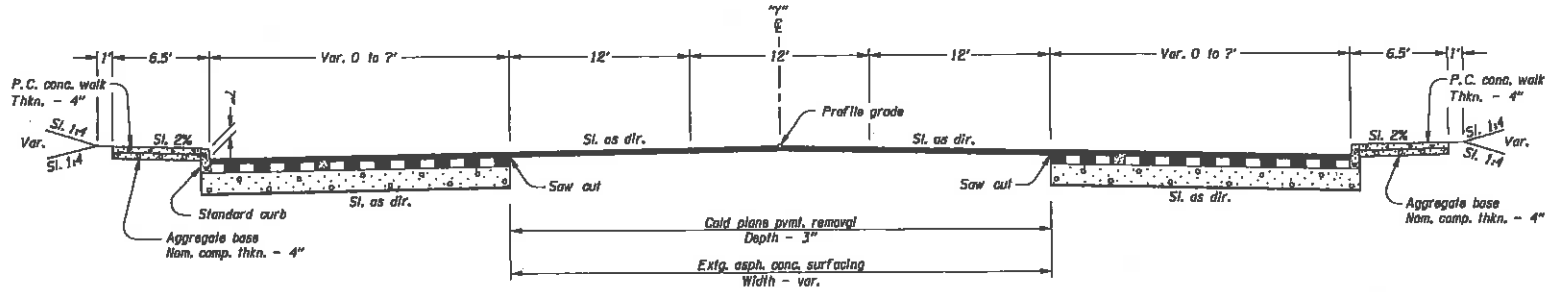
FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DIVISION		1A

1:1200 - 002

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY



STA. "L"782+23.39 To STA. "L"786+44.27 O'lay Section
786+44.27 To 788+14.94 Above Section
788+14.94 To 790+25.98 O'lay Section



(For surfacing details not shown, see section above)

STA. "Y"8+73.61 To STA. "Y"9+61.29
9+61.29 To 10+32.15 (99E)
10+32.15 To 11+05.51

NOTE:
1. Side-slopes are shown as vert. to horiz.

OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Carlson

TYPICAL SECTIONS

SHEET NO. 2

REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

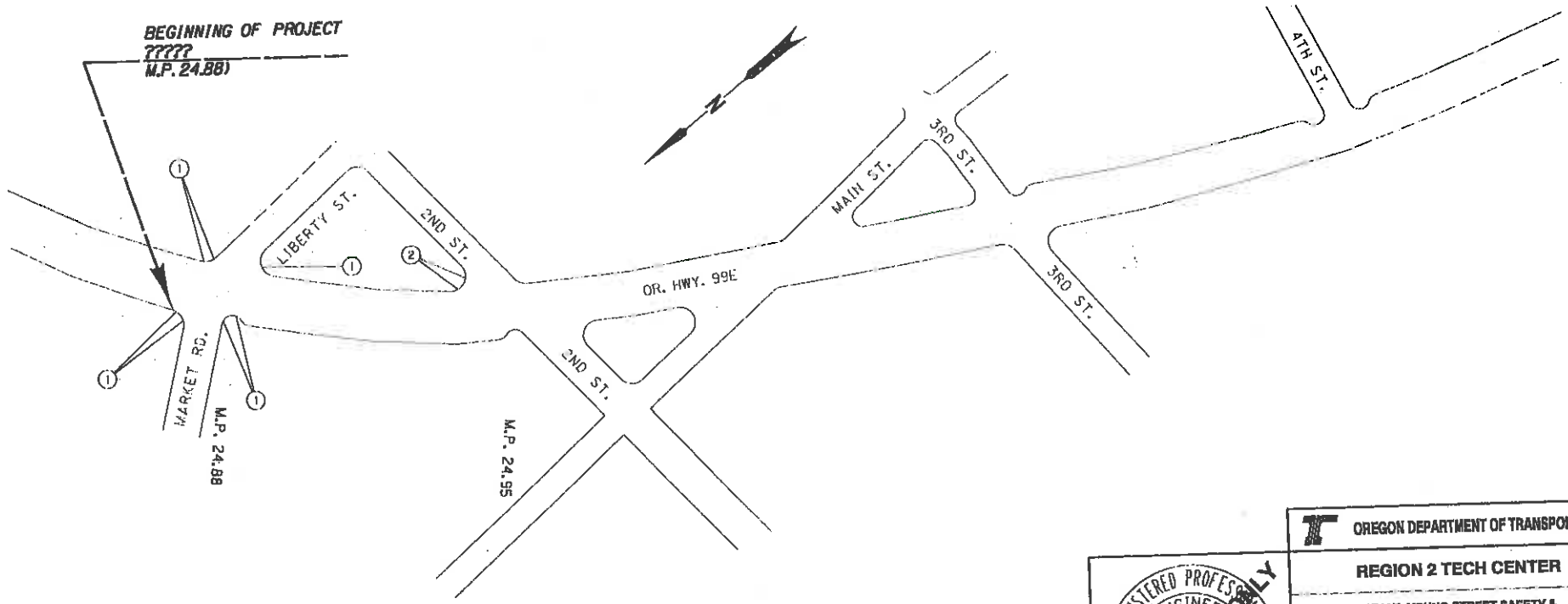
REVIEW COPY ONLY

Sec. 12, T. 4 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 24.88
Inst. truncated dome detectable warning surface - 7
(See drg. no. RD759)

(2) M.P. 24.95
Inst. truncated dome detectable warning surface - 2



REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013
REVIEW COPY ONLY

OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 3

1:1200_BL - 001

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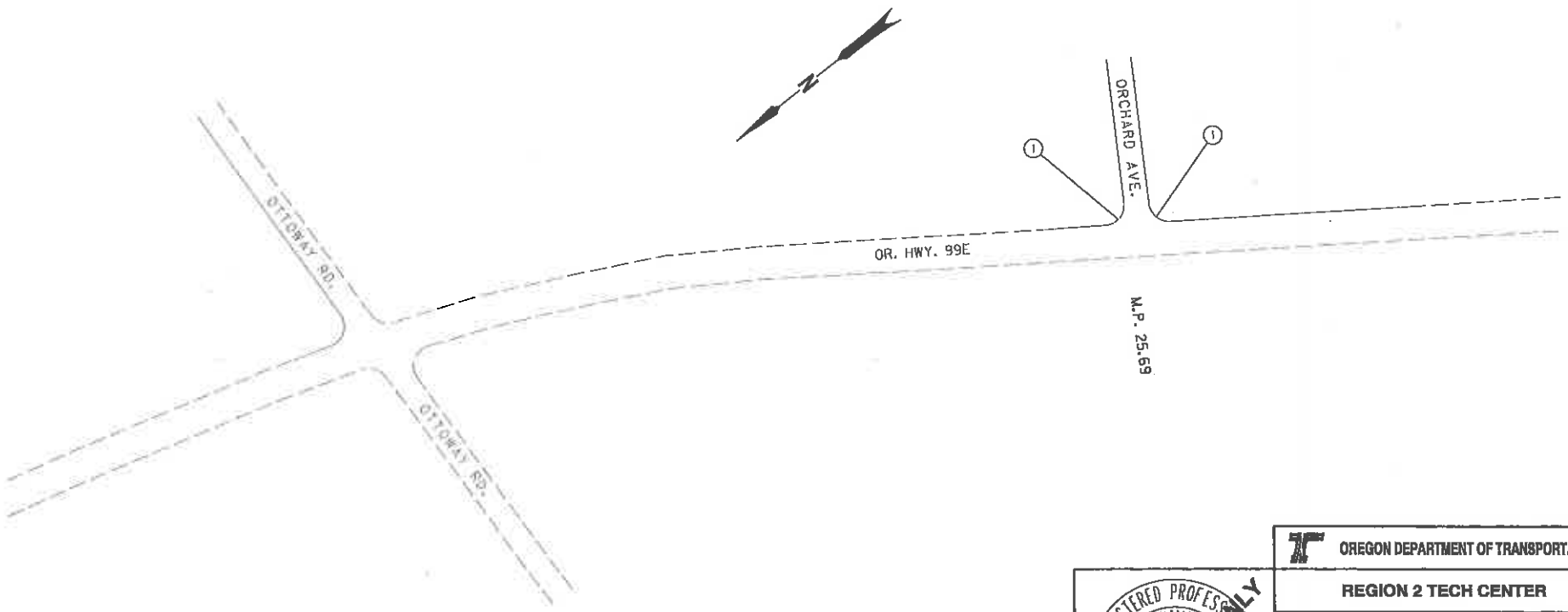
Sec. 13, T. 4 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 25.69
Inst. truncated dome detectable warning surface - 2



REGISTERED PROFESSIONAL ENGINEER
49,08
OREGON
JULY 11, 2000
CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

REVIEW COPY ONLY

OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bolley
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 4

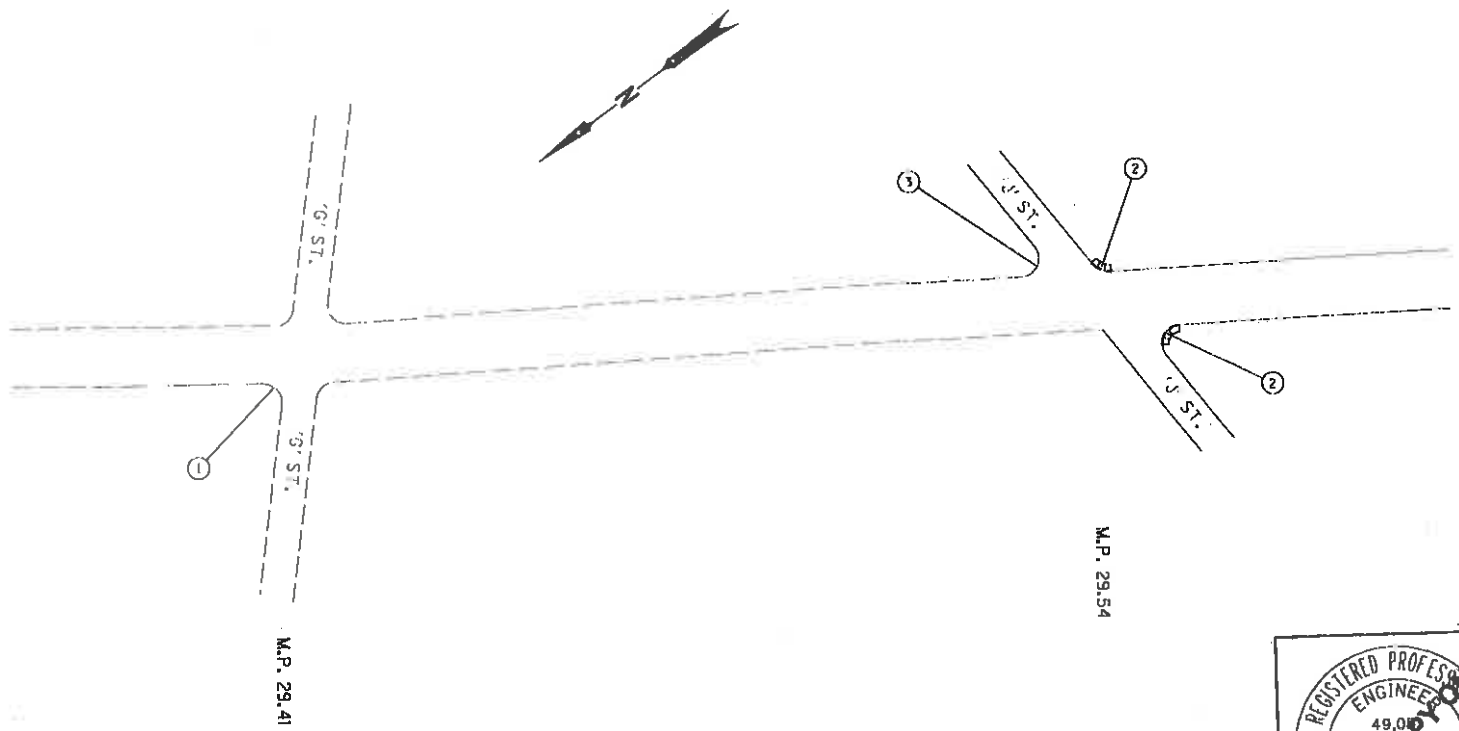
Sec. 33, T. 4 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 29.41
Inst. truncated dome detectable warning surface

(2) M.P. 29.54
Const. standard curb
Const. Parallel sidewalk ramp (Option K) – 2
(See drg. no. RD720)

(3) M.P. 29.54
Inst. truncated dome detectable warning surface



REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2006 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013
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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Curtis Bailey
Drafted By - Charlotte Carlson

GENERAL CONSTRUCTION

SHEET NO. 5

1:1200_BL - 003

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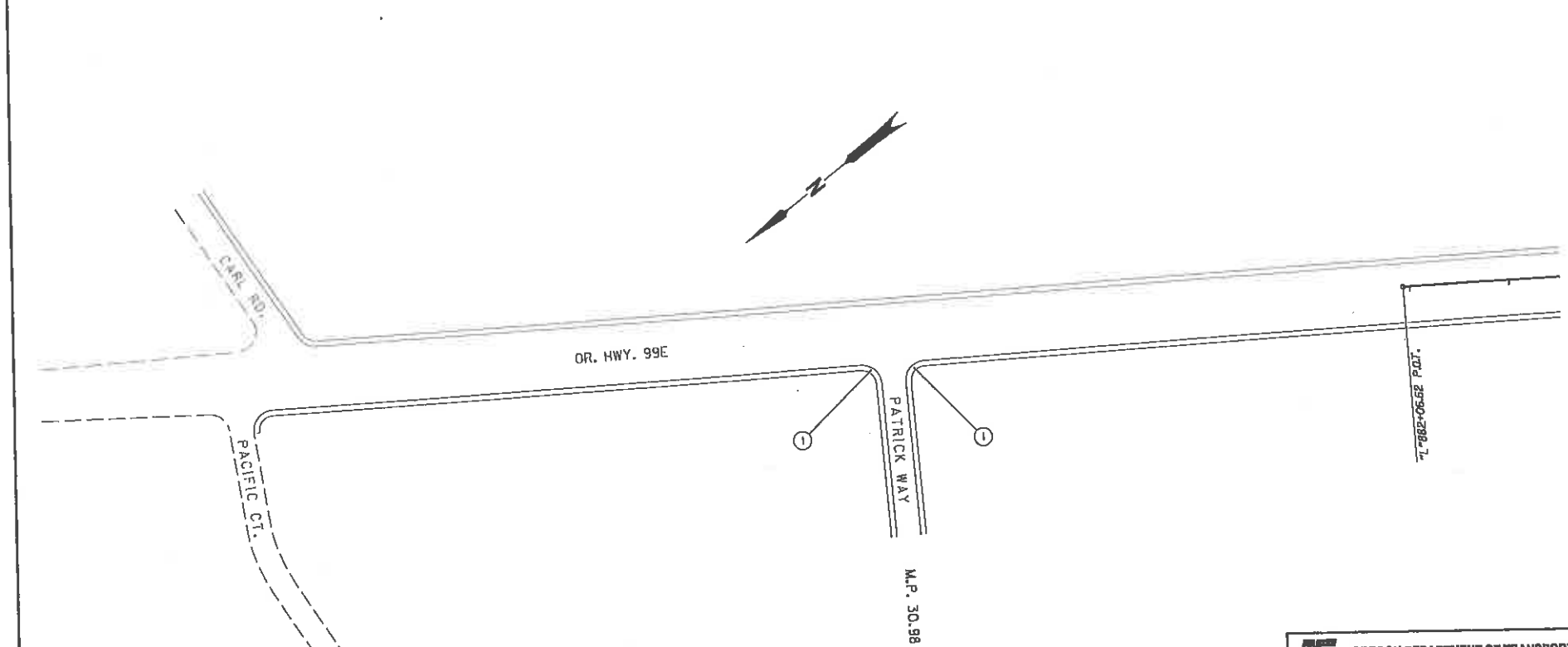
Sec. 4, T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 30.98
Inst. truncated dome detectable warning surface - 2



REGISTERED PROFESSIONAL ENGINEER 49,0 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Garken

GENERAL CONSTRUCTION

SHEET NO. 6

1:1200_BL - 004

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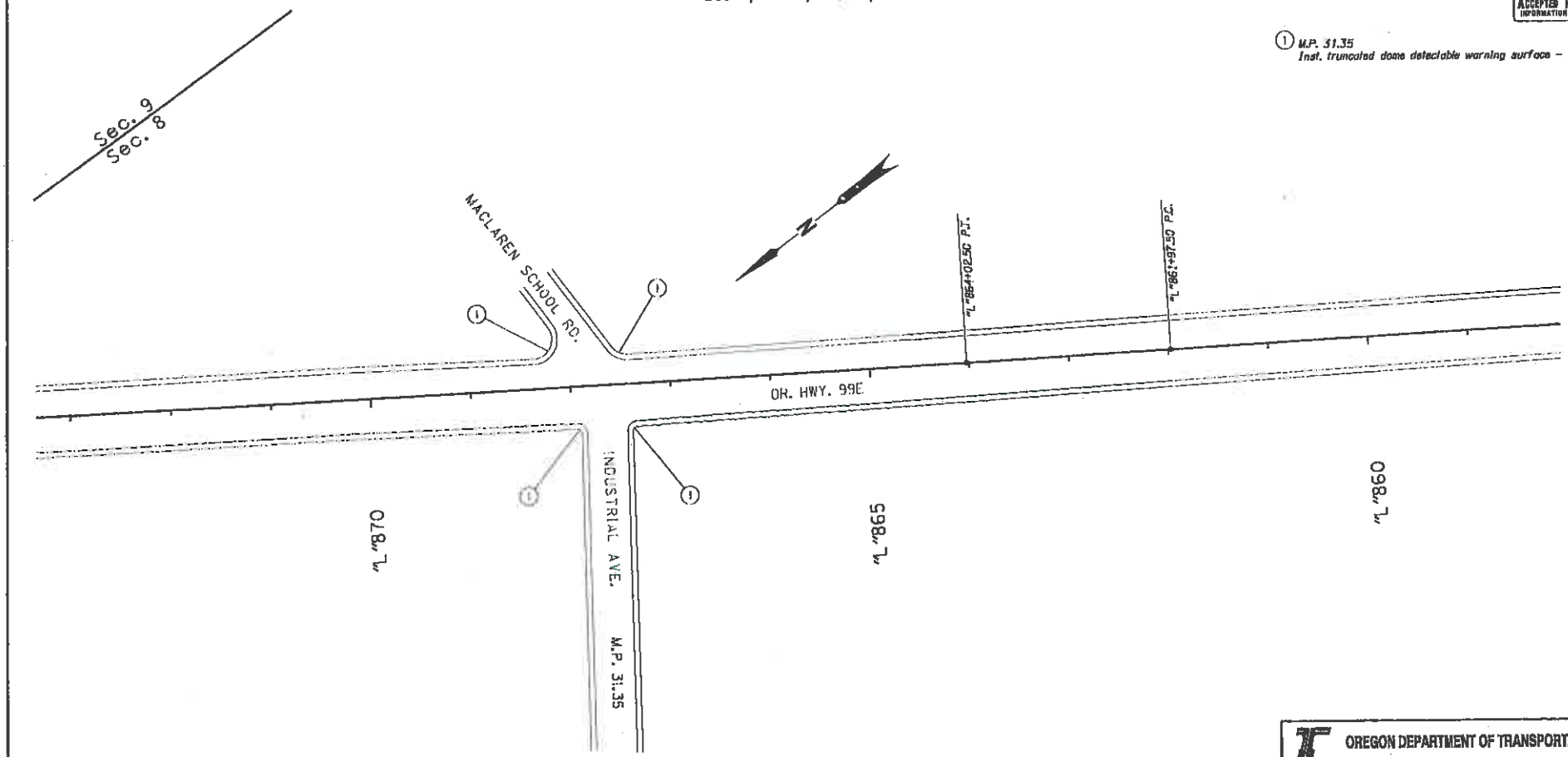
Sec. 8, T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 31.35
Inst. truncated dome detectable warning surface – 4



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader – Carol Cortwright
Designed By – Chris Bailey
Drafted By – Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 7

REGISTERED PROFESSIONAL ENGINEER 49,0[illegible] OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

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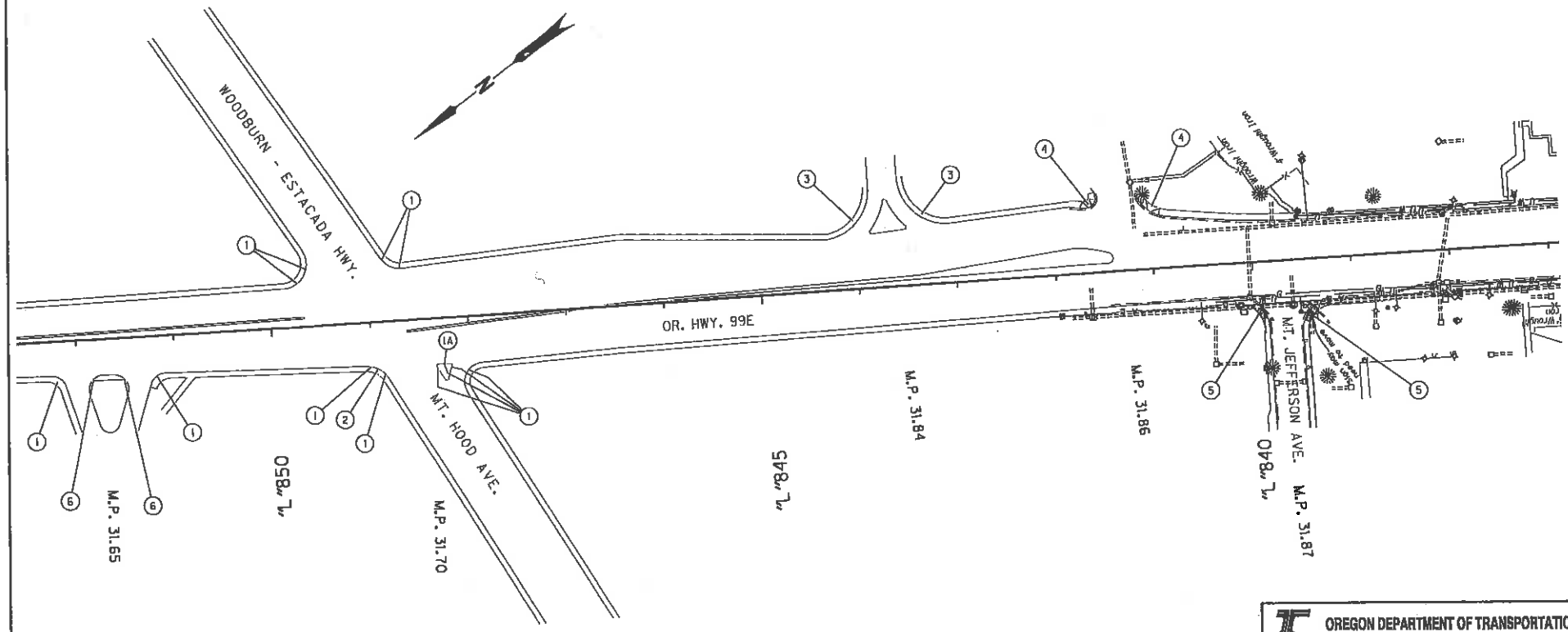
Sec. 8, T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATIONAL ONLY



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 8

REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JANUARY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

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DRAFT DESIGN
ACCEPTED PLANS
INFORMATION ONLY

(1) M.P. 31.65 to M.P. 31.70
Inst. truncated dome detectable warning surface - 12
M.P. 31.70
Grind raised lip off exig. ramp

(2) M.P. 31.70
Relocate signal box
Reconst. landing

(3) M.P. 31.84
Inst. truncated dome detectable warning surface - 2

(4) M.P. 31.86
Inst. truncated dome detectable warning surface - 2

(5) M.P. 31.87
Const. 24" curb & gutter
Const. Parallel sidewalk ramp (Option K) - 2
(See drg. nos. RD755 & RD757)

(6) M.P. 31.65
Const. 24" curb & gutter
Const. sidewalk ramp - 2

REGISTERED PROFESSIONAL ENGINEER
49,0
OREGON
11, 2000
CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY &
ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Garken

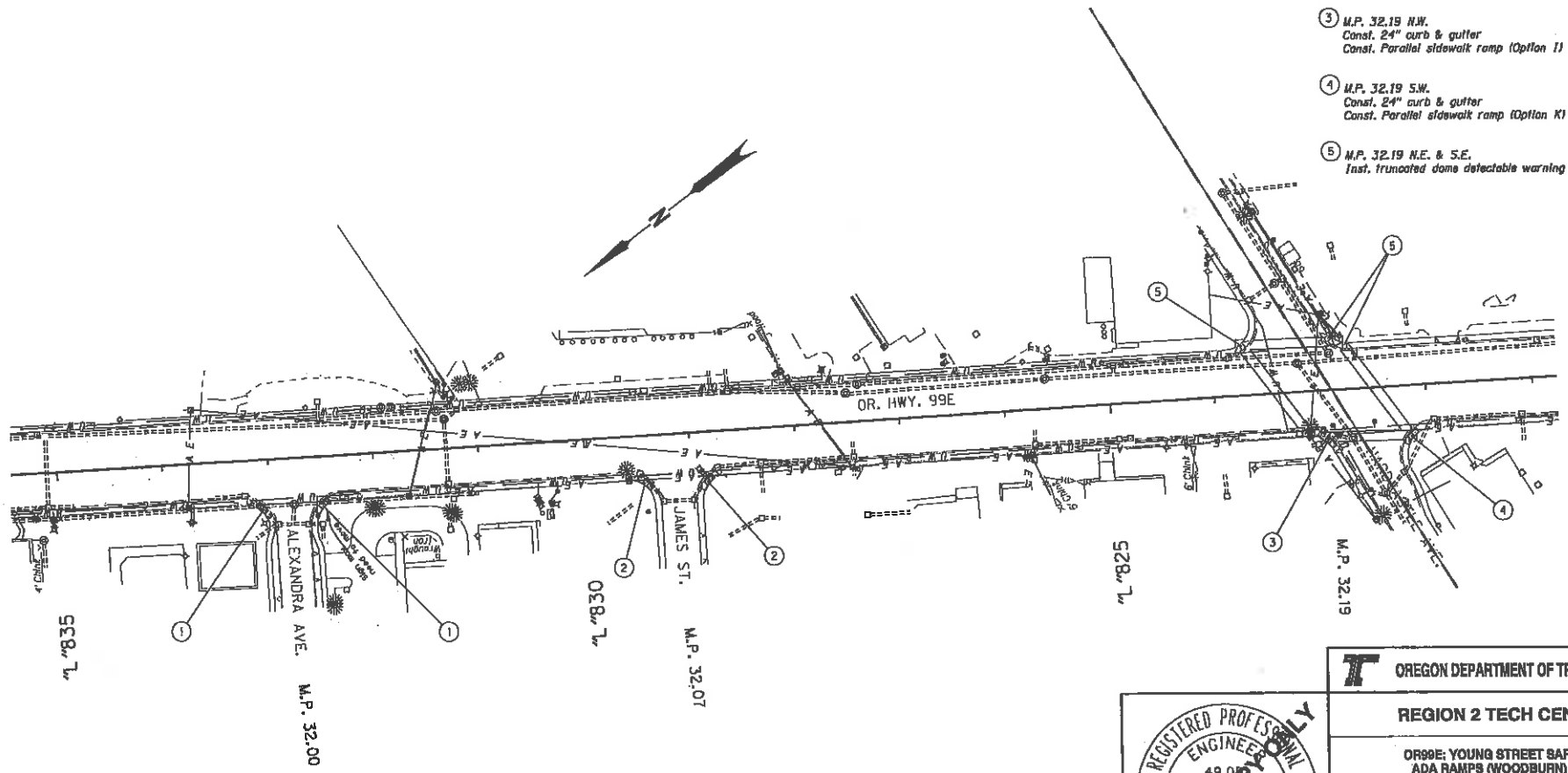
CONSTRUCTION NOTES

SHEET NO. 8A

Sec. 8, T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATIONAL ONLY

1. M.P. 31.87
   Const. 24" curb & gutter - 2
   Const. Parallel sidewalk ramp (Option K) - 2
2. M.P. 32.07
   Const. 24" curb & gutter - 2
   Const. Parallel sidewalk ramp (Option K) - 2
3. M.P. 32.19 N.W.
   Const. 24" curb & gutter
   Const. Parallel sidewalk ramp (Option I)
4. M.P. 32.19 S.W.
   Const. 24" curb & gutter
   Const. Parallel sidewalk ramp (Option K)
5. M.P. 32.19 N.E. & S.E.
   Inst. truncated dome detectable warning surface - 3



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

ORS9E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 9

REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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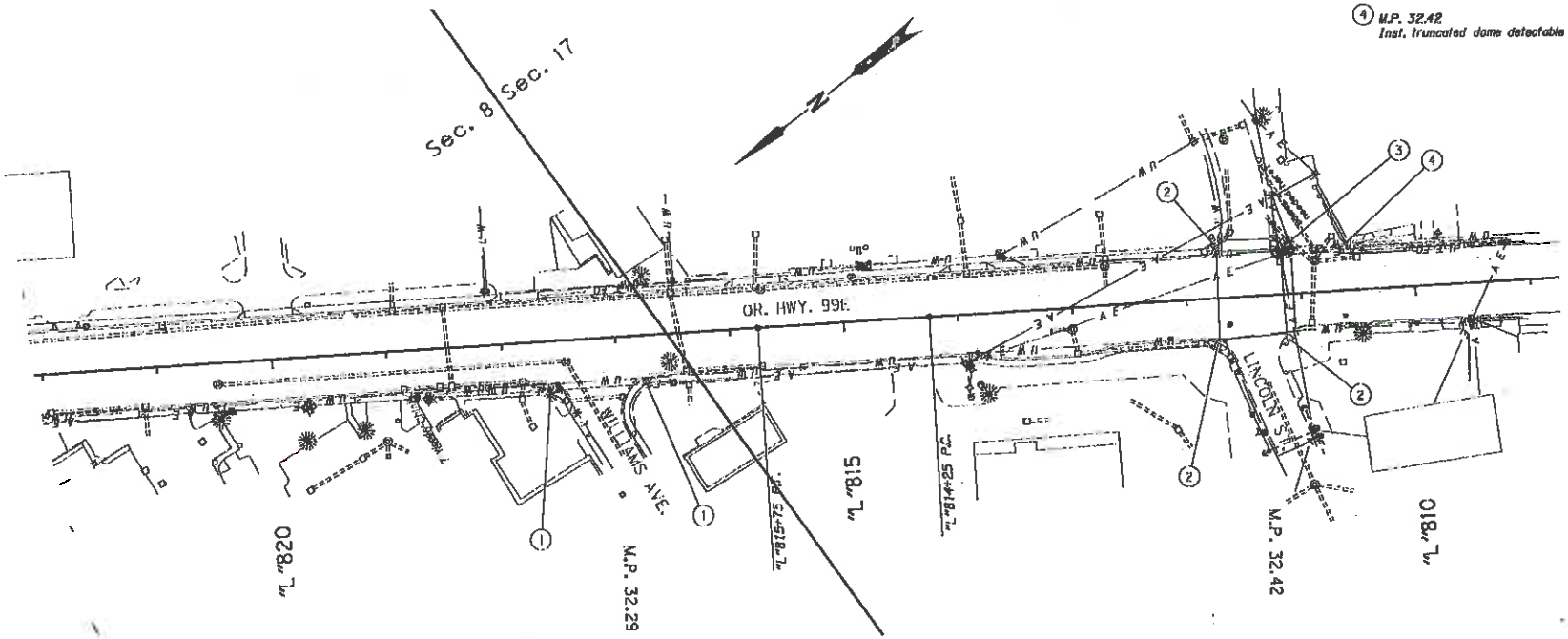
T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS

1. M.P. 32.29 N.W. & S.W.
   Inst. truncated dome detectable warning surface - 3
2. M.P. 32.42 N.E., N.W. & S.W.
   Inst. truncated dome detectable warning surface - 3
3. M.P. 32.42 S.E.
   Const. standard curb
   Const. Parallel sidewalk ramp (Option G)
4. M.P. 32.42
   Inst. truncated dome detectable warning surface



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Barkan

GENERAL CONSTRUCTION

SHEET NO. 10

REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

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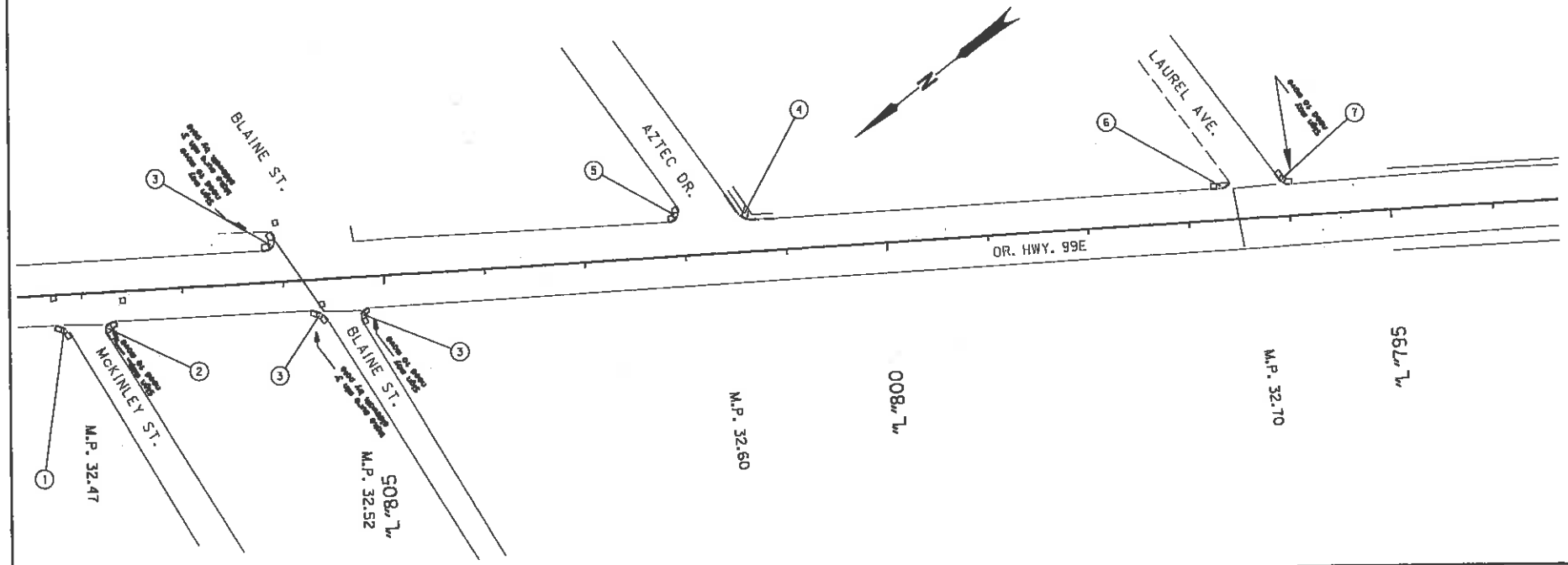
Sec. 17, T. 5 S., R. 1 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 11

REGISTERED PROFESSIONAL ENGINEER 49,0[illegible] OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

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DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) M.P. 32.47 N.W.
Const. standard curb
Const. Parallel sidewalk ramp (Option K)

(2) M.P. 32.47 S.W.
Const. standard curb
Const. Parallel sidewalk ramp (Option E)
(See drg. no. RD756)

(3) M.P. 32.52 N.W., S.W. & N.E.
Const. standard curb
Const. Parallel sidewalk ramp (Option K) - 3

(4) M.P. 32.60 S.E.
Const. standard curb
Const. Parallel sidewalk ramp (Option J)

(5) M.P. 32.60 N.E.
Const. standard curb
Const. Parallel sidewalk ramp (Option E)

(6) M.P. 32.70 N.E.
Const. standard curb
Const. Parallel sidewalk ramp (Option F)

(7) M.P. 32.70 S.E.
Const. standard curb
Const. Parallel sidewalk ramp (Option H)

REGISTERED PROFESSIONAL ENGINEER 49,08 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

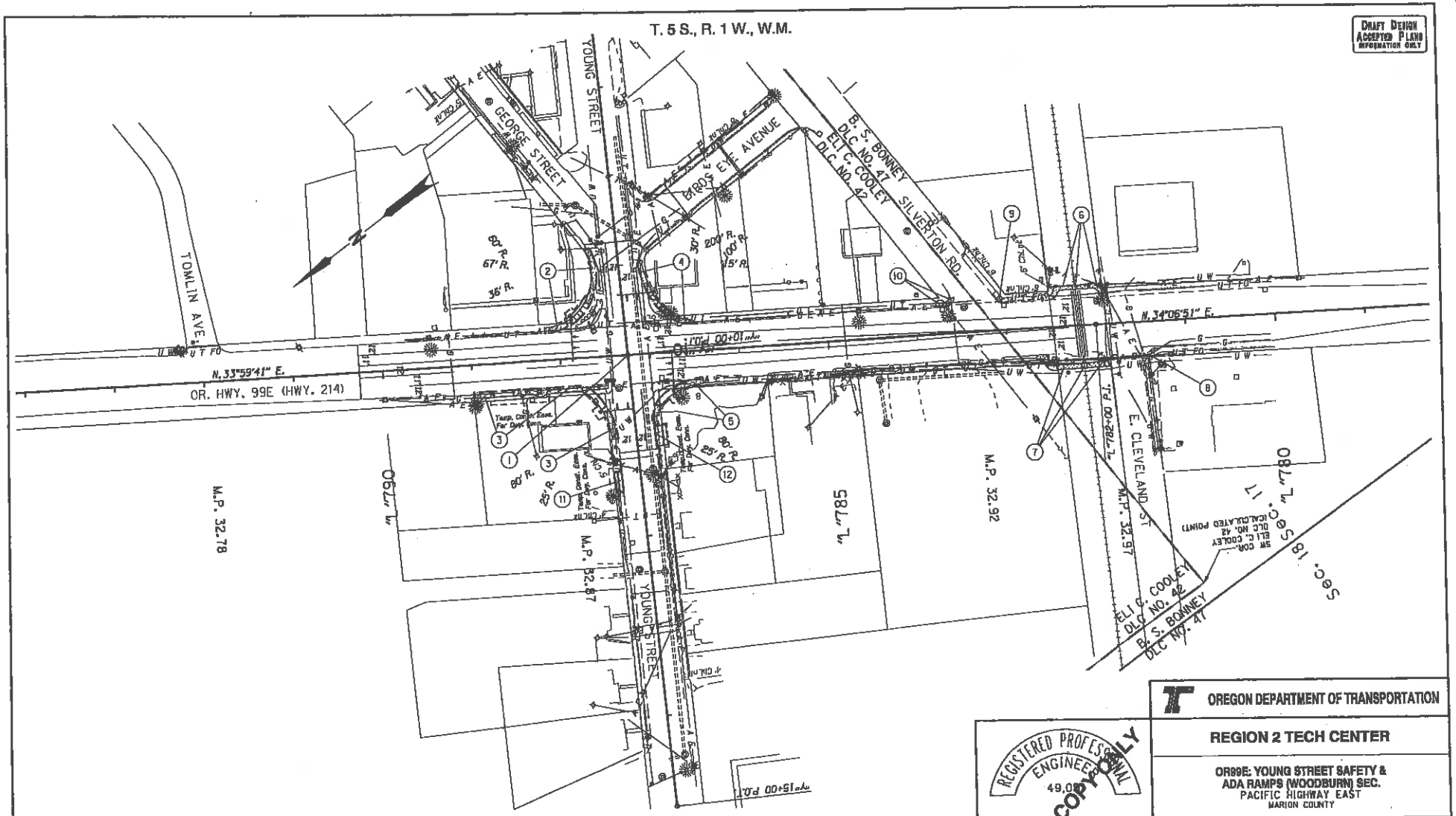
REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Garken

CONSTRUCTION NOTES

SHEET NO. 11A


T. 5 S., R. 1 W., W.M.
DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY
YOUNG STREET
GEORGE STREET
BIRDS EYE AVENUE
B. S. BONNEY DLC NO. 47
ELI C. COOLEY DLC NO. 42
SILVERTON RD.
TOMLIN AVE.
N.33°59'41" E.
OR. HWY. 99E (HWY. 214)
N.34°06'51" E.
E. CLEVELAND ST
M.P. 32.78
M.P. 32.87
M.P. 32.92
M.P. 32.97
S.89°18'00" E.
ELI C. COOLEY DLC NO. 42
B. S. BONNEY DLC NO. 47
SW COR. ELI C. COOLEY DLC NO. 42 (CALCULATED POINT)
Temp. Const. Easement For Dwy. Const.
Temp. Const. Easement For Dwy. Const.
Temp. Const. Easement For Dwy. Const.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

(1) Remove exig. Traffic Signal
Inst. Traffic Signal
(For Drg. Nos., See Sht. 1A)

(2) Sta. "L"787+55.19 To Sta. "L"788+14.86, Rt.
Remove exig. curb & sidewalk
Const. curb and sidewalk
(See Drg. No. RD700)

(3) Sta. "L"787+41.99 To Sta. "L"787+83.27, Lt.
Remove exig. curb & sidewalk
Const. curb and sidewalk

(4) Sta. "L"786+43.90 To Sta. "L"787+06.78, Rt.
Remove exig. curb & sidewalk
Const. curb and sidewalk

(5) Sta. "L"786+42.94 To Sta. "L"787+00.89, Lt.
Remove exig. curb & sidewalk
Const. curb and sidewalk

(6) Sta. "L"781+85.89 To Sta. "L"782+50.51, Rt.
Const. curb and sidewalk
Inst. truncated dome detectable warning surface – 2
(See Drg. No. RD759)

(7) Sta. "L"781+87.15 To Sta. "L"782+68.63, Lt.
Const. curb and sidewalk
Const. 24" curb & gutter
Const. Parallel sidewalk ramp (Option K)
Inst. truncated dome detectable warning surface – 2

(8) Sta. "L"781+40 To Sta. "L"781+50, Lt.
Const. 24" curb & gutter
Const. Parallel sidewalk ramp (Option K)

(9) Sta. "L"782+96 To Sta. "L"783+12.5, Rt.
Const. standard curb
Const. Parallel sidewalk ramp (Option K)
(Min. 4' behind power pole)

(10) Sta. "L"783+55.6 To Sta. "L"783+76.71, Rt.
Const. standard curb
Const. Parallel sidewalk ramp (Option K)
(Min. 4' behind power pole)

(11) Sta. "Y"11+36.54, Rt.
Const. commercial Access

(12) Sta. "Y"10+91.33, Lt.
Const. commercial Access

REGISTERED PROFESSIONAL ENGINEER 49,01[illegible] OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

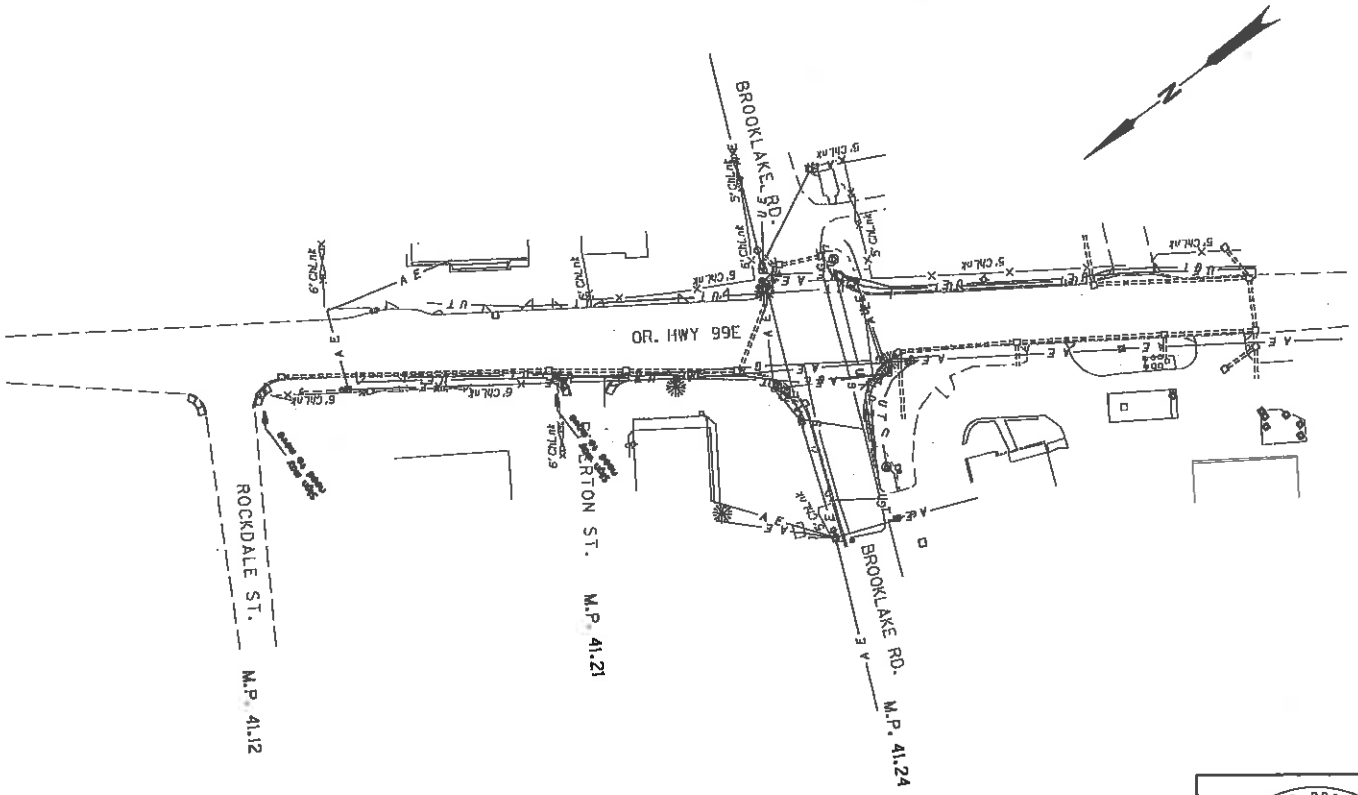
Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Garken

CONSTRUCTION NOTES

SHEET NO. 12A

Sec. 17, T. 6 S., R. 2 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY



OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 13

REGISTERED PROFESSIONAL ENGINEER 49,0 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY

RENEWS: 12-31-2013

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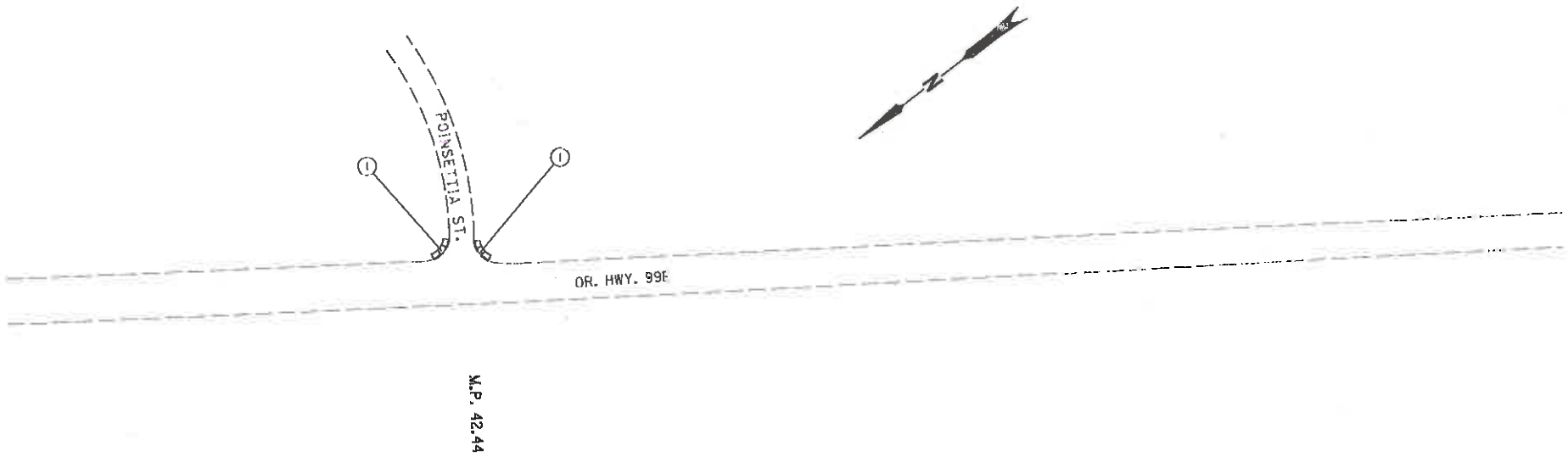
Sec. 20, T. 6 S., R. 2 W., W.M.

DRAFT DESIGN ACCEPTED PLAN INFORMATION ONLY

(1) M.P. 42.44 N.E. & S.E.
Const. standard curb – 2
Const. Parallel sidewalk ramp (Option K) – 2



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RENEWS: 12-31-2013

OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

SHEET NO. 14

1:1200..BL - 002

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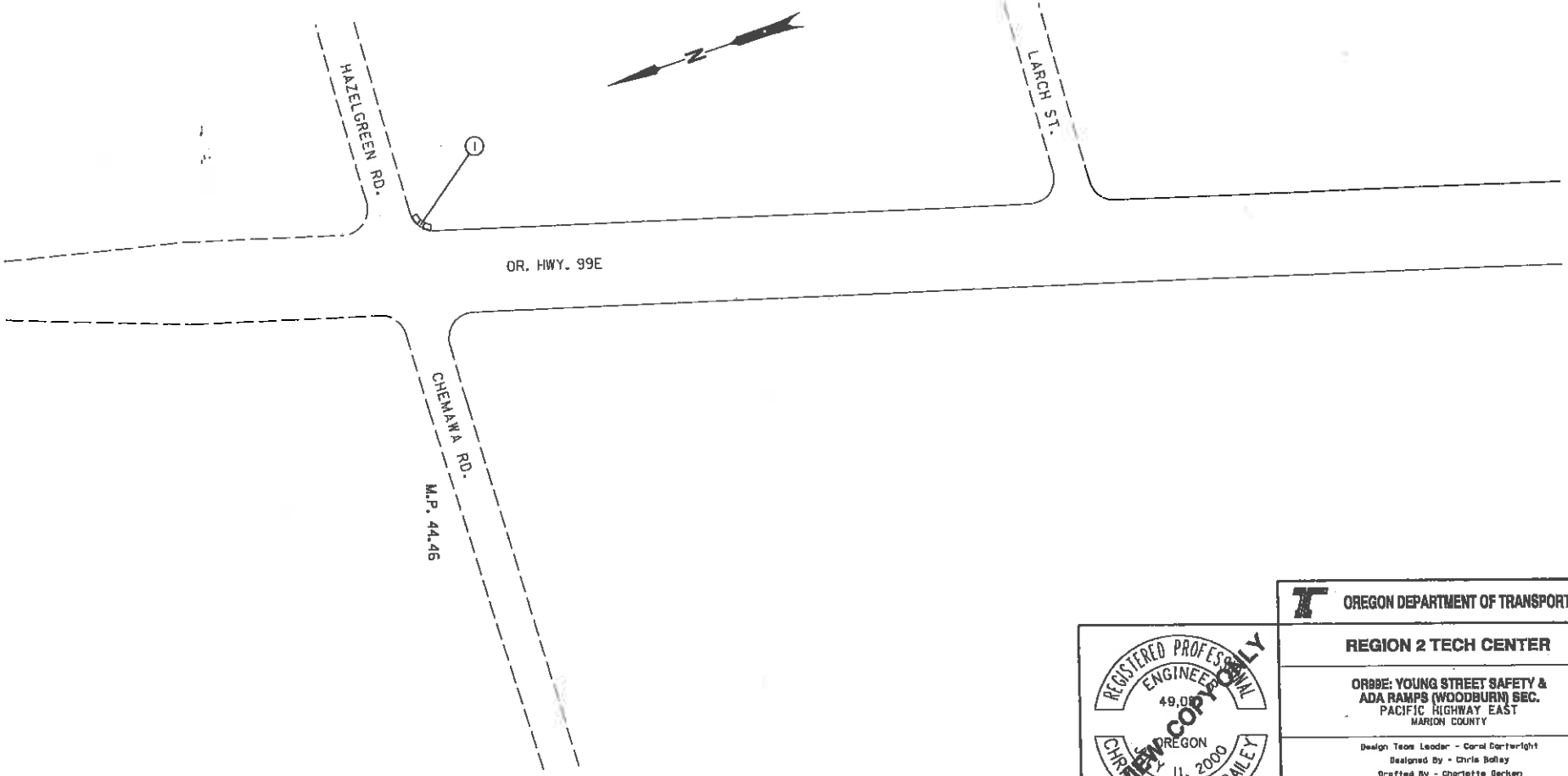
Sec. 31, T. 6 S., R. 2 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

① M.P. 44.46 S.E.
Const. 18" curb & gutter
Const. Parallel sidewalk ramp (Option K)



REGISTERED PROFESSIONAL ENGINEER
49,0
OREGON
JULY 11, 2000
CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Gerken

GENERAL CONSTRUCTION

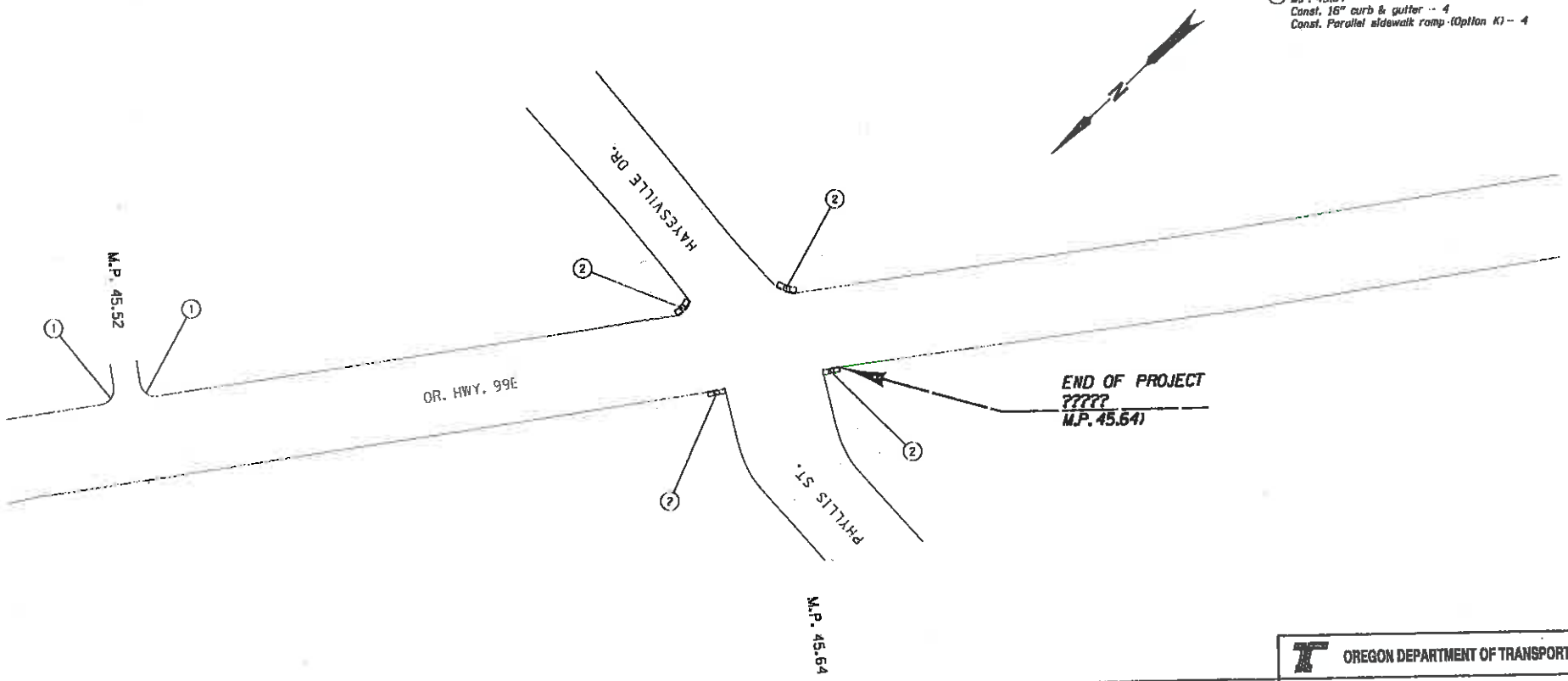
SHEET NO. 15

Sec. 6, T. 7 S., R. 2 W., W.M.

DRAFT DESIGN ACCEPTED PLANS INFORMATION ONLY

① M.P. 45.52
Inst. truncated dome detectable warning surface - 2

② M.P. 45.64
Const. 16" curb & gutter - 4
Const. Parallel sidewalk ramp (Option K) - 4



REGISTERED PROFESSIONAL ENGINEER 49,0 OREGON JULY 11, 2000 CHRISTOPHER G. BAILEY
RENEWS: 12-31-2013

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OREGON DEPARTMENT OF TRANSPORTATION

REGION 2 TECH CENTER

OR99E: YOUNG STREET SAFETY & ADA RAMPS (WOODBURN) SEC.
PACIFIC HIGHWAY EAST
MARION COUNTY

Design Team Leader - Carol Cartwright
Designed By - Chris Bailey
Drafted By - Charlotte Garkey

GENERAL CONSTRUCTION

SHEET NO. 17

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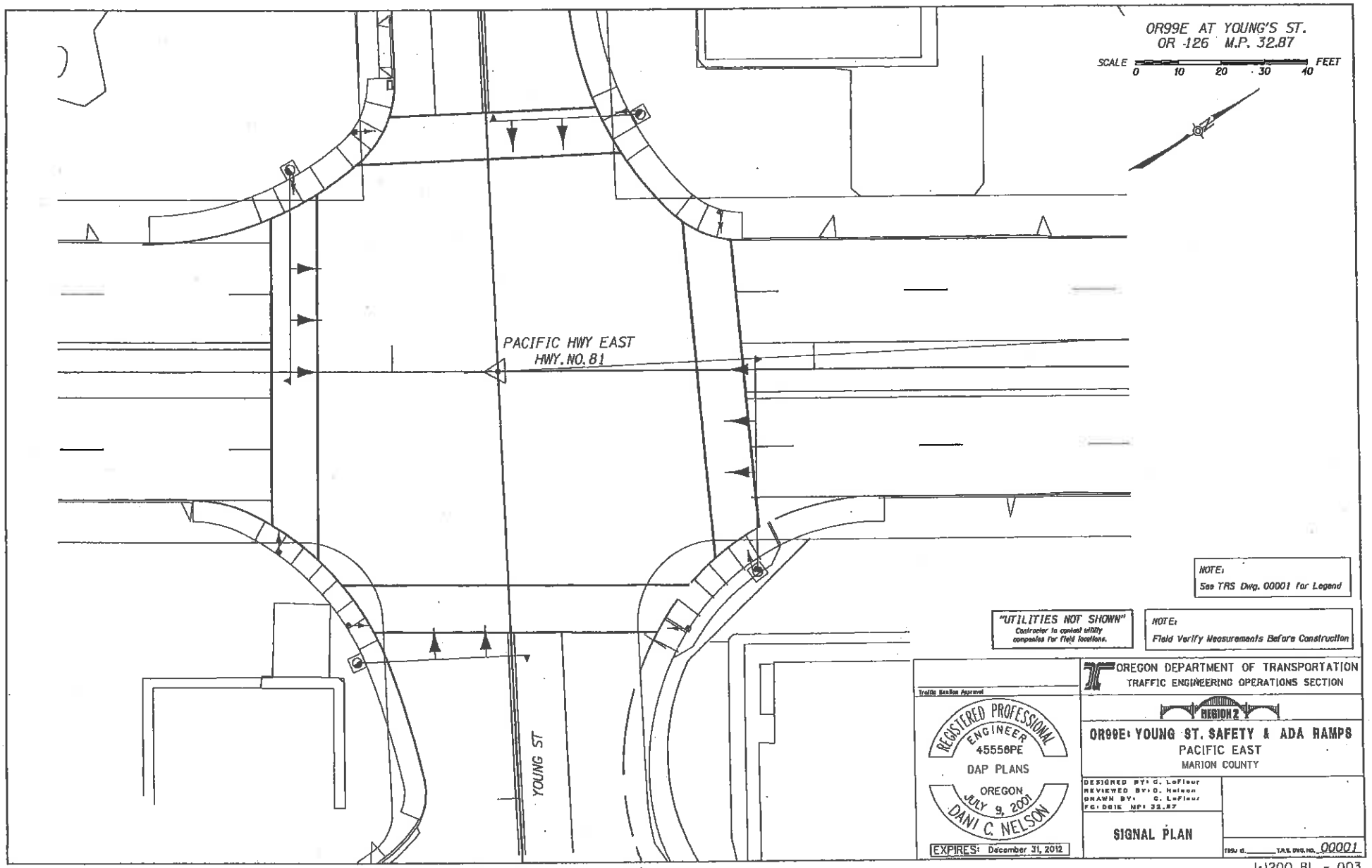

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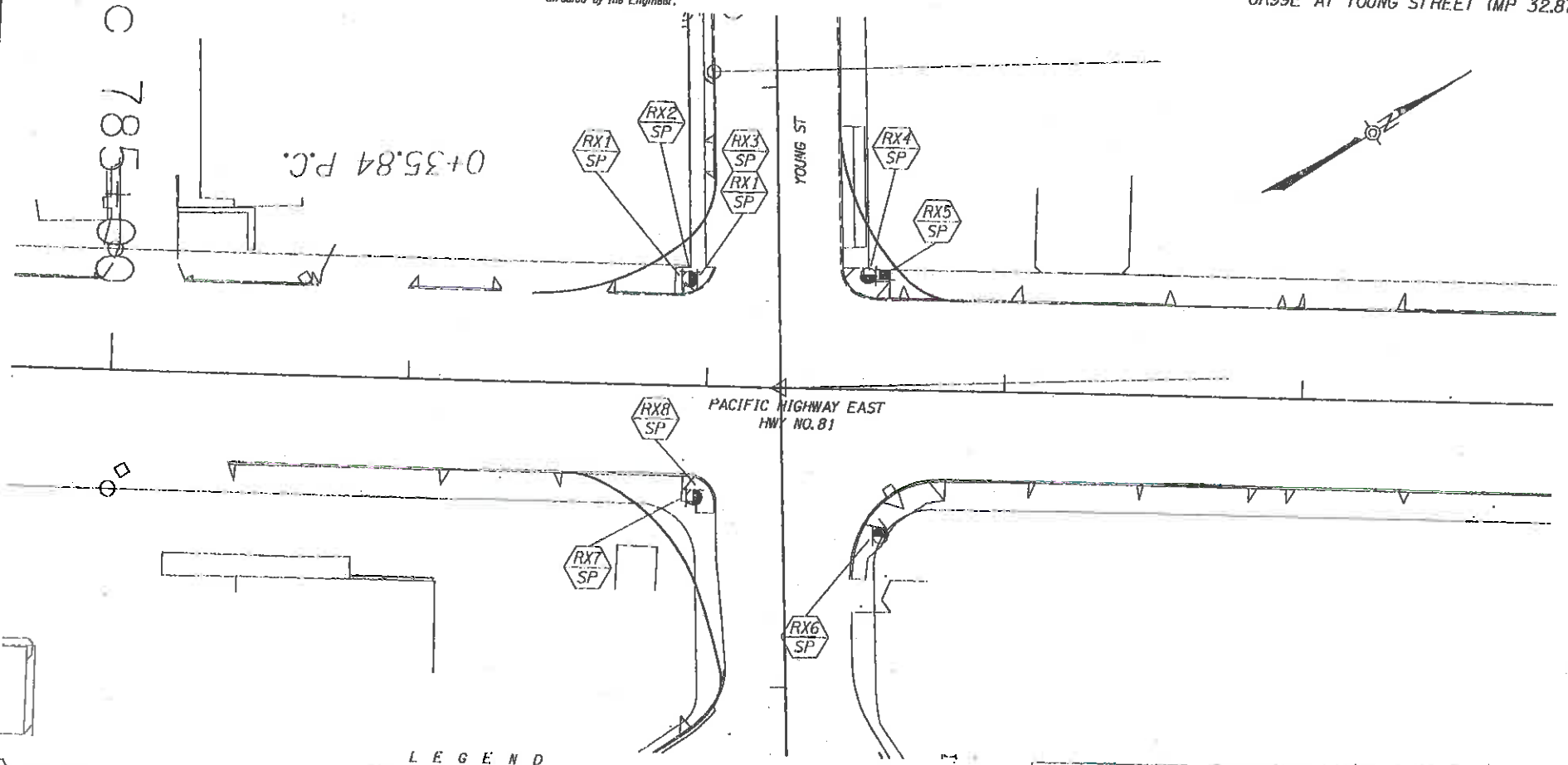
NOTE: Existing signs not shown are to remain in place unless otherwise directed by the Engineer.

SIGN REMOVAL PLAN
OR99E AT YOUNG STREET (MP 32.87)



LEGEND

- RXN — Remove existing sign (N)
- RXN/M — Remove existing sign (N) and (M) sign support
- N — Install new sign (N)
- N/M — Install new sign (N) on new (M) sign support
- RSN — Remove and save existing sign (N)
- RSN/M — Remove and save existing sign (N) and remove (M) sign support
- RSN/RSM — Remove and save existing sign (N) and (M) sign support
- EXN — Maintain and protect existing sign (N) and support
- RIN — Reinstall existing sign (N)
- RIN/M — Reinstall existing sign (N) on new (M) sign support
- RIN/RIM — Reinstall existing sign (N) and (M) sign support

N = Sign Number M = Material

Material options are:
- W = Wood
- S = Steel
- P = Pipe
- ASB = Adjustable Sign Bracket
- PC = Pole Clamp
- SSC = Stainless Steel Clamp
- SM = Structure Mount
- SP = Signal Pole Mount
- C = Cantilever
- SB = Sign Bridge
- MP = Milepost Marker Post
- ST = Square Tube Sign Support

REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christine LaFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christine LaFleur
FC:001 MP:

ACCOMPANIED BY DWGS. TM200, TM201, TM223, TM502, TM670, TM671, TM675, TM676, TM681, TM687, TM688, and S-2 through S-8.

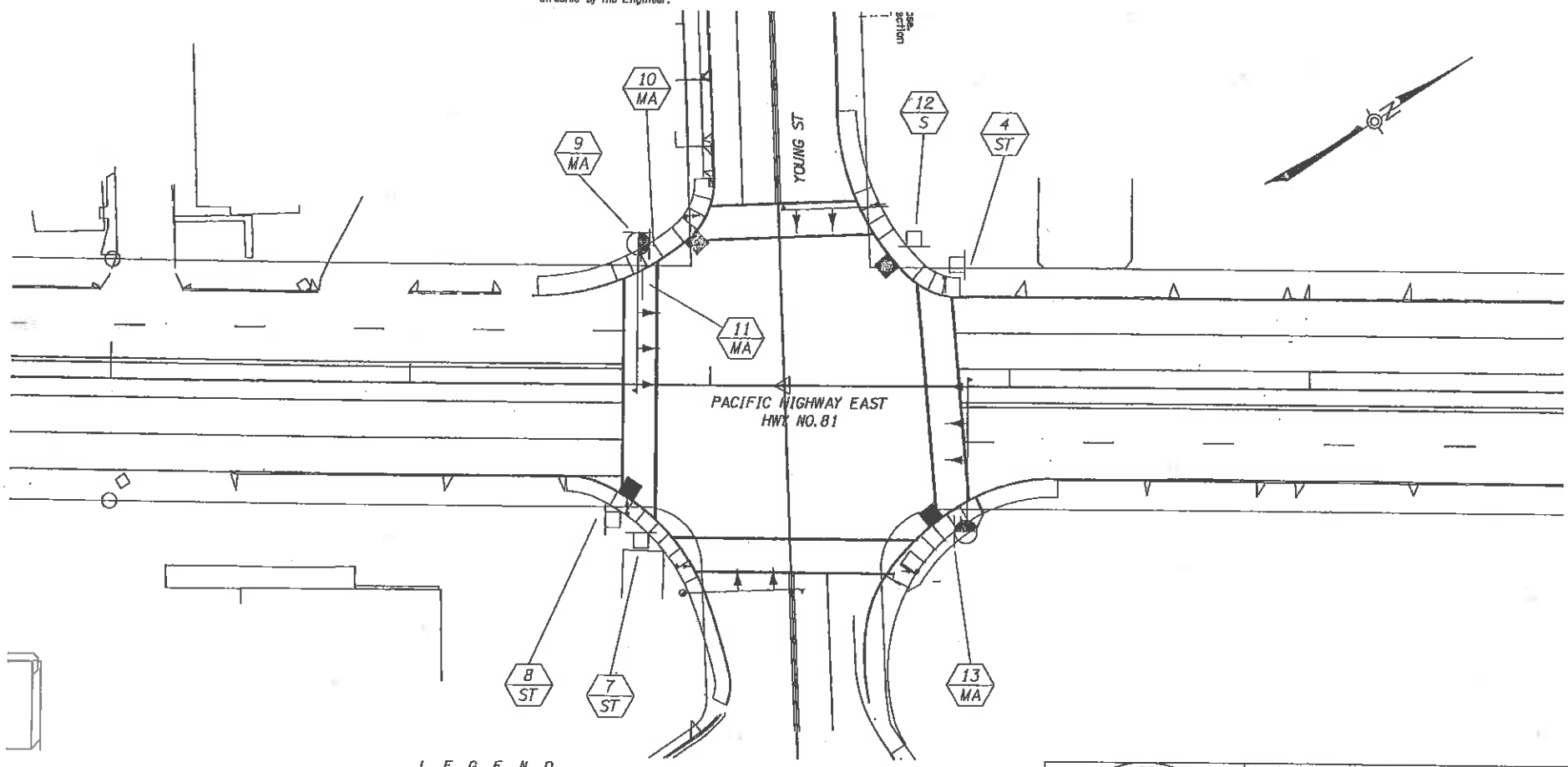
SIGNING REMOVAL

Y.R.S. DWG. NO. S-1

F:\ODOT_DATA\Projects\16008-Youngs_ADA\I_DAP\Signing\16008.sni :: Default 11/8/2012 7:26:59 AM hwyr221

NOTE: Existing signs not shown are to remain in place unless otherwise directed by the Engineer.

SIGN PLAN
OR99E AT YOUNG STREET (MP 32.87)



L E G E N D

- RXN — Remove existing sign (N)
- RXN/M — Remove existing sign (N) and (M) sign support
- N — Install new sign (N)
- N/M — Install new sign (N) on new (M) sign support
- RSN — Remove and save existing sign (N)
- RSN/M — Remove and save existing sign (N) and remove (M) sign support
- RSN/RSM — Remove and save existing sign (N) and (M) sign support
- EXN — Maintain and protect existing sign (N) and support
- RIN — Reinstall existing sign (N)
- RIN/M — Reinstall existing sign (N) on new (M) sign support
- RIN/RIM — Reinstall existing sign (N) and (M) sign support

N = Sign Number

M = Material

Material options are:
- W = Wood
- S = Steel
- P = Pipe
- ASB = Adjustable Sign Bracket
- PC = Pole Clamp
- SSC = Stainless Steel Clamp
- SM = Structure Mount
- SP = Signal Pole Mount
- C = Cantilever
- SB = Sign Bridge
- MP = Milepost Marker Post
- ST = Square Tube Sign Support

REGISTERED PROFESSIONAL ENGINEER 14,495 DAP PLANS OREGON JULY 26, 1989 DOROTHY J. UPTON

RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS

PACIFIC HIGHWAY EAST

MARION COUNTY

DESIGNED BY: Christine LeFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christine LeFleur
FC1081 MP1

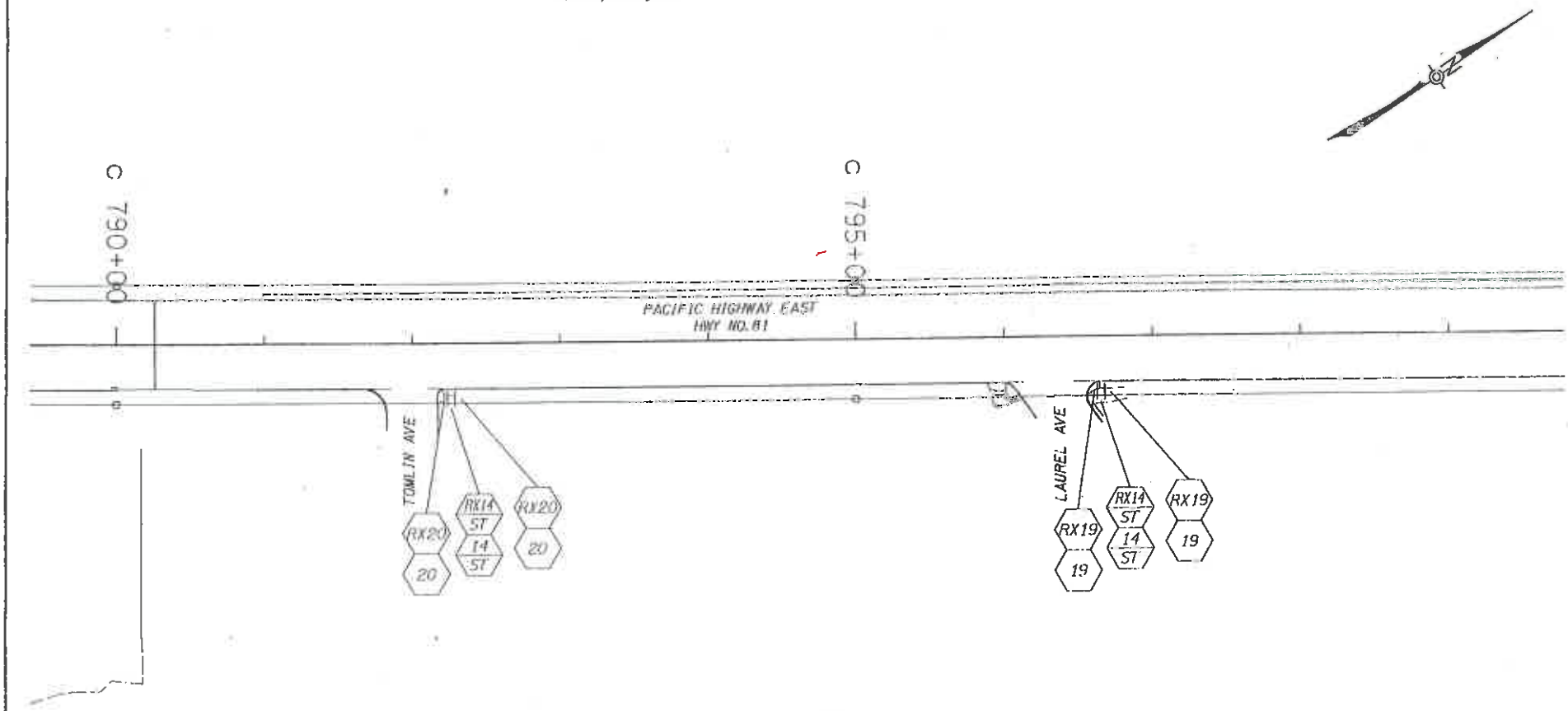
PERMANENT SIGNING

T.R.R. DWG. NO. S-2

F:\ODOT_DATA\Projects\16008-Youngs_ADA\1_DAP\Signing\16008.sni :: Default 11/8/2012 7:27:03 AM hwyr221

NOTE: Existing signs not shown are to remain in place unless otherwise directed by the Engineer.

SIGN PLAN
OR99E: MP 32.63 to MP 32.83



L E G E N D

- RXN — Remove existing sign (N)
- RXN/M — Remove existing sign (N) and (M) sign support
- N — Install new sign (N)
- N/M — Install new sign (N) on new (M) sign support
- RSN — Remove and save existing sign (N)
- RSN/M — Remove and save existing sign (N) and remove (M) sign support
- RSN/RSM — Remove and save existing sign (N) and (M) sign support
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Material options are:
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- ST = Square Tube Sign Support

REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christina LeFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christina LeFleur
FC1081 MP:

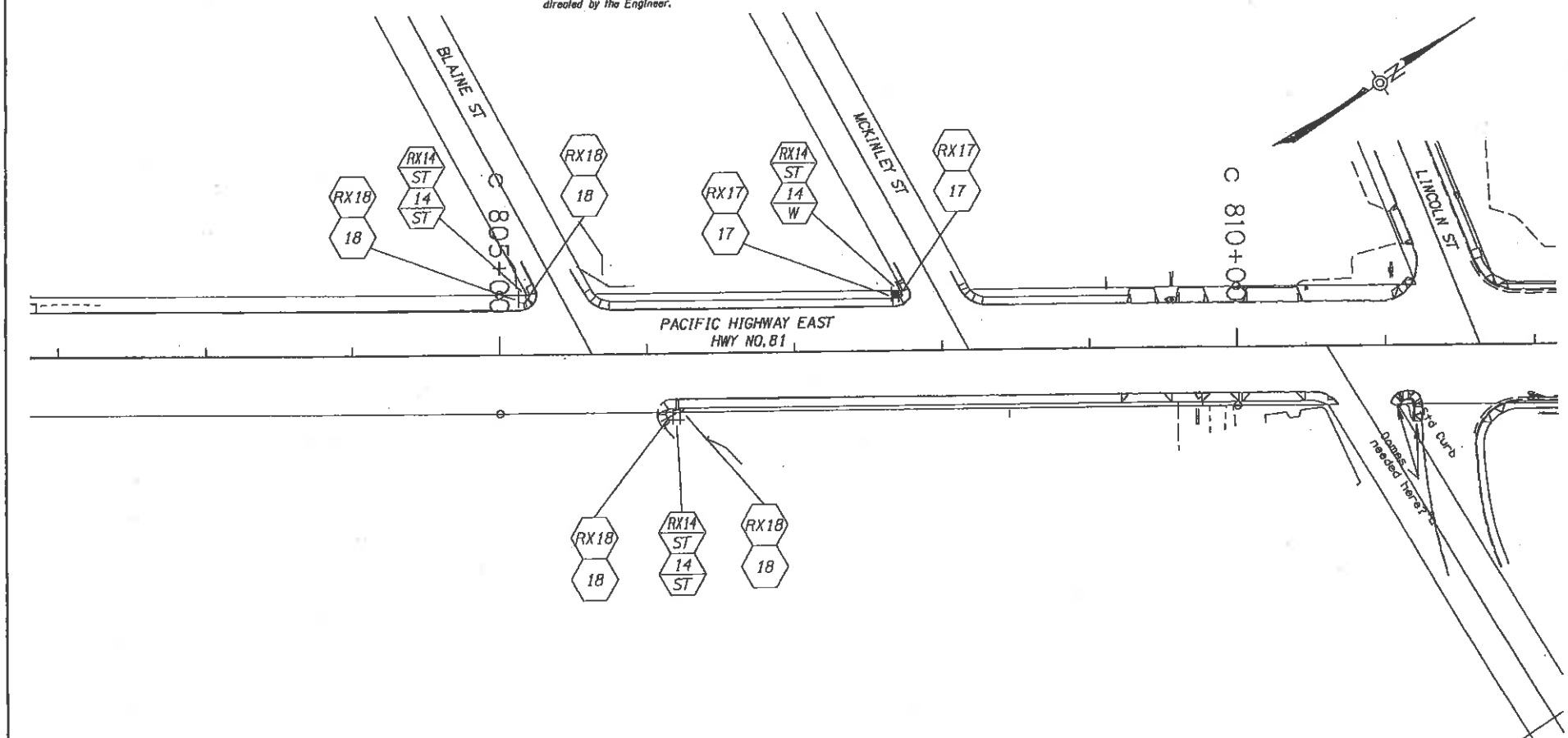
PERMANENT SIGNING

T.M.S. DWG. NO. S-3

F:\ODOT.DATA\Projects\16008-Youngs.ADA\I_DAP\Signing\16008.sn1 :: Default 11/8/2012 7:27:13 AM hwyr221

SIGN PLAN
OR99E: MP 32.40 to MP 32.59

NOTE: Existing signs not shown are to remain in place unless otherwise directed by the Engineer.



L E G E N D

- RXN — Remove existing sign (N)
- RXN/M — Remove existing sign (N) and (M) sign support
- N — Install new sign (N)
- N/M — Install new sign (N) on new (M) sign support
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- RSN/M — Remove and save existing sign (N) and remove (M) sign support
- RSN/RSM — Remove and save existing sign (N) and (M) sign support
- EXN — Maintain and protect existing sign (N) and support
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- RIN/RIM — Reinstall existing sign (N) and (M) sign support

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Material options are:
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REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christine LaFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christine LaFleur
FC:081 MP:

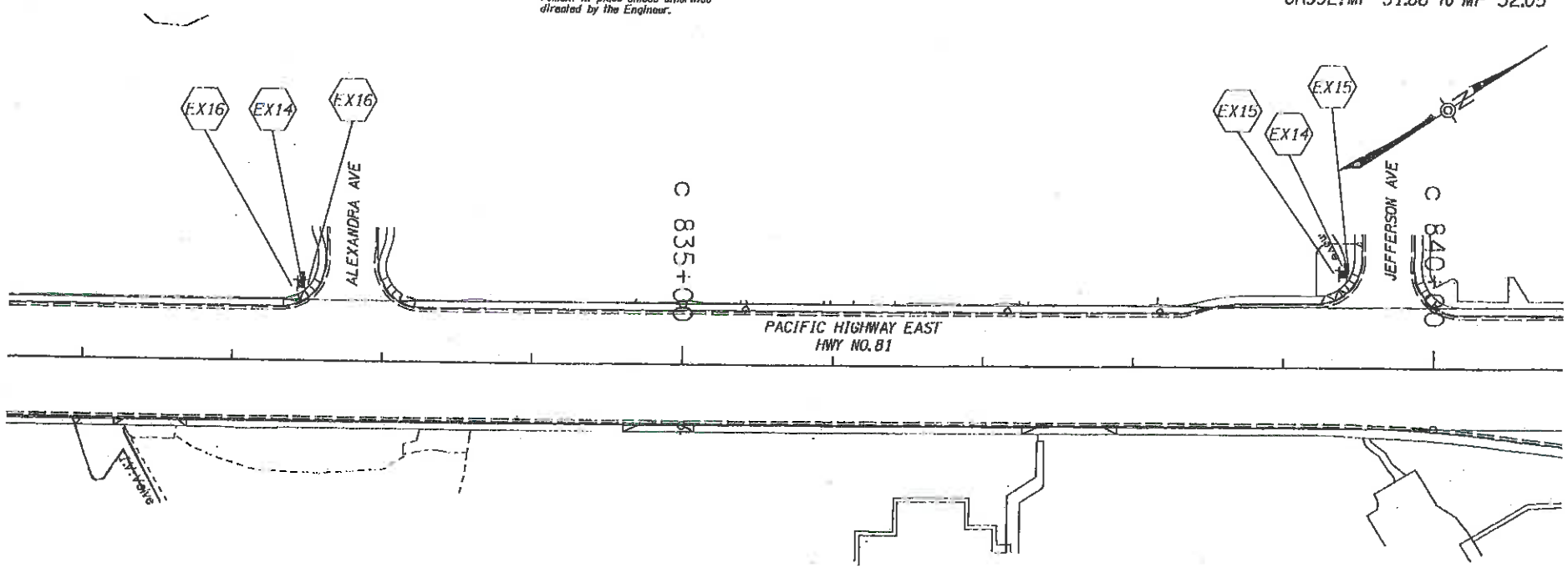
PERMANENT SIGNING

T.R.S. DWG. NO. S-4

F:\0007_DATA\Projects\16008-Youngs_ADA\1_DAP\Signing\16008.sn1 :: Default 11/8/2012 7:27:10 AM hwyr221

NOTE: Existing signs not shown are to remain in place unless otherwise directed by the Engineer.

SIGN PLAN
OR99E: MP 31.86 to MP 32.05



L E G E N D

- RXN — Remove existing sign (N)
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REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christine LaFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christine LaFleur
FILE: MP:

PERMANENT SIGNING

T.R.S. DWG. NO. S-5

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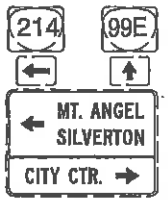
SIGN DETAILS

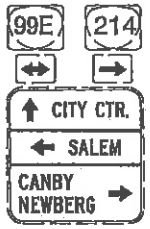
Sign No. 1

Sign No. 2

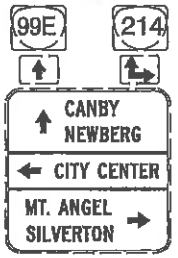


Sign No. 3

Sign No. 4



Sign No. 5

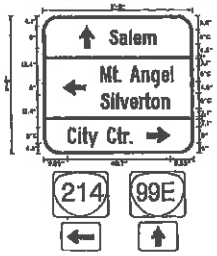


Sign No. 6

Sign No. 7

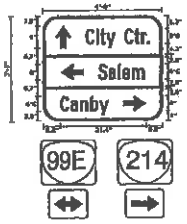
Sign No. 8

Sign No. 9

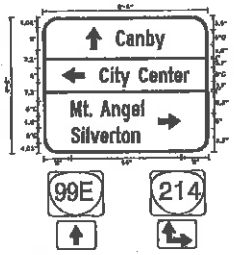


Sign No. 10

Sign No. 11



Sign No. 12



Sign No. 13

Sign No. 14

Sign No. 15

Sign No. 16

Sign No. 17

Sign No. 18

Sign No. 19

Sign No. 20

REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR99E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christina LaFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christina LaFleur
FCIDBL MP:

PERMANENT SIGNING

Y.R.S. DWG. NO. S-6

F:\ODOT_DATA\Projects\16008-Youngs_ADA\1_DAP\Signing\16008.sn1 :: Default 11/8/2012 7:27:16 AM hwyr221

SIGN & POST DATA TABLE

| SIGN NO. | SIGN LOCATION 4/ | SIGN DIMENSIONS WIDTH | SIGN DIMENSIONS HEIGHT | BORDER WIDTH 12" | BORDER WIDTH 1" | BORDER WIDTH 2" | RADIUS 1 1/2" | RADIUS 5" | RADIUS 6" | RADIUS 9" | RADIUS 12" | ARROW INFO TYPE & SIZE | SIGN TYPE | SUB-STRATE PLYWOOD | SUB-STRATE SHEET ALUMINUM | SUB-STRATE EXTRUDED ALUMINUM | COLOR 1/ BACKGROUND ASTM TYPE II or TYPE IV | COLOR 1/ BACKGROUND ASTM TYPE IX | COLOR 1/ LEGEND ASTM TYPE II or TYPE IV | COLOR 1/ LEGEND ASTM TYPE IX | COLOR 1/ LEGEND NON-REFLECTIVE | LEGEND TYPE PERMANENT | LEGEND TYPE DEMOUNTABLE | SIGN NO. 2/ | TYPE OF SUPPORT WC50 POST | SCI.AVE TUBE SIGN SUPPORT | TRIANGULAR BASE BREAKAWAY | WC50-POST BREAKAWAY | STAINLESS STEEL CLAMP (SSC) | SIGNAL POLE MOUNT | CROSSHALL CLOVERLEAF BARRICADE | STRUCTURE MOUNT | VERTICAL SIGN MOUNT | CANTILEVER / BUT-TERFLY | SIGN BRIDGE | EXIT NUMBER SIGN SUPPORT | "H" FRAME | HOLE MARKER FRAME | MILE POST MARKER POST | WAST ARM SIGN MOUNT | NF ROTATIONAL | SECONDARY SIGN C ASS.4 | C ASS 25 | LENGTH | POST SIZE (BASED ON ESTIMATED LENGTH) | POST LENGTH (MUST BE FIELD VERIFIED) | FOOTING LOCATION 3/ | FOOTING MIN. DEPTH 5/ | REFER TO OREGON STANDARD DRAWING T2200-T1200, T1935 | T1931-T1922 | T1928 & T1935 | T1900 | T2223-T1924 | T1933-T1923 | T1903-T1901 | T1902 | T1975 | T1974 | T1976 | T1985, T1987-T1988 | REMARKS |
|---|---|---

SIGN & POST DATA TABLE

SIGN NO.	SIGN LOCATION 4/	SIGN DIMENSIONS WIDTH	SIGN DIMENSIONS HEIGHT	BORDER WIDTH 1/2"	BORDER WIDTH 1"	BORDER WIDTH 2"	RADIUS 1 1/2"	RADIUS 3"	RADIUS 4"	RADIUS 5"	RADIUS 12"	ARROW W/O TYPE & SIZE	SIGN TYPE	SUB-STRATE PLYWOOD	SUB-STRATE SHEET ALUMINUM	SUB-STRATE EXTRUDED ALUMINUM	COLOR 1/ BACKGROUND ASTM TYPE III or TYPE IV	COLOR 1/ BACKGROUND ASTM TYPE IX	COLOR 1/ LEGEND ASTM TYPE III or TYPE IV	COLOR 1/ LEGEND ASTM TYPE IX	COLOR 1/ LEGEND NON-REFLECTIVE	LEGEND TYPE PERMANENT	LEGEND TYPE DEMOUNTABLE	SIGN NO. 2/
14	792+26	36"	36"										'R'	✓			R		SW			✓		14
14	795+00	36"	36"										'R'	✓			R		SW			✓		14
14	803+16	36"	36"										'R'	✓			R		SW			✓		14
14	805+18	36"	36"										'R'	✓			R		SW			✓		14
14	807+87	36"	36"										'R'	✓			R		SW			✓		14
	-																							
17	807+87	4'-0"	1'-3"		✓			✓					'G'	✓			G		SW			✓		17
17	807+87	4'-0"	1'-3"		✓			✓					'G'	✓			G		SW			✓		17
	-																							
18	803+19	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		18
18	803+19	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		18
18	805+18	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		18
18	805+18	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		18
	-																							
19	795+66	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		19
19	795+66	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		19
	-																							
20	792+28	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		20
20	792+28	3'-3"	1'-0"		✓			✓					'G'	✓			G		SW			✓		20
	-																							

SIGN NO.	TYPE OF SUPPORT: WOOD POST	SQUARE TUBE SIGN SUPPORT	TRIANGULAR BASE BREAKAWAY	MULTI-POST BREAKAWAY	STAINLESS STEEL CLAMP (SSC)	SIGNAL POLE MOUNT	CROSSWALK CLOSURE BARRICADE	STRUCTURE MOUNT	VERTICAL SIGN MOUNT	CANTILEVER / BUTTERFLY	SIGN BRIDGE	EXT NUMBER SIGN SUPPORT	"H" FRAME	ROUTE MARKER FRAME	MILE POST MARKER POST	MAST ARM SIGN MOUNT	90° ROTational	C 425A	C 427 23	LENGTH	POST SIZE (BASED ON ESTIMATED LENGTH)	POST LENGTH (MUST BE FIELD VERIFIED)	FOOTING LOCATION 3/	FOOTING MIN. DEPTH 4/	REFER TO OREGON STANDARD DRAWING: TM820-TM821, TM825	TM811-TM812	TM820 & TM825	TM880	TM822-TM824	TM820-TM821	TM822	TM870	TM871	TM876	TM881, TM887-TM886	REMARKS
14	✓																				2 1/4" & 2 1/2" 12GA	14'		3'-0"	✓							✓	✓	✓	Slip Base: TS 3" x 3" (7GA) 3'
14		✓																			2 1/4" & 2 1/2" 12GA	14'		3'-0"	✓								✓	✓	✓	Slip Base: TS 3" x 3" (7GA) 3'
14			✓																		2 1/4" & 2 1/2" 12GA	14'		3'-0"	✓								✓	✓	✓	Slip Base: TS 3" x 3" (7GA) 3'
14				✓																	2 1/4" & 2 1/2" 12GA	14'		3'-0"	✓								✓	✓	✓	Slip Base: TS 3" x 3" (7GA) 3'
					✓																6"x6"	20'			✓								✓	✓	✓	
17																									✓											
17																									✓											
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20																									✓				✓							

1/
BK=BLACK
BL=BLUE
BR=BROWN
FY=FLUORESCENT YELLOW
G=GREEN
O=ORANGE
R=RED
RB=RED-BLUE
SW=SILVER-WHITE
W=WHITE
Y=YELLOW
YG=YELLOW-GREEN

2/
NOTE: L,C,R ARE LOCATIONS OF POSTS FACING THE SIGN.
L = LEFT POST
C = CENTER POST
R = RIGHT POST

3/
DISTANCE FROM EDGE OF TRAVEL LANE, FACE OF CURB, GUARDRAIL, OR BARRIER TO THE CENTERLINE OF FOOTING. FOR ADDITIONAL INFORMATION SEE STANDARD DRAWINGS TM820, TM822, AND TM825

4/
NOTE: THE LOCATIONS SHOWN ARE APPROXIMATE EXCEPT FOR SPEED ZONES, SCHOOL ZONES, OBJECT MARKERS AND MILEPOST MARKERS. EXACT LOCATIONS ARE TO BE DETERMINED BY THE ENGINEER

5/
MINIMUM DEPTH OF FOOTING FOR TRIANGULAR BASE BREAKAWAY AND MULTI-POST BREAKAWAY INSTALLATIONS IS FOR A 3' DIAMETER FOOTING. FOR ADDITIONAL INFORMATION SEE STANDARD DRAWINGS TM881 AND TM886.

REGISTERED PROFESSIONAL ENGINEER
14,495
DAP PLANS
OREGON
JULY 26, 1989
DOROTHY J. UPTON
RENEWS: 06-30-2014

OREGON DEPARTMENT OF TRANSPORTATION
REGION 2 TRAFFIC UNIT

OR09E: YOUNG ST SAFETY & ADA RAMPS
PACIFIC HIGHWAY EAST
MARION COUNTY

DESIGNED BY: Christine LeFleur
REVIEWED BY: Dorothy Upton
DRAWN BY: Christine LeFleur
FC:051 MP:

PERMANENT SIGNING

T.R.S. DWG. NO. S-8

Aurora

Land Use Compatibility Statement

I certify that I have reviewed the information submitted regarding the Oregon Department of Transportation project entitled:

Young St. Safety & ADA Ramps; Highway 99E, MP 24.88 to MP ~~45.64~~ 25.82

Legal Description: Township 4,5,6,7 S Range 1,2,3 W Section see plan sheets Taxlot _____ Nearest _____

I have made the following finding:

☐ This project is *not* regulated by the local

☐ This project is consistent with the local

☐ This project is *not* consistent with the lo

The following local approvals must be obt

☐ Plan Amendment

☐ Development Permit

☐ Other _____

☐ Other _____

☐ Conditional Use Permit

☐ Other _____

☐ Other _____

Oregon
DEPARTMENT OF TRANSPORTATION

Steve Jacobson
Senior Transportation Planner
Region 2

455 Airport Road SE, Building B
Salem, OR 97301-5395
(503) 986-2837
FAX: (503) 986-2840
Stephen.L.Jacobson@odot.state.or.us

COMMENTS: Other than the above, will ODOT need a noise variance for night work?

_____ (Signature of Local Planning Official)

_____ (Print or Type Name)

_____ (Title)

_____ (City/County)

_____ (Date)

Projects identified in a locally adopted Transportation System Plan are considered to be consistent with the Comprehensive Plan (the TSP is an element of the Comp Plan). Roadway maintenance and minor improvements, which are not typically identified in a TSP, are also considered to be consistent.

This form was prepared by ODOT to comply with OAR 731-015. ODOT may present these findings to other regulatory agencies to satisify the review requirements of those agencies.

Chapter 5: Coastal Management Program

Welcome to chapter five, an overview of the Oregon Coastal Management Program or OCMP. The OCMP is comprised of the statewide planning goals and requirements, local government comprehensive plans and land use regulations.

Comprehensive plans and land use regulations for coastal communities address Goal 16, Estuaries; Goal 17 Coastal Shorelands; and Goal 18 Beaches and Dunes. Ocean Resources, Goal 19, is the responsibility of the state and federal governments rather than local communities. Following this overview of the OCMP, we will discuss each goal separately.

Coastal Goals: Balancing Protection and Development

Estuaries, coastal shorelands, beaches and dunes and ocean resources are defining features of the Oregon coast. They attract people from across the country and around the world to recreate, live and work. Local economies depend on the ecological health and aesthetic integrity of these unique and fragile resources. The comprehensive plans of coastal cities and counties must meet coastal Goals 16, 17 and 18 to ensure that Oregon's coastal resources are protected, restored, and where appropriate, developed.

Oregon Coastal Management Program

The mission of the Oregon Coastal Management Program or OCMP is to "conserve and protect Oregon's outstanding coastal resources by assisting local governments to develop livable, resilient coastal communities and knit together the programs and activities of local, state, and federal agencies on the Oregon coast."

The OCMP has authority over all areas within the state's Coastal Zone. The zone extends from the crest of the Coastal Mountain Range to three nautical miles out to sea, the extent of the state's jurisdiction. There are three exceptions: for the Columbia River, the Coastal Zone terminates downstream of Puget Island; for the Umpqua River, it stops at Scottsburg; and for the Rogue River, it ends at Agness.

The purpose of this state program, housed in the Department of Land Conservation and Development or DLCD, is to assist the work of the 32 cities, seven counties, and many state and federal agencies involved in planning on the coast. The OCMP helps ensure the coastal goals are integrated into city and county plans and regulations.

The OCMP provides coastal cities and counties with financial, planning, and technology assistance. Financial assistance includes state and federal planning and technical assistance grants. Direct planning assistance is provided by regional field staff, a Coastal Shores Specialist and others at DLCD offices in Salem, Portland and Newport. These staff members assist and advise local governments and state agencies on a variety of land use issues, including estuary management, hazards planning, and land use. Technology assistance includes natural hazards assessments in collaboration with the Department of Geology and Mineral Industries, on-line information about coastal resources and features in the Oregon Coastal Atlas.

Upon request, the OCMP collaborates with coastal tribes to manage their resource lands and protect their natural, cultural and historic heritage.

More information about the OCMP is available at: www.oregon.gov/LCD/OCMP*.

Natural resource and land use information for the coast is available at: www.coastalatlas.net*.

State Agency Responsibilities

Many state agencies are involved in coastal management, including the following:

- The State Land Board holds the submerged and submersible lands of the coast in trust for the public. It has oversight over tidelands, the seafloor within three nautical miles of shore, the beds and banks of rivers, and wetlands.
- The Oregon Department of State Lands is the administrative arm of the State Land Board. It manages all the coastal assets mentioned above as well as others such as range and forest lands, and the state's removal fill law. The Common School Fund is the beneficiary of any revenue it receives.
- The Oregon Parks and Recreation Department owns and manages more than 35,000 acres of land in more than 100 state parks in the coastal zone. It also has jurisdiction over public use of the ocean beach, which extends from the statutory Line of Vegetation, or farther inland to the actual line of vegetation, to extreme low tide.
- The Oregon Department of Environmental Quality, or DEQ, is the state's lead agency for protecting air, water and land quality. DEQ regulates subsurface sewage disposal and municipal sewage treatment facilities. It is in charge of cleaning up hazardous waste sites, leads state response to oil spills and works to prevent non-point pollution from land uses entering coastal streams, lakes and ocean waters. In addition, the department administers federal clean water and clean air programs.
- Oregon's Department of Fish and Wildlife, or ODFW, manages fish and wildlife resources to protect their habitats to optimize recreational, aesthetic, commercial and social benefits.
- The Oregon Water Resources Department administers state law regulating the use of surface and groundwater. It also issues water rights.
- The Oregon Economic Development Department, known as Business Oregon, assists local governments and the Port Districts to plan for and promote economic development, including funds for dredging and other infrastructure in ports and harbors.
- The Oregon Marine Board, or OMB, uses revenues from boat license fees to help coastal cities, counties and ports build docks, boat ramps, and associated facilities that increase and enhance public boating opportunities. OMB also regulates recreational boating safety on state waters.
- The Oregon Forestry Department manages more than 600,000 acres of three state-owned forests in the coastal zone and regulates timber harvest activities on private timberlands.
- The Oregon Health Division monitors the water quality of public water systems to protect public health. It also monitors beach water quality.
- The Oregon Department of Agriculture regulates oyster cultivation as a commercial agricultural activity within estuaries. The department also leases state tidelands suitable for commercial shellfish production.

Federal Agencies and Programs on the Coast

In 1977, the National Oceanic and Atmospheric Administration, or NOAA, approved the OCMP as meeting federal requirements under the national Coastal Zone Management Act. Two benefits of this approval are funding assistance from NOAA and the authority to review federal actions, including licenses and permits, for consistency with Oregon's coastal rules and regulations. Federal agencies play a major role shaping the economy and environment of the coast. More than a third of the coastal zone is owned and managed by the federal government, principally the US Forest Service and the Bureau of Land Management.

- The Corps of Engineers is responsible for building and maintaining jetties, channels and other navigation structures and is the lead federal agency for waterway management, including regulation of removals or fills in public waters and wetlands.
- The Bureau of Land Management manages nearly 500,000 acres of primarily timber land in Oregon's coastal zone. The bureau also manages ocean-front lands in Coos and Curry counties and the Yaquina Head Outstanding Natural Area near Newport.
- The US Forest Service is a major landowner and manager of timberlands in the coastal zone, including the Siuslaw and Siskiyou National Forests. The Forest Service also manages the Oregon Dunes National Recreation Area that extends south from the Siuslaw River to Coos Bay.
- The US Fish and Wildlife Service is the lead federal agency for protection of fish and wildlife habitat and species through the Endangered Species Act. The agency owns and manages four national wildlife refuges on the Oregon coast that encompass upland, estuarine, and ocean habitats.
- The National Marine Fisheries Service, a division of NOAA, regulates ocean fisheries, including anadromous fish such as salmon and steelhead, groundfish and halibut. NOAA Fisheries also implements the federal Endangered Species Act.
- The Environmental Protection Agency, or EPA, is the lead agency for air and water pollution control. EPA designates dredged material disposal sites in the ocean and, under the Clean Water Act, delegates to the state DEQ jurisdiction over activities that affect coastal air and water quality.
- The US Coast Guard is responsible for maintaining safe navigation and vessel operation and is the federal lead agency for oil spill prevention, response, and cleanup.

Oregon/Washington/Colorado Comparison

	Oregon	Washington	Colorado
Tax Rate	$35 per ounce, paid by the producer. State has exclusive right to tax.	25% at each point of sale (wholesale and retail).	15% excise tax at wholesale in addition to sales taxes.
Retail and Wholesale	Licensed entities may sell at both wholesale and retail.	Licensed entities are prohibited from selling at wholesale and retail.	For initial roll-out, retailers were required to produce 70% of their own product. (Provision expired 10/1/14.)
Home Cultivation	4 plants.	Prohibited.	6 plants total, 3 mature plants.
DUII	OLCC required to report to legislature.	Per se intoxication at 5ng THC/mL of blood.	Per se intoxication at 5ng THC/mL of blood.
Local Control	The measure pre-empts any local ordinances. Local governments may adopt time, place and manner regulations but may prohibit recreational marijuana businesses only via general election.	Washington AG has declared that local governments are not pre-empted from adopting ordinances that prohibit recreational marijuana businesses.	Local governments may prohibit marijuana businesses.
Number or Licenses	The measure does not limit the number of licenses that may be issued.	Retail licenses capped at 334 for the state.	No limit on total number of licenses.
Medical Marijuana	Not addressed.	Not addressed.	For initial roll-out, only licensed medical dispensaries were allowed to apply for retail licenses. (Provision expired 10/1/14.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ASHLAND MUNICIPAL CODE TITLE 6 BUSINESS LICENSES AND REGULATIONS TO ADD CHAPTER 6.50 ESTABLISHING TIME, PLACE AND MANNER REGULATIONS AND A PERMITTING PROCESS FOR MEDICAL MARIJUANA DISPENSARIES

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

> Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop, 20 Or.App. 293; 531 P 2d 730, 734 (1975).

WHEREAS, the Oregon Legislature enacted House Bill 3460 in 2013 (ORS 475.314) which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities.

WHEREAS, under Oregon law, local governments may regulate the operation and location of certain types of businesses within their jurisdiction limits except when such action has been specifically preempted by state statute.

WHEREAS, the City Council of the City of Ashland desires to allow operation of medical marijuana dispensaries in the City in ways that protect and benefit the public health, safety and welfare of existing and future residents of the City.

WHEREAS, the Council has determined the unique characteristics of medical marijuana dispensary operations and their potential impacts make it necessary to establish particular time, place, and manner requirements for such operations and a separate permitting process for medical marijuana dispensaries, in addition to establishing such facilities as a new regulated land use within the City.

WHEREAS, the Council conducted a duly advertised public hearing on the above-referenced amendment on June 17, 2014 and, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the ordinance in accordance with Article 10 of the Ashland City Charter;

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Title 6 Business Licenses and Regulations of the Ashland Municipal Code is hereby amended to add as a new Chapter 6.50 with the following provisions concerning medical marijuana dispensaries:

SECTION 6.50.010 Purpose.

The purpose of this chapter is to minimize any adverse public safety and public health impacts that may result from allowing medical marijuana dispensaries in the City by adopting particular time, place and manner requirements and a separate permitting process for such dispensaries.

SECTION 6.50.020 Definitions.

A. "Administrator" means the City Administrator of the City of Ashland or his/her designee.
B. "Cash Accounting" means a cash basis system of accounting in which the operator of an enterprise records revenue and expenses when they are paid, regardless of when goods are received or delivered.
C. "CFR Schedule I or Schedule II" means the controlled substances designated in the Code of Federal Regulations Title 21, Chapter II, Part 1308.
D. "Convicted" means found guilty by verdict or finding entered in a criminal proceeding in a court of competent jurisdiction.
E. "Dispensary" means a medical marijuana dispensary.
F. "Marijuana" means all parts of the plant of the Cannabis Moraceae, whether growing or not, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin, as may be defined by Oregon Revised Statutes or as they currently exist or may from time to time be amended. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or predation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
G. "Medical Marijuana" means all parts of marijuana plants that may be used to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.
H. "Medical Marijuana Dispensary" means a medical marijuana facility that is registered by the Oregon Health Authority under ORS 475.300-475.346 and that sells, distributes, transmits, gives, dispenses or otherwise provides medical marijuana to qualifying patients.
I. "Medical Marijuana Qualifying Patient" means a registry identification cardholder (person who has been diagnosed by a physician as having a debilitating medical condition) as further defined by ORS 475.302(3) or the designated primary giver of the cardholder is defined by ORS 475.302(5).
J. "Minor" means any person under 18 years of age.
K. "Operator" means the person who is the proprietor of a dispensary, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any other

capacity. If the operator is a corporation, the term operator also includes each and every member of the corporation's Board of Directors whose directorship occurs in a period during which the dispensary is in operation. If the operator is a partnership or limited liability company, the term operator also includes each and every member thereof whose membership occurs in a period during which the dispensary is in operation.

L. "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or any group or combination acting as a unit, including the United States of America, the State of Oregon and any political subdivision thereof, or the manager, lessee, agent, servant, officer or employee of any of them.

M. "Premises" means a location registered by the State of Oregon as a medical marijuana dispensary and includes all areas at the location that are used in the business operated at the location, including offices, kitchens, restrooms, storerooms, and including all public and private areas where individuals are permitted to be present.

SECTION 6.50.030 Annual Permit Required

The operator of any medical marijuana dispensary in the City must possess a valid annual medical marijuana dispensary permit issued under this chapter and must comply with the requirements of any other state or local law.

SECTION 6.50.040 Initial Permit Application and Fee Requirements

A. An initial medical marijuana dispensary permit application must be submitted on a form prescribed by the Administrator and must be signed under penalty of perjury. The application documents must include at least the following:
   1) The location of the proposed facility.
   2) A detailed description of the type, nature and extent of the enterprise to be conducted.
   3) A detailed description of the proposed accounting and inventory systems for the dispensary.
   4) Certification that the proposed dispensary is registered as an Oregon medical marijuana facility pursuant to ORS 475.300-475.346 and is licensed to conduct business in compliance with Chapter 6.04 of the Ashland Municipal Code.
   5) Certification that the proposed dispensary has met all applicable requirements in Title 18 Land Use of the Ashland Municipal Code.
   6) Certification that all current fees and taxes owed have been paid.
   7) Such other information deemed necessary by the Administrator to conduct any investigation or background check (including fingerprints) of the operator(s) and persons or entities providing equity or debt financing for the dispensary.

B. An initial medical marijuana dispensary permit and any subsequent renewal permit is valid for a period of one year.

C. At the time of submission of an initial dispensary permit application, the applicant must pay a dispensary permit application and investigation fee. The fee amount shall be set by Council resolution. No portion of the dispensary permit fee is refundable in the event operation of the dispensary is discontinued for any reason.

D. A separate permit application must be submitted for each proposed dispensary location.

SECTION 6.50.050 Permit Termination – Renewal

A. A dispensary permit terminates automatically one year following the date on which it was approved or most recently renewed.
B. A permit renewal form prescribed by the City must be submitted to the City prior to expiration of the permit.
C. At the time of submission of a dispensary permit renewal application, the permittee must pay a dispensary permit application and investigation fee. The fee amount shall be set by Council resolution.

SECTION 6.50.060 Permit Conditions

Any medical marijuana dispensary must comply with the following requirements, in addition to any other state or local requirements:

A. The dispensary must meet applicable building and fire codes.
B. The dispensary must not manufacture or produce any extracts, oils, resins or similar derivatives of marijuana on-site and must not use open flames in the preparation of any products.
C. Marijuana and tobacco products must not be smoked, ingested or otherwise consumed on the premises of the dispensary.
D. Operating hours must be no earlier than 7:00 a.m. or later than 7:00 p.m. on the same day.
E. The dispensary must utilize an air filtration and ventilation system which, to the greatest extent feasible, confines all objectionable odors associated with the dispensary to the premises. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
F. The dispensary must provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the dispensary's exterior refuse containers.
G. The dispensary must not be co-located with any marijuana social club or smoking club.
H. No minor is allowed on the premises unless the minor is a cardholder and is accompanied by a parent or guardian whose purpose is to procure the minor's medicine.
I. A person who has been convicted once or more within the previous five years or convicted twice or more in the previous ten years for the manufacture or delivery of a controlled substance listed in CFR Schedule I or Schedule II may not (1) be an operator of a dispensary; (2) have an ownership interest of 5% or more in the facility or in any entity that has a 25% or more ownership interest in the facility; (3) provide equity or debt financing for the dispensary; or (4) have an ownership interest of 5% or more in any entity that provides or has provided equity or debt financing for the dispensary.
J. The Administrator may conduct a criminal records check under ORS 181.534 on each operator of any dispensary proposed or operating in the City and on each person or entity providing equity or debt financing for any such dispensary.
K. The Dispensary must have an accounting system specifically designed for enterprises reliant on transactions conducted primarily in cash and sufficient to maintain detailed, auditable financial records. If the Administrator finds the books and records of the operator or deficient in any way or if the operator's accounting system is not auditable,

the operator must modify the dispensary's accounting system to meet the requirements of the Administrator.

L. Every dispensary must keep and preserve in an accounting format established by the Director records of all sales made by the dispensary and such other books or accounts as may be required by the Director. Each dispensary operator must keep and preserve for a period of at least three (3) years records containing at least the following information:
    1) Names and any aliases of any operator of the dispensary, as that term is defined in Section 2 of this chapter;
    2) Names of and any aliases persons with an ownership interest of 5% or more in the dispensary or in any entity that has a 25% or more ownership interest in the dispensary;
    3) Names and any aliases of persons who have provided equity or debt financing for the dispensary;
    4) Names and any aliases of persons who have an ownership interest of 5% or more in any entity that provides or has provided equity or debt financing for the dispensary entities from whom owners of the dispensary have borrowed funds for establishing or operating the dispensary; and
    5) The Administrator may require additional information as he or she deems necessary.

M. Each dispensary must display its current permit inside the dispensary in a prominent place easily visible to persons conducting business in the dispensary.

SECTION 6.50.070 Examination of Books, Records and Premises

A. To determine compliance with the requirements of this chapter; Title 18 Land Use of the Ashland Municipal Code; and any local tax measures, the Administrator may examine or cause to be examined by an agent or representative designated by the Administrator, at any reasonable time, the premises of the dispensary, including wastewater from the dispensary, and any and all dispensary financial, operational and facility information, including books, papers, payroll reports and state and federal income tax returns. Every permittee is directed and required to furnish to the Administrator the means, facilities and opportunity for making such examinations and investigations.

B. As part of investigation of a crime which law enforcement officials reasonably suspect has taken place on the premises, Ashland Police shall be allowed to view surveillance videotapes at any reasonable time.

SECTION 6.50.080 Administrative and Other Remedies for Noncompliance, Administrative Appeals, and Penalties

A. The Administrator may deny, suspend, or revoke a dispensary permit for failure to comply with this chapter or rules adopted under this chapter, for submitting falsified information to the City for the Oregon Health Authority, or for noncompliance with any other City ordinances.
    1) Any suspension or revocation pursuant to this section shall be in writing, setting forth the reasons therefor, and giving the permittee written notice by first-class United States Mail at least five days prior to effective date of the revocation or suspension.

2) A decision to deny, suspend, or revoke a dispensary permit may be appealed as provided in AMC 2.30. The findings of the hearings officer shall be final and conclusive, and shall be served upon the appellant in the manner prescribed for service of notice of hearing.

B. In addition to the remedies of suspension and revocation, failure to comply with the requirements of this chapter may be prosecuted as a Class I violation, punishable as provided in AMC 1.08.020 - 1.08.030.

C. In addition to the remedies of suspension and revocation, submitting false or fraudulent information to the City may be prosecuted as a Class C misdemeanor, subject to AMC 1.08.

D. The remedies provided in this section are not exclusive and shall not prevent the City from exercising any other remedy available under the law, nor shall the provisions of this chapter prohibit or restrict the City or other appropriate prosecutor from pursuing criminal charges under state law or City ordinance.

SECTION 6.50.090 Confidentiality

Except as otherwise required by law, it shall be unlawful for the City, any officer, employee or agent to divulge, release or make known in any manner any financial or employee information submitted or disclosed to the City under the terms of this chapter. Nothing in this section shall prohibit:

A. The disclosure of the names and addresses of any operator or provider of equity or debt financing for a dispensary; or

B. The disclosure of general statistics in a form which would prevent identification of financial information regarding a dispensary operator; or

C. The presentation of evidence to a court, or other tribunal having jurisdiction in the prosecution of any criminal or civil claim by the City under this chapter; or

D. The disclosure of information when such disclosure of conditionally exempt information is ordered under public records law procedures.

SECTION 2. Severability.

If any section, subsection, paragraph, sentence or word in this ordinance is deemed to be invalid or beyond the authority of the City, either on its face or is applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this ordinance, and the application thereof; and to that end sections, subsections, paragraphs, sentences and words of this chapter shall be deemed severable.

SECTION 3. Codification.

Provisions of this ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e. Sections 1-3) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____day of _____, 2014, and duly PASSED and ADOPTED this _____ day of _____, 2014.

_____
Barbara M. Christensen, City Recorder

SIGNED and APPROVED this ____ day of _____, 2014.

_____
John Stromberg, Mayor

Reviewed as to form:

_____
David Lohman, City Attorney

CITY OF
ASHLAND

Planning Commission Report

DATE: June 10, 2014

TO: Ashland City Council

FROM: Ashland Planning Commission

RE: Planning Commission Recommendation
Ordinance Amendments for Medical Marijuana Dispensaries PA#2014-00539

Summary
The Planning Commission recommends approval of the proposed amendments to the Land Use Ordinance for medical marijuana dispensaries (Planning Action 2014-00539). The Commission held a public hearing and deliberations on the proposed amendments on May 13, 2014. Prior to the public hearing, the Commission held study sessions on March 25, April 8, and April 22.

Recommendation
The Commission supports allowing medical marijuana dispensaries ("dispensaries") in the community and believes individuals purchasing medical marijuana need legal and safe retail establishments. The Commission's primary concern is the lack of experience with and information about the impacts associated with this relatively new permitted use. While the Commission believes dispensaries should be allowed in Ashland, the Commission recommends initially using a careful approach so local experience can be established regarding the operation and impacts of dispensaries.

The Planning Commission recommends allowing dispensaries in the C-1, E-1, and M-1 zones, and prohibiting dispensaries in the Downtown Design Standards Zone. The Commission recommends making dispensaries a "special permitted use" that must meet an objective set of standards.

The Commission recommends extending the prohibition to the Downtown Design Standards Zone which includes properties located on both sides of Lithia Way, as well as the remainder of the downtown. In contrast, the C-1-D zone does not include properties abutting the north side of Lithia Way. The Commission discussed concerns about the amount of potential vehicular traffic visiting a dispensary, and particularly the impact on parking in the downtown.

The special permitted use process is intended to provide clear land use requirements and a predictable planning approval process for business owners and neighbors. The special permitted use standards are intended to limit impacts to neighboring residential zones. As a special

permitted use, a proposed dispensary would need to be in an eligible zone and meet the following standards.

- Property location on a street classified as a boulevard.
- Hours of operation between 7 a.m. and 7 p.m.
- Enclosed in a permanent building, and no outside storage of materials.
- Modifications to the site or exterior of the building must be consistent with the Site Design and Use Standards, and security bars are prohibited on windows and doors.
- Cannot include a drive-up use.
- Provide for secure disposal of any marijuana remnants.
- Conforms to state requirements for medical marijuana dispensaries and is registered with the State.

The Commission believes dispensaries are most appropriately located on the busiest boulevard streets where other high volume retail uses are located to address potential security and traffic impacts. The Commission believes that locating dispensaries on streets with high volumes and continuous traffic provides additional security and natural surveillance. In addition, the Commission discussed the potential vehicle trips generated by dispensaries and the desire to direct the traffic to the higher order boulevard streets. The projected number of vehicle trips generated by dispensaries is not available because dispensaries are a relatively new use.

The Commission believes several additional requirements are necessary to address potential security and traffic issues, as well as compatibility with surrounding businesses and nearby residences. As a result, the following items are included in the special use standards.

- Limiting hours of operation, requiring secure disposal of marijuana remnants, and prohibiting outside storage with dispensaries to address security concerns about activities outside of the building, especially in early morning and late evening hours.
- Prohibiting drive-up uses in conjunction with dispensaries to address traffic issues, especially the impact of potentially high volumes of traffic on drive-up queues and the vehicle stacking area.
- Locating in permanent buildings to prevent dispensaries from operating in temporary or portable structures.
- Consistency of building and site modifications with site design and use standards and prohibiting security bars on windows and doors so that dispensaries look like other retail uses in Ashland from the exterior.

CITY OF
ASHLAND

Council Communication
June 17, 2014, Business Meeting

First Reading of an Ordinance Amending Title 18 Land Use of the Ashland Municipal Code for Medical Marijuana Dispensaries

FROM:
Maria Harris, Planning Manager, harrism@ashland.or.us

SUMMARY:
The Planning Commission recommended approval of proposed land use ordinance amendments which allow medical marijuana dispensaries ("dispensaries") in the commercial (C-1), employment (E-1), and industrial (M-1) zones as a special permitted use, and prohibit dispensaries in the Downtown Design Standards Zone. Adoption of the proposed amendments will allow dispensaries to locate on properties that meet the state spacing requirements and that are adjacent to a boulevard street in the C-1, E-1, and M-1 zones (see attached map). As a special permitted use, dispensaries would be required to meet a set of objective standards including location on a boulevard, housed in a permanent building with no outside storage, site design review required for building and site modifications, security bars on exterior windows and doors prohibited, drive-up uses prohibited, operating hours from 7 a.m. to 7 p.m., secure disposal, and registration under the state system. At the March 18, 2014 meeting, the Council directed staff to draft ordinance amendments to address the location and review process for dispensaries for Commission consideration and recommendation. The proposed amendments require Council approval, and are scheduled for a public hearing and first reading. If the Council approves first reading, the ordinance amendments are scheduled for second reading at the July 15, 2014 meeting.

BACKGROUND:
The Planning Commission Report on the proposed land use ordinance amendments is attached and includes detail on its recommendation. In general, the Commission believes dispensaries should be allowed in Ashland and suggests initially using a measured approach because dispensaries are a relatively new permitted use with limited information available about the associated impacts. Specifically, the Commission recommends requiring dispensaries to locate on boulevard streets in the C-1, E-1, and M-1 zones where other high volume retail uses are located. The Commission feels boulevards as the highest order streets are best suited to accommodate potentially high amounts of traffic generated by dispensaries, and these busier streets provide natural surveillance to address security concerns raised at Commission meetings. Finally, the Commission agrees that dispensaries should not be located in the downtown and recommends extending the prohibition to the Downtown Design Standards Zone which includes the properties abutting the north side of Lithia Way (see maps on pages 21 and 22 of the attached record).

Staff recommends adding dispensaries to the list of prohibited home occupations for second reading (see below). Since the Commission made its recommendation, it has come to staff's attention that applications for dispensaries to operate as a home occupation may become an issue. The proposed amendments were not intended to allow dispensaries as home occupations.

In Ashland, home occupations are governed by chapter 18.94 of the land use ordinance and approved through a ministerial permit. Home occupations are small commercial ventures that are appropriate in scale and impact to operate in a residence, and the requirements concentrate on maintaining the appearance and occupancy compatible with surrounding residences (e.g., limitations on number of employees, customer traffic, deliveries, and signage).

Staff discussed this item with the Commission at the June 10, 2014 meeting, and the Commission unanimously voted to recommend that Council modify the home occupation ordinance to list dispensaries as a prohibited use. If the Council agrees that this amendment should be made, staff will add the following language to the ordinance for second reading.

SECTION 18.94.120 Prohibited Uses.

The following uses are prohibited as home occupations:

A. Any activity that produces radio or TV interference, noise, glare, vibration, smoke or odor beyond allowable levels as determined by local, state or federal standards.

B. Any activity involving on-site retail sales, except as allowed in the Historic Railroad District or items that are incidental to the occupational use, such as the sale of beauty products from salons, lesson books or sheet music for music teachers, or computer software for computer consultants.

C. Any uses described in this section or uses with similar objectionable impacts because of automobile traffic, noise, glare, odor, dust, smoke or vibration:
   1. Ambulance service;
   2. Ammunition or firearm sales;
   3. Ammunition reloading business;
   4. Animal hospital, veterinary services, kennels or animal boarding;
   5. Auto and other vehicle repair, including auto painting;
   6. Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles or large equipment on-site; **and**
   7. **Medical marijuana dispensaries.**

The Planning Commission held a public hearing and deliberations on the proposed amendments on May 13, 2014, and approved the attached Planning Commission report on June 10, 2014. Prior to the public hearing, the Commission held study sessions on March 25, April 8, and April 22. The minutes from the meetings are included in the attached record.

Oregon has allowed physicians to prescribe marijuana for medicinal purposes since 1999. The 2013 Oregon Legislature passed House Bill 3460 which provides a system for registration and regulation of dispensaries. The new regulations make the siting and operation of registered dispensaries legal in areas zoned for commercial, industrial, mixed use, or agricultural land. Additional requirements include a 1,000 feet separation from another dispensary and from a public or private elementary, secondary, or career school attended primarily by minors. The law went into effect on March 1, 2014.

In 2014, the Legislature approved Senate Bill 1531 affirming that local jurisdictions have the authority to establish local restrictions for dispensaries and granting cities and counties the ability to put into effect a temporary dispensary moratorium to allow additional time to enact local restrictions. Senate Bill 1531 allowed any moratorium enacted prior to May 1, 2014 to have a retroactive effective date of March 1, 2013. The additional regulations from Senate Bill 1531 went into effect March 19, 2014.

At the January 21 meeting, the City Council discussed the possibility of restricting dispensaries in the downtown area, as well as requiring a more discretionary review process for dispensaries immediately adjacent to or across the street from a residential zone. At the February 4 meeting, the Council passed an ordinance removing the "unlawful activity" provision of the business license code (AMC 6.04), thus avoiding the need for City staff to determine whether any particular business is conducted in compliance with state and federal law. Notably, the business license code change did not preclude the possibility of federal prosecution of dispensaries for violations of federal law.

At the March 18 meeting, the Council directed staff to draft ordinance amendments as soon as possible to address the location and review process for dispensaries for the Planning Commission consideration and recommendation. Specifically, the Council outlined an ordinance amendment that would: 1) permit dispensaries in the C-1 and M-1 zones, 2) prohibit dispensaries in the C-1-D zone (downtown), and 3) require a conditional use permit for dispensaries in the employment zone.

Subsequently, the Council approved an ordinance imposing a temporary moratorium on dispensaries at the April 15 meeting. Specifically, the moratorium temporarily prohibits medical marijuana dispensaries in the C-1-D zone (downtown) and E-1 zones. However, lots that are located in E-1 zones and front boulevards are not subject to the moratorium. The moratorium is effective from March 1, 2014 until May 1, 2015, unless rescinded earlier.

FISCAL IMPLICATIONS:
N/A

STAFF RECOMMENDATION AND REQUESTED ACTION:
Staff recommends approval of first reading of the ordinance amendments and adding language prohibiting dispensaries as home occupations for second reading.

SUGGESTED MOTION:
I move to approve first reading of an ordinance titled, "An ordinance amending 18.08, 18.32.025, 18.40.030 and 18.52.020 of the Ashland Municipal Code establishing medical marijuana dispensaries as a special permitted use in the commercial (C-1), employment (E-1), and industrial (M-1) zoning districts," to direct staff to add a prohibition of medical marijuana dispensaries as a home occupation, and to move the ordinance on to second reading.

ATTACHMENTS:
1. Planning Commission Report
2. Proposed Land Use Ordinance Amendments for Medical Marijuana Dispensaries
3. Map – Medical Marijuana Dispensaries Eligible Areas
4. Record for Planning Action 2014-00539

Agenda Item: # 5
Hearing Date: January 12, 2014 Time: 7:00 PM

STAFF REPORT TO THE PLANNING COMMISSION FOR THE CITY OF TIGARD, OREGON

SECTION I. APPLICATION SUMMARY

CASE NAME: MARIJUANA FACILITIES DEVELOPMENT CODE AMENDMENT

CASE NO.: **Development Code Amendment (DCA)** **DCA2014-00002**

PROPOSAL: The City of Tigard proposes legislative amendments to the Tigard Development Code (TDC) to establish reasonable time, place, and manner regulations for marijuana facilities. Proposed changes include new definitions to be placed within Chapter 18.120 (Definitions); text amendments to Chapter 18.210 (General Administrative Provisions) to remove a requirement that development be consistent with federal law; and creation of a new chapter to be titled 18.735 (Marijuana Facilities) that would limit hours of operation, establish minimum buffer distances from residential and park zones, require exterior design requirements to enhance security, establish off-site odor standards, and create an associated review procedure. The proposed text and map amendments for the Planning Commission's review are included in **Attachment 1,** and summarized below in Section IV of this report:

APPLICANT: City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

ZONES: Citywide

LOCATION: Citywide and properties identified in the Attached Maps.

APPLICABLE REVIEW CRITERIA: Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 6 (Air, Water, and Land Resources Quality), and 9 (Economic Development); ORS 475 (Oregon Medical Marijuana Act); Statewide Ballot Measure 91 (Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act); Comprehensive Plan Goals 1.1.2, 2.1.2, 2.1.3, 2.1.6, 2.1.11, 2.1.21, 2.1.23, 2.1.24, 6.1.7, 9.1.3, 9.1.12, 10.2.1 and 10.2.8.; and TDC Chapters 18.380.020 and 18.390.060.G.

SECTION II. STAFF RECOMMENDATION

Staff recommends the Planning Commission find in favor of the proposed development code text amendments (Attachment 1); with any alterations as determined through the public hearing process, and make a final recommendation to the Tigard City Council.

SECTION III. BACKGROUND INFORMATION & PROJECT SUMMARY

The purpose of the Marijuana Facilities Project is to establish reasonable time, place, and manner restrictions on the full range of "medical" and "recreational" marijuana facilities soon to be allowed under State Law. A brief summary of legislative history is below, followed by a summary of the proposed changes and comparable regulations adopted by nearby jurisdictions.

Legislative Background

November 3, 1998 - Oregon voters approved Ballot Measure 67 allowing the medical use of marijuana. Known as the Oregon Medical Marijuana Act (OMMA), the law protects medical marijuana users who comply with its requirements from state criminal prosecution.

August 14, 2013 - Governor signs HB3460, which requires the Oregon Health Authority to develop and implement a process to register medical marijuana dispensaries so that patients could legally purchase medical marijuana. Under this bill, dispensaries cannot be within 1,000 feet of a school, 1,000 feet of another dispensary, and must be located within an industrial, commercial, or mixed-use zone.

February 11, 2014 - City of Tigard adopts a temporary prohibition on medical marijuana dispensaries under Ordinance 14-04.

March 19, 2014 – Governor signs SB1531 which authorizes local governments to adopt reasonable regulations regarding the hours of operation; location; and manner in which medical marijuana dispensaries are operated. SB1531 also states that a local jurisdiction may enact an ordinance declaring a one-year moratorium on dispensaries.

April 22, 2014 - Tigard City Council extends the temporary prohibition on marijuana dispensaries until May 1, 2014 under Ordinance 14-08.

November 4, 2014 - Oregon voters approved Ballot Measure 91 to legalize the use and possession of recreational marijuana on July 1, 2015. The law also directs the Oregon Liquor Control Commission to tax, license, and regulate recreational marijuana through a licensing system to be established by January 2016. The measure did not make any changes to the existing medical marijuana system.

May 1, 2015 - Automatic sunset date of Tigard's temporary prohibition on medical marijuana dispensaries. No further extensions allowed under state statute.

Proposed Amendments

At present the city is unable to issue any new permits or activities related to state-authorized marijuana use due a temporary prohibition, as discussed above, and a TDC requirement that all development be consistent with federal law. This places the Development Code at odds with recent legislative changes made by the Oregon State Legislature and Oregon Voters. The purpose of this project is to bring the City into compliance with state law while preventing or mitigating unwanted community impacts that could potentially result from marijuana facilities operating within the community.

As proposed, the new code language would result in the following:

- Amend the Tigard Development Code as follows:
  - Text Amendments to Chapter 18.120 (Definitions) to establish new definitions for "Marijuana" and "Marijuana Facility"
  - Text Amendments to Chapter 18.210 (General Administrative Provisions) to remove the requirement for consistency with federal law

- Creation of Chapter 18.735 (Marijuana Facilities) to establish development standards and a review process for marijuana facilities requiring a state license or registration.

- Proposed text changes to TDC 18.210 would reduce legal uncertainties and exposure to litigation presented to the City and applicants where state and federal law conflict on the matter of marijuana.
  - Tigard Development Code (TDC) Subsection 18.210.030.A presently requires all development applications to be consistent with federal law.
  - Continued federal classification of marijuana as a Schedule II drug may require the city to deny all land use applications for medical marijuana facilities as not being consistent with Federal law.
  - If the code remains unchanged, uncertainty will remain as some facilities may be able to open if no land use permits are required from the city (i.e. conversion of an existing retail space to a state licensed dispensary).
  - Measure 91 requires a petition and election of the voters for a jurisdiction to prohibit recreational marijuana licenses.
- Proposed text changes to create TDC 18.735 (Marijuana Facilities) would apply a uniform set of development standards to facilities requiring a state license or registration under ORS 475 (Oregon Medical Marijuana Act) and Statewide Ballot Measure 91 (Oregon Legalized Marijuana Initiative).
- Would supplement existing state rules regarding buffer and zone requirements for the siting of medical marijuana dispensaries, and any future state requirements for the siting of recreational marijuana facilities as the OLCC and State Legislature establish new regulations for their location and operation.
  - Would require a minimum 500' buffer between a site containing a marijuana facility and a property within a residential zone or park zone, or within 500' of a library
  - Would require a minimum 1,000' buffer between a site containing a marijuana facility and a property containing a public or private school, or a career school where minors are present.
  - Would limit hours of operation to between 10am and 8pm.
  - Would establish design requirements and odor standards to prevent off-site nuisances and enhance security.
- Would apply to the full range of activities associated with the production, processing, distribution, and sale of marijuana.
- Would not remove or replace existing code requirements for the underlying use. For example, a dispensary or an indoor grow facility would be required to meet all development code requirements applicable to "Sales-Oriented Retail" or "General Industrial" land uses in the underlying zone.

Other Jurisdictional Responses

To facilitate deliberation and establish a framework for what is considered "reasonable" by other jurisdictions, staff is including a summary of how other cities have chosen to regulate marijuana dispensaries within their borders. Note, the proposed text amendments included as Attachment 1 will apply to the full chain of production and distribution, in anticipation of future licensing authorized under Measure 91, and are not limited to dispensaries as is the case with each city or county below.

Washington County
- Limited to hours between 8:00am and 10:00pm.
- Allowed in specified commercial and industrial districts, with square footage limited to 3,000 square feet within the Industrial (IND), General Commercial (GC), and Rural Commercial (R-COM) Land Use Districts.
- Minimum 2,000 feet between dispensaries.
- Minimum 1,500 feet from any light rail platform.
- Entrances and off-street parking areas must be well lit and not visually obscured from public view.

City of Salem
- Limited to hours between 10:00am and 8:00pm.
- Cannot be located within:
  - Central Business Zoning District.
  - Within a residence or mixed-use property that includes a residence.
  - Within 500 feet of a public park or public playground.
  - Within 100 feet of a residentially zoned property unless the location abuts a major arterial or parkway.
  - Within 100 feet of a certified child care facility.
- Drive-through windows prohibited.
- All odors must be contained to premises.

City of Beaverton:
- Limited to hours between 7:00am and 10:00pm.
- Limited to three zones: GC (General Commercial), CS (Community Service), and CC (Corridor Commercial).

City of Ashland
- Limited to hours between 9:00am and 7:00pm.
- Limited to properties adjacent to a boulevard, and prohibited within the Downtown Design Standards Zone.
- Design standards
  - Must be located within a permanent building.
  - Drive-through windows prohibited.
  - Security bars and grates prohibited.
  - Establishes off-site odor standards.

City of McMinnville
- Limited to hours between 10am and 7pm.
- Minimum 1,000 foot buffer from a preschool, public library, aquatic center, and community center.

City of Albany
- Minimum 300 foot distance buffer from any property zoned residential, mixed-use, Office Professional, or Neighborhood Commercial.
- Restrictions do not apply to property zoned Industrial Park, Light Industrial, or Heavy Industrial.

SECTION IV. APPLICABLE CRITERIA, FINDINGS AND CONCLUSIONS

STATEWIDE PLANNING GOALS AND GUIDELINES

State planning regulations require cities to adopt and amend Comprehensive Plans and land use regulations in compliance with the state land use goals. Because the proposed Code Amendments have a limited scope and the text amendments address only some of the topics in the Statewide Planning Goals, only applicable Statewide Goals are addressed below.

Statewide Planning Goal 1 – Citizen Involvement:
This goal outlines the citizen involvement requirement for adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

FINDING: This goal has been met by complying with the Tigard Development Code notice requirements set forth in Section 18.390.060 (Type IV Procedures). Notices were sent by US Postal Service on December 16, 2015 to affected government agencies and the latest version of the City's interested parties list. A notice was published in the Oregonian newspaper and the City published newsletter (Cityscape) prior to the hearing. Project information and documents were published to the City website prior to the public hearing. A minimum of two public hearings will be held (one before the Planning Commission and the second before the City Council) at which an opportunity for public input is provided. This goal is satisfied.

Medical Marijuana Dispensaries

City of Salem

Potential Local Regulations

Spring, 2014

Potential City Regulations

Location: Zoning

- OHA: only in commercial, industrial, mixed use, agricultural zones
  - Potential City Regulation:
    - Limited to locations where retail could operate:
      - Neighborhood Commercial (CN)
      - Commercial Retail (CR)
      - Commercial General (CG)
      - Central Business District (CB)
      - South Waterfront Mixed-Use (SWMU)
      - Industrial Commercial (IC)

Location: Zoning continued

- OHA: only in commercial, industrial, mixed use, agricultural zones
  - Potential City Regulation:
    - Cannot be operated as a home occupation
    - Cannot be co-located with a facility manufacturing butane hash oil
    - Cannot be co-located with a tobacco smoking lounge or any kind of marijuana social club where medical marijuana is consumed

Location: Spacing

- OHA: 1000 feet (~ two city blocks) from another registered dispensary; 1000 feet from public or private elementary, secondary or career school attended primarily by minors; cannot be collocated with a grow site
  - Potential City Regulation:
    - Use 21 U.S.C. 860:
      - 1000 feet from public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority
      - 100 feet from public or private youth center, public swimming pool, or video arcade facility

Location: Spacing continued

- 21 U.S.C. 860(e) Definitions.
  - (1) The term "playground" means any outdoor facility (including any parking lot appurtenant thereto) intended for recreation, open to the public, and with any portion thereof containing three or more separate apparatus intended for the recreation of children including, but not limited to, sliding boards, swingsets, and teeterboards.
  - (2) The term "youth center" means any recreational facility and/or gymnasium (including any parking lot appurtenant thereto), intended primarily for use by persons under 18 years of age, which regularly provides athletic, civic, or cultural activities.
  - (3) The term "video arcade facility" means any facility, legally accessible to persons under 18 years of age, intended primarily for the use of pinball and video machines for amusement containing a minimum of ten pinball and/or video machines.
  - (4) The term "swimming pool" includes any parking lot appurtenant thereto.

Location: Spacing continued

- Potential City Regulation:
  - 1000 feet from all pre-school, Head Start programs, child care facilities on a list maintained by DHS, and public parks:
    - Pre-existing dispensary in compliance with all local and state regulations will not be displaced if a new child care facility locates within 1000 feet of dispensary
  - 1000 feet from any residential zone

Criminal Background Checks

- OHA: only individual responsible for dispensary must submit to check; limited class of convictions would prohibit dispensary registration:
  - Convicted of the manufacture or delivery of a controlled substance in Schedule I or Schedule II within five years of the date of the criminal background check
  - Convicted more than once of the manufacture or delivery of a controlled substance in Schedule I or Schedule II at any time

Criminal Background Checks

- <u>Potential City Regulation</u>:
  - All owners, employees, volunteers
  - Expanded class of convictions would prohibit individual from owning, or being employed by, dispensary:
    - Convicted at any time of the following crimes:
      - Criminal mistreatment based upon the unlawful manufacture of a controlled substance;
      - Child neglect I;
      - Racketeering;
      - Use of minor in controlled substance offense;
      - Manufacture or delivery of hydrocodone within 1000 feet of a school;
      - Manufacture or delivery of a controlled substance within 1000 feet of a school; causing another to ingest a controlled substance;
      - Application of a controlled substance to the body of another person; or
      - Felony driving under the influence of intoxicants

Security

- OHA: commercial door locks; alarm system; video surveillance; camera coverage and placement
  - Potential City Regulation:
    - Outdoor lighting
    - Salem Police access to video surveillance related to criminal investigation

Enforcement

- OHA: annual inspection, complaint inspection at any time; informal and formal enforcement
  - Potential City Regulation:
    - Local city officials authorized to make compliance inspections
    - Chief of police may recommend denial of a renewal application
    - Permit may be suspended or revoked
    - Private cause of action for nuisance (i.e. citizen enforcement)

Operations

- OHA: testing and labeling of product; record keeping; no minors where usable medical marijuana present; consumption on premises prohibited
  - Potential City Regulation:
    - Hours of operation (10 am – 8 pm)
    - Ventilation and filtration system
    - No drive-through or walk up window
    - No minors on premises at any time unless minor is a cardholder and is accompanied by a parent for the exclusive purpose of procuring the minor's medicine
    - All individuals on premises must be cardholders
    - City access to business records with audit requirement

Examples of THC-infused products

Gummi Bears

Suckers

Candy Bars

Cotton Candy

Ice Cream Bar

Toaster Treats

Sodas

Edibles

- OHA: any product meant to be swallowed or inhaled must be packaged in child-resistant safety packaging (significantly difficult for children under five to open, opaque, closable if product intended for more than a single use) that is not attractive to minors (brightly colored or in the shape of an animal or toy)
  - Potential City Regulation:
    - All edibles must include label with the following information:
      - Serving size
      - Amount of THC in each serving size

Confidentiality

- OHA: name of individual responsible for a dispensary and address of dispensary are confidential unless: (1) individual responsible has authorized disclosure; or (2) local law enforcement requests verification of whether a person is listed as the responsible individual and whether particular location is a registered dispensary
  - Potential City Regulation:
    - Dispensary must register with city

Fees & Business Registration

- OHA: $4,000 annual fee; must register as business with Secretary of State
  - Potential City Regulation:
    - Annual fee ($10,000 deposit with refund after city determines actual administrative and enforcement costs)
    - Registration with City

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Beaverton Planning Commission approves regulations for medical marijuana dispe allowing use in three city zones

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In this Oct. 16, 2013 file photo, marijuana clone plants that are used to grow medical marijuana are displayed under a light at a medical marijuana cooperative in Seattle. *(The Associated Press)*

Print (http://blog.oregonlive.com/beaverton_news/print.html?entry=/2014/09/beaverton_planning_commission_1.html)

(http://connect.oregonlive.com/staff/frazie-l/index.html) By Laura Frazier | lfrazier@oregonian.com (http://connect.oregonlive.com/staff/frazie-l/posts.html)
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on September 10, 2014 at 10:59 PM, updated September 11, 2014 at 11:10 AM

Beaverton Planning Commission (http://www.beavertonoregon.gov

/index.aspx?nid=290) voted to allow medical marijuana dispensaries in three city zones at its Sept. 10 meeting.

At the meeting, commissioners evaluated several maps (http://beaverton.granicus.com/MetaViewer.php?view_id=3&event_id=440&meta_id=66838) and approved medical marijuana dispensary regulations about zoning, buffers and hours of operation.

The commission's recommendation now passes to Beaverton City Council, which could take up the topic early next month, according to City Planning Division Manager Steven Sparks.

The planning commission approved restricting medical marijuana dispensaries to Corridor Commercial, General Commercial and Community Service zones.

Commissioners also approved a 1,000- foot -buffer between dispensaries and major Tualatin Hills Park & Recreation District (http://www.thprd.org/) facilities, such as the Conestoga Recreation & Aquatic Center, Beaverton Swim Center, Sunset Swim Center, Garden Home Recreation Center, Fanno Farmhouse and the Howard M. Terpenning Recreation Complex.

Additionally, the commission approved from 7 a.m. to 10 p.m., without possibility for conditional use extensions, as hours of operation for dispensaries.

The commission passed the recommended regulations with a six to one vote. Chair Kim Overhage was the sole dissenting vote.

At the meeting, commissioners debated how

MEDICAL MARIJUANA IN OREGON

Oregon marijuana growers vie for real estate as they prepare for recreational market (http://www.oregonlive.com/marijuana/index.ssf/2015/01/oregon_marijuana_growers_vie_f.htm

Oregon's largest medical marijuana grow site serves only California patients (http://www.oregonlive.com/marijuana/index.ssf/2015/01/largest_medical_marijuana_grow.htm

Medical marijuana: Hillsboro officials, now racing against ban's sunset, propose reopening hearing (http://www.oregonlive.com/hillsboro/index.ssf/2015/01/medical_marijuana_hillsboro_of.html

Southern Oregon's outdoor marijuana growers organize to have voice in regulation (http://www.oregonlive.com/marijuana/index.ssf/2014/12/southern_oregons_outdoor_marij.htm

Colorado taps $8 million to study marijuana's potential for medical treatment (http://www.oregonlive.com/marijuana/index.ssf/2014/12/colorado_taps_8_million_to_stu.html

All Stories (http://topics.oregonlive.com/tag/medical-marijuana-in-oregon/posts.html) | All Photos (http://topics.oregonlive.com/tag/medical-marijuana-in-oregon/photos.html) | All Videos (http://topics.oregonlive.com/tag/medical-marijuana-in-oregon/videos.html)

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much to regulate the dispensaries. State statute already requires that medical marijuana dispensaries are restricted from residential zones and cannot be within 1,000 feet of schools or other dispensaries.

Commissioner Jennifer Nye supported also allowing dispensaries in Neighborhood Service zones. A previous staff recommendation was to just allow dispensaries in General Commercial and Corridor Commercial zones.

"I do think restricting it to two zones is much too conservative," she said.

Commissioner Scott Winter said he thinks the city was adding too many rules when the state has already established a set of requirements.

However, Overhage supported an additional buffer between parks and dispensaries.

Commissioner Ric Stephens also brought up the possible role of recreational marijuana and if it could affect medical dispensaries. **Measure 91 (http://ballotpedia.org/Oregon_Legalized_Marijuana_Initiative,_Measure_91_(2014))** would legalize recreational marijuana if passed in November.

Sparks said the city would likely have a similar opportunity to discuss recreational marijuana dispensaries with the community, if the measure passes.

One Beaverton resident spoke during the public comment period. Chris Matthews asked why additional buffers were needed around medical marijuana dispensaries, when those regulations are not required for liquor stores, bars and convenience stores that sell tobacco and alcohol.

"I just don't understand the point of additional buffers when there are so many other things that cause harm to society," Matthews said.

Stephens reinforced the need to outline regulations.

Generally, the regulations the commission approved allow dispensaries in retail and business areas, Sparks said.

Corridor Commercial zones include the area west of the intersection of Southwest Murray Boulevard and Southwest Scholls Ferry Road, **according to a city map. (http://www.beavertonoregon.gov/DocumentCenter/Home/View/878)**Those zones tend to have a combination of retail businesses and offices, Sparks said.

General Commercial zones include the area north of where of U.S. 26 crosses Southwest Murray Boulevard and the area near the intersection of Southwest Murray Boulevard

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and Tualatin Valley Highway.

According to Sparks, General Commercial zones are the "most permissive" and include high traffic areas and businesses such as car dealerships.

Community Service Zones include the area along Southwest Cedar Hills Boulevard south of the intersection of Southwest Walker Road and along Southwest Beaverton-Hillsdale Highway to the east of Oregon 217. Cedar Hills Crossing is an example of retail businesses in this zone, Sparks said.

In April, Beaverton City Council **approved a moratorium on dispensaries (http://www.oregonlive.com/beaverton/index.ssf/2014/04/beaverton_medical_marijuana_mo.html)** until Dec. 31.

-Laura Frazier | **Facebook (https://www.facebook.com/laura.frazier.9887)**and **Twitter (https://twitter.com/BvrtnReporter)**

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Chris Matthews (http://connect.oregonlive.com/user/chris_matthews_2/index.html) Sep 11, 2014
(http://connect.oregonlive.com/user/chris_matthews_2/index.html)
I've spent the last 9 months at these meetings in Beaverton, Hillsboro and Washington County. I am glad things are starting to make progress even though I believe they should stick with the zoning provided by the state. I'm ready to get things rolling!

2 (http://connect.oregonlive.com/user/jennifer_alexander/index.html)
(http://connect.oregonlive.com/user/superstraightguy/index.html) Like Reply

Jennifer_Alexander_626 (http://connect.oregonlive.com/user/jennifer_alexander Sep 15, 2014
(http://connect.oregonlive.com/user/jennifer_alexander/index.html)
@Chris Matthews (http://connect.oregonlive.com/user/chris_matthews_2 /index.html) Thanks for being there and standing up for those of us who often cannot attend! :)

Like Reply

yohocoma (http://connect.oregonlive.com/user/yohocoma/index.html) Sep 11, 2014
(http://connect.oregonlive.com/user/yohocoma/index.html)
Hopefully soon all of this footwork over "medical marijuana" will be done forever when just plain "marijuana" is sold everywhere legally. What a gigantic waste of time.

1 (http://connect.oregonlive.com/user/ckosuda/index.html) Like Reply

Chris Matthews (http://connect.oregonlive.com/user/chris_matthews_2 Sep 11, 2014
(http://connect.oregonlive.com/user/chris_matthews_2/index.html)
@yohocoma (http://connect.oregonlive.com/user/yohocoma/index.html) When Measure 91 passes retail sales will not start until January 2016. That is a long time to wait for people that deserve local access to their prescription.

3 (http://connect.oregonlive.com/user/ckosuda/index.html)
(http://connect.oregonlive.com/user/Sam_Chapman/index.html)
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Washington County (http://www.oregonlive.com/washingtoncounty/)
More Local News (http://www.oregonlive.com

/gresham/) /local/) Tumblr (http://oregonianphoto.tumblr.com)

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February 2015 Update

LAND USE APPLICATIONS

Project	Status
Building Permits/Correspondence	• Business license and potential accessory structure- Screen printer (21028 Highway 99E) • 20848 Hwy 99E – Does Planning Commission recommend City take enforcement action on property regarding exceeding impervious surface maximum of 60% in R-2 zone? See AMC 16.12.040.I. • 21200 Highway 99E – Does Planning Commission recommend City take enforcement action on property regarding AMC section 16.14.050.3., which states under the Commercial zone, "Display, for resale purposes, of large on road vehicles which could not be reasonably displayed wholly within a building; specifically automobiles, boats, logging equipment, farm machinery, heavy machinery and trucks. ***Such displays shall be limited to a maximum of five vehicles which shall be movable at all times and cannot be deemed as discarded or dismantled***. Staff has noticed more than five vehicles are on display on a regular basis.
Sign Permits	
Manufactured Home Permit	
Land Use Applications	• Pending land use application for March 3rd meeting- please inform staff if you are unable to attend to ensure we have a quorum.

ADDITIONAL PLANNING

Project	Status
ODOT 99E Corridor Study	• Staff has still not received the final adopted study • See attached correspondence regarding potential night work in Spring/Summer 2015 by ODOT to replace ADA ramps at 99E and 2nd Street, Liberty Street and Orchard Ave.
Development Code updates	• Ongoing medical and recreational marijuana facility conversations
Misc.	• Newsletter ideas?