

**AGENDA**  
**Aurora Planning Commission Meeting**  
Tuesday, May 2, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

---

**1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING**

**2. CITY RECORDER DOES ROLL CALL**

**3. CONSENT AGENDA**

- a) Planning Commission – April, 2015
- b) City Council Minutes – April, 2015
- c) Historic Review Board Meeting Minutes – March , 2015

**4. CORRESPONDENCE –**

- a) Email Regarding Business Development Grants

**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) Discussion and or Action on Aurora Visioning Document
- b) Discussion and or Action on Annexation Processes
- c) Discussion and or Review of Sample MMD Applications

**7. OLD BUSINESS**

- a) None

**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, April 7, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

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

**STAFF ABSENT:** None

**VISITORS PRESENT:** Leroy Bodine, Canby  
Craig McNamara, Aurora  
Bill Graupp, Aurora

---

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

Meeting was called to order by Chairman Schaefer at 7:02 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Schaefer - Present

Commissioner Graham, moment of silence for our revered volunteer. 3/20/2015

Commissioner Fawcett - Present

Commissioner Gibson - Present

Commissioner Rhoden-Feely - Present

Commissioner Weidman - Present

Commissioner Willman - Resigned

**3. CONSENT AGENDA**

a) Planning Commission Minutes – March, 2015

b) City Council Meeting Minutes – February, 2015

c) Historic Review Board Minutes – February, 2015

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

**4. CORRESPONDENCE –**

a) Letter from City Council regarding Senate Bill 534, currently stalled in committee

b) Letter of Resignation from Commissioner Willman

**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.

Leroy Bodine, Canby Oregon a retired building official, as a patient and card holder I support medical marijuana facilities for a number of reasons. I am here tonight to urge you to support them as well. I have seen firsthand how it can help patients.

**6. PUBLIC HEARING – Opens at 7:19 pm, no conflicts or ex-parte contact reported.**

- a) Discussion and or Action on Text Amendment LA-2015-01 Addressing Medical Marijuana Dispensaries in the Commercial Zone.

# Memorandum

## MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

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

TO: Aurora Planning Commission  
FROM: Renata Wakeley, City Planner  
RE: Legislative Amendment 2015-01 (LA-15-01)  
DATE: March 31, 2015 for presentation at April 7, 2015 hearing

### REQUESTED ACTION

The Planning Commission's options for taking action on Legislative Amendment 15-01 include the following:

- A. Adopt the findings in the staff report and recommend that the City Council adopt Legislative Amendment 15-01:
  - 1. As presented by staff; or
  - 2. As amended by the Planning Commission (stating revisions).
- B. Recommend that the City Council take no action on Legislative Amendment 15-01.
- C. Continue the public hearing:
  - 1. To a time certain, or
  - 2. Indefinitely.

### BACKGROUND

In 2013, House Bill 3460 created a medical marijuana registration system and allowed medical marijuana facilities (MMFs) to be located in certain zones, including commercial, industrial, and mixed use. On March 19, 2014, Senate Bill 1531 was signed into law giving local governments the ability to impose certain regulations and restrictions on the operation of medical marijuana dispensaries. Senate Bill 1531 also gave local jurisdictions the ability to impose a moratorium on MMFs up until May 1, 2015.

On April 30, 2014, the City of Aurora passed Ordinance 475, which declared a moratorium on MMFs effective until May 1, 2015.

The Planning Commission gave staff general direction to follow legislative action and administrative rulemaking related to the marijuana issue, and consider potential standards that could be implemented as amendments to the Aurora Municipal Code- Title 16 in line with the regulations authorized by SB 1531. The Planning Commission had discussion regarding proposed amendments to the AMC on several regularly scheduled Planning Commission meetings in 2014 and 2015.

While administrative rulemaking continues related to Measure 91 (recreational marijuana), the legislature has not taken further action to address either the medical or recreational marijuana programs in the State of Oregon. Due to State and local procedural requirements, the City must move forward directly in order to have any Development Ordinance amendments regulating MMFs in place by May 1, 2015.

The following section of the Aurora Municipal Code (AMC) is proposed for amendment:

- 16.04 Definitions
- 16.14 Commercial
- 16.22 Historic Commercial Overlay

Legislative Amendment 15-01 includes the adoption of the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~striketrough~~ format for review purposes (see Exhibit A).

The purpose of the proposed amendment is to create “reasonable regulations” as allowed by SB 1531 to minimize conflicts between MMFs and surrounding uses. Absent an update to the AMC, beginning on May 1, 2015 it is possible that an applicant could request review of a MMF under the existing provisions of the AMC as a “general retail and convenience sales”, “medical or dental services”, “nurseries”, “drugstore” or other similar permitted use or development. Without specific criteria addressing MMFs, the City could be forced to make interpretations of the Development Ordinance that could be subject to legal challenge and it could become more difficult to mitigate conflicts with surrounding uses. The proposed amendment seeks to add clarity and certainty to the Aurora Municipal Code – Title 16.

#### FINDING OF FACT AND CONCLUSIONS

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

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on February 19, 2015, which was 47-days prior to the first evidentiary hearing on April 7, 2015.

2. Amendments to the Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Legislative Amendments shall be made in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.
3. AMC 16.74.030 outlines notice requirements. At least ten days prior to the first public hearing, the City shall publish notice in a newspaper of general circulation. Due to a staff error, the publication request to the Canby Herald on March 4, 2015 was not received. Staff immediately sent the notice to publication in the April 8<sup>th</sup> edition, at least 10 days prior to the scheduled May 12, 2015 City Council hearing.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the Planning Commission and the decision by the City Council.
5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission will review the proposed legislative amendments at a April 7, 2015 public hearing.

#### FINDINGS

- A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:
  1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;

FINDINGS: Goal 1, Citizen Involvement: A public hearing on the proposed amendments is scheduled before the Planning Commission on April 7, 2015 and a second hearing is scheduled before the City Council on May 12, 2015. Notice was posted at City Hall and published in the Canby Herald. The staff report was available for review one week prior to the Planning Commission and City Council hearings. This is consistent with City procedures. Staff finds Goal 1 is met.

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

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

Goal 5, Open Spaces, Natural Resources, and Historic Areas: The proposed amendments included the addition of MMF's as a conditional use in the Historic Commercial Overlay. The proposed amendment does not affect regulation of existing businesses or commercial uses. Staff finds the amendment maintains existing business and allows a new use (MMFs), as permitted by state law, while imposing standards to minimize negative impacts in order to allow the development of a historic business center that remains easily accessible, convenient and a pleasant place to shop.

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

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

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

Goal 9, Economic Development: The draft code amendments respond to a need/revision identified by Senate Bill 1531 to potential permitted uses on commercial and industrial lands. The proposed code amendments are not found to deter employment or business opportunities but rather to allow for greater economic uses of commercially zoned properties while also protecting the intent of the commercial and historic commercial retail core for retail and service commercial uses.

The Planning Commission has determined that the Industrial zone is not an appropriate location for MMF's as the intent of the Industrial zone is intended to accommodate activities that are non-retail in nature or land intensive commercial businesses (AMC 16.16.010).

Staff finds Goal 9 is met.

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

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

Goal 12, Transportation: The proposed code amendments expand upon permitted uses in the commercial zones while prohibited MMF's in the industrial zone in order to "provide a circulation system which is safe and efficient for both vehicles". The City finds that Industrial properties are not well suited for retail uses/impacts. Further, MMF's are listed as conditional uses in the commercial zones and potential transportation impacts can be mitigated/regulated through the Aurora Transportation System Plan and development code. Staff finds this Goal is met.

Goal 13, Energy Conservation: Goal 13 is not applicable as MMF's can be considered to be as intensive, if not more so, than other businesses with the commercial code. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues as the proposed code amendments apply to existing commercial sites within the City limits.

ORS 197 does not include specific notice requirements for legislative processes but the City met all notice requirements under AMC for Legislative Amendments. ORS 227.186, more commonly

known as Measure 56 notice, does not apply as the proposed amendments do not reduce permissible uses of properties in the affected zones.

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

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

The addition of a specific definition for Medical Marijuana Facility under AMC 16.04 ensures the MMF is registered with the Oregon Health Authority and thus complies with the standards in ORS 475.314 and OAR 333-008-1000 through 333-008-1400. These State-imposed and regulated standards include, but are not limited to payment of annual registration fees, review to determine the proposed location is not within 1,000 feet of schools and other MMFs, registration as a business with the Secretary of State, a background check on the person responsible for the MMF, implementation of security, alarm and surveillance measures, and compliance with operational standards.

Proposed amendments to 16.14- Commercial and 16.22 Historic Commercial Overlay further refine restrictions to the potential location of MMF's that the City of Aurora finds reasonable, based upon SB 1531.

Staff finds this criterion is met.

3. The applicable comprehensive plan policies and map; and

The following Comprehensive Plan Goals and associated policies were found to be applicable to this application:

*Goal 1- Citizen Participation: Develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

FINDINGS: A public hearing on the proposed amendments is scheduled before the Planning Commission on April 7, 2015 and a second hearing will be held by the City Council on May 12, 2015. Notice was posted at City Hall and published in the Canby Herald. The staff report was available for review one week prior to the planning commission hearing. This is consistent with City procedures. Staff finds this condition is met.

*Goal 2- Planning Process: Establish a land use planning process and policy framework document (comprehensive plan) as a basis for all decisions and actions related to use of land and ensure an adequate factual base for such activities.*

FINDINGS: Adoption actions are consistent with the acknowledged AMC. Staff finds this condition is met.

*Goal 9- Economic Policies*

3. *Foster commercial and industrial activities to meet the expressed needs of City residents.*

**FINDINGS:** The draft code amendments respond to a need/revision identified by Senate Bill 1531 to potential permitted uses on commercial and industrial lands. The proposed code amendments are not found to deter employment or business opportunities but rather to allow for greater economic uses of commercially zoned properties while also protecting the intent of the commercial and historic commercial retail core for retail and service commercial uses.

The Planning Commission has determined that the Industrial zone is not an appropriate location for MMF's as the intent of the Industrial zone is intended to accommodate activities that are non-retail in nature or land intensive commercial businesses (AMC 16.16.010).

2. The applicable provisions of the implementing ordinances.

**FINDINGS:** The draft code amendments respond to a need/revision identified by Senate Bill 1531 to potential permitted uses on commercial and industrial lands. The proposed code amendments are not found to deter employment or business opportunities but rather to allow for greater economic uses of commercially zoned properties while also protecting the intent of the commercial and historic commercial retail core for retail and service commercial uses.

The Planning Commission has determined that the Industrial zone is not an appropriate location for MMF's as the intent of the Industrial zone is intended to accommodate activities that are non-retail in nature or land intensive commercial businesses (AMC 16.16.010). Staff finds the proposed code amendments can be established in compliance with the development requirements of the Aurora Municipal Code while maintaining the states intent of the underlying zones.

- B. Consideration may also be given to proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.

**FINDINGS:** Staff does not find a change in circumstance, mistake or inconsistency in the comprehensive plan or implementing ordinances. The proposed code amendments are a result of Senate Bill 1531 and the City's need to refine and clarify permitted locations and uses for MMF's within the City of Aurora and adopt "reasonable regulations" for their review. Staff finds this criterion is met.

**EXHIBIT A** Aurora Municipal Code (AMC) section 16.04- Definitions  
Aurora Municipal Code (AMC) section 16.14- Commercial  
Aurora Municipal Code (AMC) section 16.22- Commercial Historic Overlay

EXHIBIT B Senate Bill 1531 relating to marijuana facilities; creating new provisions; amending ORS 475.314; and declaring an emergency.

EXHIBIT C Correspondence from Aurora Historic Review Board (March 27, 2015)

Commissioner Weidman asks a question regarding where the taxes go and regulation by tax. Chair Schaefer this is something done more through measure 91 and is by population and percentage. Weidman is this something we could pursue Schaefer yes however it would require a legal review.

Visitor Bodine asks a clarification on the hours of operation which is limited to 10 am to 7 pm. again let me say that I am in favor of this because of my history and how it has helped me.

### **Public Hearing Closes at 7:37**

Planning Commission Discussion, Following discussion the planning commission consensus is to change the following 4 items.

1. Move “doors and windows may not be covered with security grates” to following section – development standards- so this applies to all businesses.
2. To “buffer text” add, “which shall only be measured at the initial land use application and not subsequent annual renewals”.
3. Change distance from schools from 500 feet to 1000 feet.
4. Revise text to read, “other marijuana businesses” instead of referring to medical, recreational, dispensaries, etc.

A motion to approve as amended by discussion with the 4 revisions is made by Commissioner Fawcett and is seconded by Commissioner Weidman. Passed by All.

### **7. NEW BUSINESS**

- a) Discussion and or Action on Consideration of Craig McNamara letter of interest. The applicant expressed his interest of serving on the board and doing his part to shape Aurora.

A motion to recommend Craig McNamara to the City Council for appointment to the Aurora Planning Commission is made by Commissioner Gibson and is seconded by Commissioner Fawcett.

- b) Discussion and or Action on nomination of New Vice Chair, Commissioner Fawcett and Rhoden –Feely were both considered and Rhoden-Feely accepted the nomination.

### **8. OLD BUSINESS**

- a) NA

### **9. COMMISSION/DISCUSSION**

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

City Planner Wakeley gives a brief overview of a training she attended regarding medical marijuana in Oregon.

- Measure 91 potential for January 2016.
- How the law regulates reasonable time path and manner
- Summarizes 3 options to prohibit through business license, local tax and control: time, space and manner. They recommended the language be restrictive not permissive.

To name a few.

## **10. ADJOURN**

Chair Schaefer adjourned the April 7, 2015 Aurora Planning Commission Meeting at 8:07 P.M.

---

Chair Schaefer

ATTEST:

---

Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, March 17, 2015, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT** Kelly Richardson, City Recorder  
Mary Lambert, Finance Officer  
Darrel Lockard, Public Works Superintendent  
Dennis Koho, City Attorney

**STAFF ABSENT:** Pete Marcellais, Marion County Deputy

**VISITORS PRESENT:** None

---

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

Meeting was called to order by Mayor Bill Graupp at 7:05 pm

**2. CITY RECORDER DOES ROLL CALL**

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

**3. CONSENT AGENDA**

- a) City Council Meeting Minutes – February, 2015
- b) Planning Commission Minutes – February, 2015
- c) Historic Review Board Minutes – January, 2015

**4. CORRESPONDENCE –**

- a) Letter of Resignation from Councilor Brotherton,

A motion to accept Scott Brotherton' resignation from City Council and declare an open position on Council is made by Councilor Sallee and is seconded by Councilor Vlcek. Passed by all.

- b) Letter of Interest from Bob Southard to join City Council, Councilor Vlcek asks Mayor Graupp if in conversations he informed this applicant there is no need to apply because another applicant had already applied and was the favored applicant. Mayor Graupp states no that he had not told the applicant not to apply.

- c) Letter from BMI informing us they can no longer fulfill their contract. Councilor Vlcek asks if there was a reason given and Mayor Graupp informs him that the only thing they sent was this letter. Mayor Graupp states my guess is that since we had taken the cross connection program away this could be a portion of the problem.

**5. Declaring an Open Position on Council**

A motion to accept Scott Brotherton' resignation from City Council and declare an open position on Council is made by Councilor Sallee and is seconded by Councilor Vlcek. Passed by all.

**6. Visitor**

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

Bob Southard, Aurora  
Joseph Schaefer, Aurora  
Rob Graham, Aurora  
Ben Williams, Friends French Prairie  
Annie Kirk, Aurora  
Greg Leo, Wilsonville  
Mike Iverson, Marion County  
Tara Weidman, Aurora  
Scott Brotherton, Wilsonville

Greg Leo, I urge you to support the Willamette Falls Locks reopening and draft a resolution of such support.

Ben Williams, again urges City Council to write a letter not supporting Senate Bill 534 and get it sent out very soon.

**7. REPORTS**

a) Mayor Bill Graupp

- Mayor report on Senate Bill 534 currently it is stalled in the house and nothing has been scheduled. Vic Gilliam's assistant had informed me that Mr. Gilliam wanted to meet with me however no one ever called back. At the Aurora Planning Commission meeting last week it was very informative meeting there was a lot of good information presented however there was also a fair share of misinterpreted information given as well. At that meeting Chair Schaefer asked the question if they were against Airport growth the majority of the people who made statements simply wanted them to have to follow the process. I did speak with Rob Howard with DLCD and he informed me no matter what you still would be required to apply for a goal exception with DLCD. Now I really understand Senator Girards statement that this bill is doing what he thought it was designed to do which is stimulate conversations. At last week's meeting the Aurora Planning Commission voted 6 to 1 to write a letter of opposition to Senate Bill 534.

Mayor Graupp goes on to say that according to his conversations this is a nothing bill it still requires a goal exception however since we have a recommendation from Planning we will send a letter.

Council discussed, Both Councilors Sahlin and Sallee agree that they went to a lot of trouble on this bill for it to do nothing and since we have a recommendation from Planning we should send a letter of nonsupport.

Members of the audience Tara Weidman, Mike Iverson, Greg Leo, Ben Williams, Annie Kirk and Spud Spurb also state that a letter of opposition should be sent out by Aurora.

Mayor Graupp goes on to say, regardless of my position no one came to present the positives of what is trying to be done here, Wilsonville chamber leader who supported this bill has resigned. I was trying to balance the negatives and the positives. I am going to try to address some of the positive, if we were to consider this it could be a lucrative deal where we could get the funds and facts we could ask the state to do a feasibility study to see the long range goals of this and if it is beneficial to the city or not. If we don't take a positive outlook and or collaboration with other cities and share costs we could miss out on funding for things we need to continue. Since we don't have all of the facts and figures then we can't really make a decision. Also if there isn't collaboration between entities then things cannot happen. In the Planning Commission meeting I hear that we shouldn't support unless there is an annexation, Councilor Sahlin the problem I have is that they just didn't come and speak with us first they sneak and do something like this. Councilors Sallee and Vlcek agree with Sahlin' statement and all agree that without information needed that we shouldn't support the effort.

- Senate Bills 498 and 497 discussions, State of Oregon requires that upon receipt of notice that cities must annex UGB property at the request of all of the property owners and majority of the voters in the annex area without ability to vote on annexation. Greg Leo states that these are very bad bills and the League of Oregon Cities is not in support of them either. These bills really preempt cities authority on how to plan ahead. League is a strong no on both of these. These have a stronger implication that 534. The bills are sponsored by Senator Edwards Eugene's area chair of environment and energy committee. Leo stat that he doesn't think they have the votes to come out at this point.
- **Action item** from last meeting the house along 99E it is owned by an elderly couple who have no attachment to the home however they do not have the resources to do anything with it either. They asked if the city could help so I talked with Chief Yoder to see if they could do a learn and burn on it however it didn't sound like that would be an option. Anything that is done would first need to go through the HRB first.
- ACVA had their annual meeting and they voted in new officers except the treasurer they do now have a co-treasurer. Items that they do are the Aurora historic sign in town and they are looking into flowers and wreaths and maybe some banners to be placed around the business district. I was informed last week that someone has stepped up for the parade but we will need to see how that plays out.
- Orchard View turns out that the detention pond is considered a ground water detention pond and according to the City Engineer John Ashley we cannot remove it as it controls the flow to the river.

- Graupp states that as I try to get Aurora out there and be seen as a player, we really don't have the money to lobby like bigger cities around us, but it is nice to be at the table.

**ACTION:** Dennis Koho the City Attorney is directed to draft a letter in opposition of SB 534 based on council discussion. Councilor Sahlin is approved to review and sign on behalf of the city.

b) Marion County Deputy, absent

- Deputy report, City Recorder Richardson informs the council that the 2<sup>nd</sup> street stop sign has been taken care of as per Deputy Marcellais.

Council discussed, NA

**ACTION: NA**

c) Traffic Safety Committee

- Traffic report...

Council discussed, NA

**ACTION: NA**

d) Finance Officer

- Finance officer reports that there is still an opening on budget committee however I did find out that as long as I do my due diligence if we don't fill it there will be no problems. I am requesting that the budget meetings be at 7 rather than 6. We will need to decide if we are going out for RFP on auditors. Through discussion the council didn't feel it was necessary as long as the firm has internal controls on changing up who performs the audit that should be good enough.

Council discussed, NA

**ACTION:** Send out a new calendar with the time change for the budget meetings.

e) Public Works

- Public Works report, Flow meters were calibrated on March 3<sup>rd</sup> and I am working on getting the computers systems to work in unison of each other.
- This morning I notified the State regarding our cross connection program and that we no longer have one. During that conversation I found out that if there is a backflow device in the ground routine testing must be done, which is in conflict with what BMI had told me and have been doing often times they only test half of them and call it good. We are continuing to remove unneeded devices and working on a plan for those that will need to be tested annually.

**Council discussed** that the two reports on file regarding the tree grove in the park are conflicting and they discuss a plan to move forward with identifying trees that have issues and are unsafe. If there are trees that have been identified Councilor Vlcek states we need to show good faith and take care of them. Councilor Sahlin requests we have a licensed professional take a look at the trees and make a recommendation done.

A motion is made by Councilor Sahlin to get bids from a licensed professional to assess the tree grove in the park by April 1, 2015 and if under \$2500.00 dollars authorize it to move forward before coming back to Council and is seconded by Councilor Sallee. Unanimously passed by all.

Councilor Vlcek asks if there was an official report done on the accident at the water filtration plant. Kelly has provided me with a sample report of what she is looking for so I will begin working on that.

**ACTION:** Superintendent Lockard is to be working on report of accident at the water filtration plant.

f) Parks Committee

- Park report, the ball field has been treated. Councilor Vlcek informs the group that there may be some type of State help for the ivy situation.

Council discussed, NA

**ACTION: NA**

g) City Recorder

- Recorder report is mostly routine and is read into the record.

Council discussed, the Springbrook proposal and that they were having a hard time following it.

**ACTION:** To get a simpler Springbrook report prior to the budget meetings.

h) City Attorney

- City Attorney report, The Eddy property issue is moving forward there has been a lot of testing going on so it will be in better shape which ever outcome occurs.
- Mr. Sills has requested a hearing before Council regarding his window violation. I hope to have it on the April agenda.

Council discussed, because of the discussion here tonight let's hold off on the Orchard View situation and contact John Ashley the City Engineer.

**ACTION:** the house along 99E which was discussed during the Mayors report.

## 8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- a) Discussion and or Action on Draft Resolution for the Willamette Falls Locks re-opening. Council would like a resolution on the April agenda for this item.

**9. NEW BUSINESS**

- a) Discussion and or Action on Appointing a Budget Officer for FY 2015/2016, Mayor Graupp volunteers and Councilor Sallee asks why are we not having our Finance Officer doing this and the Council asks Lambert if she wants to be the budget officer and she states yes I would.

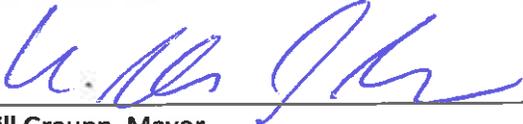
A motion is made by Councilor Vlcek to appoint Finance Officer Lambert as the FY 2015/2016 Budget Officer and is seconded by Councilor Sallee. Passed by all.

- b) Discussion and or Action on RFP for New Water Quality Testing Company. We are going to attempt to bring this in house first.
- c) Discussion and or Action on Draft Resolution for re-opening of Willamette Falls Locks, this will be on the April agenda.
- d) Discussion and or Action on joining the National Heritage Area Designation, Councilor Vlcek asks if this would have any cost or issues for Aurora. Mayor Graupp states no cost involved and no new rules to follow. Greg Leo informs the group that it basically puts you on a map and provides promotions for your city.

**10. OLD BUSINESS**

- a) NA

**11. ADJOURN**, The March 17<sup>th</sup> Council Meeting was adjourned by Mayor Graupp at 9:05 P.M.

  
\_\_\_\_\_  
Bill Graupp, Mayor

ATTEST:

  
\_\_\_\_\_  
Kelly Richardson, CMC  
City Recorder

**Minutes**  
**Aurora Historic Review Board Meeting**  
Thursday, March 26, 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:** Bill Graupp, Mayor  
Joseph Schaefer, Aurora

---

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

The meeting of March 26, 2015 was called to order by Chair Abernathy at 7:18 pm

**2. CITY RECORDER DOES ROLL CALL**

Chair Abernathy – Present  
Member TBA  
Member Frochen – Absent  
Member Fraser – Present  
Member Townsend - Present

**3. CONSENT AGENDA**

- a) Historic Review Board Meeting Minutes – February 26, 2015
- b) City Council Minutes – February, 2015
- c) Planning Commission – February, 2015

A motion to approve the Historic Review Board minutes of February 26, 201, as presented 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.

No one spoke at this time.

**6. NEW BUSINESS**

- a) Discussion and or Action on Code Text Amendment Regarding Medical Marijuana in the Historical Overlay. The board is unanimously against this taking place in the Historic Overlay because,
  - 1. Concerns regarding preservation of the historic character of the area.
  - 2. Concerns with the types of businesses located in the overlay as they are primarily family orientated.
  - 3. They do not feel it will blend well with its surrounding.
  
- b) Discussion and or Action on Fence Application at 14685 Lloyds Lane property owner Lee Torian. This is a non-contributing structure and the fence would be a 6ft fence made of cedar we have 3 styles to choose from the board states that all 3 styles would be acceptable. Currently there is a fence along Airport Rd that is a stock wire that would need to be kept the same or replaced with wood only so the applicant is only going to repair what is existing at this time because they didn't want to go the added expense of replacing with all wood.

Motion to approve as presented along the back side of property with either style 1, 2 and 3 was made by Member Townsend and is seconded by Member Fraser.

**7. OLD BUSINESS**

- a) Discussion and or Action on Sign Inventory, City Recorder reports the letters went out on March 12.
- b) Discussion and or Action/Continuation on the sign application for 21668 Hwy 99E Aurora Dental Davenport. This is a wall sign made of a urethane wood composite material the coloring is dark background with light lettering. The board explains to the applicant that the sign itself is acceptable except the reversed dark/light is not. The sign needs a lighter background with darker lettering then it would be in compliance with the code. The board did discuss briefly the graphics on the window and they informed the applicant they would be acceptable.

**Action: Applicant agrees to come back at the next meeting with a solution to making the sign compliant.**

**8. ADJOURN, Chairman Abernathy adjourned the meeting of March 26, 2015 at 8:25 pm.**

\_\_\_\_\_  
Gayle Abernathy, Chairman

ATTEST:

\_\_\_\_\_  
Kelly Richardson, CMC  
City Recorder

**From:** Wakeley, Renata [renatac@mwvcog.org]  
**Sent:** Monday, April 20, 2015 2:54 PM  
**To:** Donald City Manager; recorder  
**Subject:** FW: Business Development Grants Available in Marion County

FYI. Please include in upcoming PC and CC packets and note the fund sources is for private sector businesses and has a deadline of Thursday May 14, 2015.

Thank you.

Renata Wakeley, Community Development Director  
Mid-Willamette Valley Council of Governments  
100 High Street SE, Suite 200  
Salem, OR 97301  
(ph) 503-540-1618  
(fx) 503-588-6094

**From:** Sarah Cavazos [<mailto:SCavazos@co.marion.or.us>]  
**Sent:** Monday, April 20, 2015 2:34 PM  
**To:** [bcummins@diana-food.com](mailto:bcummins@diana-food.com); [terri@firstcommercialoregon.com](mailto:terri@firstcommercialoregon.com); Evann Remington; Allison McKenzie; [aj@hancockcre.com](mailto:aj@hancockcre.com); [bobhill62@hotmail.com](mailto:bobhill62@hotmail.com); [kemblejj@me.com](mailto:kemblejj@me.com); [Tchambers@missionmedicalimaging.com](mailto:Tchambers@missionmedicalimaging.com); [jim@modernbuildingsystems.com](mailto:jim@modernbuildingsystems.com); Wakeley, Renata; [cfreeman@sedcor.com](mailto:cfreeman@sedcor.com); [mitchell.gee@state.or.us](mailto:mitchell.gee@state.or.us); Morris, Angie; [Lesa.Goff@wellsfargo.com](mailto:Lesa.Goff@wellsfargo.com)  
**Cc:** Kevin Cameron; [tfrazier@jobgrowers.com](mailto:tfrazier@jobgrowers.com); [forrest@meritnw.org](mailto:forrest@meritnw.org); Derek Godwin (OSU)  
**Subject:** Business Development Grants Available in Marion County

Good afternoon,

The Marion County Community Services department opened the Business Development Grants program for applications on April 16, 2015. The grants are available to private sector businesses in Marion County (see web-link below). Please share the information below as you see fit. If you have any questions that I can answer please don't hesitate to contact me.

Thank you for all you do to support the economy in Marion County!

-----  
The Marion County's Economic Development Oregon Lottery Grants program is now accepting applications for Business Development grants for the 15/16 program funding cycle. Private sector businesses may requests up to \$50,000 for projects which will create new jobs within Marion County. Applications are due by noon on Thursday May 14, 2015.

Additional information regarding eligible projects and the application materials can be found online at: <http://www.co.marion.or.us/CS/EconomicDevelopment>

**Sarah Cavazos**  
**Management Analyst**  
**Marion County Community Services**  
**Phone: (503) 589-3234**  
**Fax: (503) 373-4460**

**CONFIDENTIALITY NOTICE:** This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive information for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, please advise the sender immediately by reply email and delete this message. Thank you

## **ACTION PLAN**

**Developing an Action Plan** - Develop a plan of action that balances community desires with available capacities and resources to actuate that future vision.

The tables below represent a continuation of the Aurora 2017 Vision Report and underlying Vision Themes and Guiding Principles which were adopted by the Aurora Planning Commission and the Aurora City Council in June 2007.

The Aurora Planning Commission, working with the 2017 Vision Report, has developed the attached Action Plan in an attempt to more clearly outline processes to assist in achieving the five Vision Themes.

In some cases, the Action Items and Tasks are unassigned and need an interested person(s) to come forward and work toward accomplishing the Vision Theme and/or Guiding Principle. In other cases, Responsible Parties have already come forward to complete Action Items and Tasks and have shown significant progress. The Planning Commission hopes the tables below will function as a evolving document that:

- \*Recognizes the importance of continuing the community engagement process to complete the Action Plan.

- \*Includes recommendations for implementing the Aurora 2017 Vision.

- \*Identifies partners for implementation, including responsible parties and a timeline and process for implementation.

- \*Informs the future development and implementation of the City's Comprehensive Plan and other long range plans of the City.

The Planning Commission intends to revisit the Action Plan in the early part of every year in order to update accomplishments and assign new priorities for the year.

**VISION THEME 1. MAINTAIN SENSE OF PLACE.**

Aurora will work to maintain its small town, village atmosphere, defined by its identity as a village in a rural setting, and to protect and enhance its rich heritage and historic district.

*Guiding Principle 1.1: Protect and enhance Aurora’s rich heritage and historic district, being mindful of what we have inherited.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame            | Responsible Parties                                 | Funding Resources   |
|---|-----------------------|---|---|
| 1.1A - Maintain and restore the look of existing buildings to retain the historic character.  |                       | Business and Homeowners, CC, HRB, PC                |   |
| 1.1B - Plan and design buildings and infrastructure in such a way to increase social interaction among community members.<br><br><input type="checkbox"/> Update policies to promote development that increases social interaction among community members.<br><br><input checked="" type="checkbox"/> Apply for TGM Code Assistance Grant.<br><br><input checked="" type="checkbox"/> Complete Development Code assessment and update to address development design standards. | Ongoing               | Parks Committee, City Planner, PC, CC               |   |
|   | Nov. 2011 – Dec. 2011 | City Planner  | Code Update funded with Rural Investment Fund (RIF) grant |
|   | Jan. 2009 – June 2011 | PC, CC, City Planner, HRB                           | Code Update funded with Rural Investment Fund (RIF) grant |
| 1.1C - Encourage awareness of heritage and educate people on history of Aurora.<br><br><input checked="" type="checkbox"/> Copy of the Aurora zone map, with Historic District Boundary, to be placed on city’s website   | Ongoing               | COC, Aurora Colony Visitors Assoc., HRB, PC, Museum |   |
|   | April 2011            | City staff  |   |
| 1.1D - Improve design standards for signs.<br><br><input type="checkbox"/> Update and enforce sign code.  |                       |   |   |
|   | 2014                  | City Planner, PC, CC, HRB                           | DLCD Model Sign Code, city funding                        |
| 1.1E - Use exterior architecture and public art, such as sculptures and murals, as a way to visually identify with Aurora's history.<br><br><input type="checkbox"/> Establish an Aurora Arts Assoc. as a non-profit to receive   |                       |   |   |
|   |                       | Local artists, HRB, CC                              | Oregon Cultural Trust                                     |

|         |  |  |  |
|---------|--|--|--|
| grants. |  |  |  |
|---------|--|--|--|

*Guiding Principle 1.2 Use clear and objective standards to encourage appropriate new development.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties                | Funding Resources |
|---|------------|------------------------------------|-------------------|
| 1.2A - Improve design standards to ensure that new construction is compatible with the historic character in the historic district and gateway areas.<br><br><input checked="" type="checkbox"/> Update and enforce Historic District guidelines<br><br><br><br><input checked="" type="checkbox"/> Update and enforce gateway standards. |            |                                    |                   |
|   | 2013       | Business, land and business owners |                   |
|   | 2010       | CC, PC                             |                   |
| 1.2B/5.5A - Review guidelines for appropriate landscaping and its maintenance.<br><br><input type="checkbox"/> Update and enforce Aurora Municipal Code.  |            |                                    |                   |
|   | Ongoing    | CC, HRB, PC                        |                   |
| 1.2C - Review design guidelines/standards for development outside the historic district to encourage consistent look and neighborliness (i.e., front porches).<br><br><input checked="" type="checkbox"/> Update current design standards for properties outside Historic District and Gateway.   |            |                                    |                   |
|   | 2009-2010  | Developers, PC, CC                 |                   |

*Guiding Principle 1.3: Create strong visual gateways into and through Aurora and its historic district that reflect arrival to the village.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties               | Funding Resources              |
|---|------------|-----------------------------------|--------------------------------|
| 1.3A/3.5A - Improve gateway standards to be more business friendly; create entry and transition areas to retain identity, preserve historic architectural styles on new buildings.<br><br><input type="checkbox"/> Review and update Downtown Master Plan Report (2000)<br><input type="checkbox"/> Apply for grants for transition signage in gateway area and | 2009-2019  |                                   |                                |
|   | 2014       | PC, HRB, CC, Visitors Association | Oregon Arts Commission, Oregon |

|   |  |                               |   |
|---|--|-------------------------------|---|
| historic district   |  |                               | Cultural Trust, or Small Community Incentive Fund (Oregon Housing and Community Services) |
| 1.3B - Provide lights for homes in Historic District during Christmas (such as what was done in Albany).  |  |                               |   |
| <input type="checkbox"/> Provide lights and appropriate décor for homes and businesses in downtown and historic district during holiday season. |  | CC, HRB, Visitors Association | funding   |

*Guiding Principle 1.4: Encourage maintenance and upkeep of buildings and landscaping throughout the town.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties   | Funding Resources |
|---|------------|---|-------------------|
| 1.4.A - Hold community improvement days to maintain public areas.   | Ongoing    | Community volunteers, Homeowners, PC, Parks Committee, CC, Public Works |                   |
| 1.4B - Create volunteer program to offer assistance in property maintenance for residential property owners in need.  |            |   |                   |
| <input checked="" type="checkbox"/> Raise awareness of Housing Rehab program. Include program brochure with utility mailings.   | Ongoing    | MWVCOG, City Staff  | MWVCOG            |
| 1.4C - Encourage youth involvement for community service to help with improvements.   |            | Local high school students, Residents                                   |                   |
| 1.4D - Provide examples in community newsletter or other local publications (e.g. with water bill) of what is historically appropriate for landscaping, fencing, etc. | 2014       | HRB, City staff, Community, Museum                                      | volunteer         |

**VISION THEME 2 COMMUNITY ENGAGEMENT.**

The Aurora community will build upon its history of working together to control its future in the face of internal growth and external development pressures through increased volunteerism, community events and activism. City leaders will continue to actively engage the community and develop partnerships with civic and professional organizations. Volunteers will help to inform the community of events and issues by reaching out to their neighbors.

*Guiding Principle 2.1: Encourage the development of more gathering places (both public and private).*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties                           | Funding Resources |
|---|------------|---|-------------------|
| 2.1A - Develop and maintain a community wish list for new public and private owned gathering places; inventory and evaluate locations. Possibilities include Saturday Market, City Hall, restaurants and cafes. | 2005-2017  | Parks Committee, CC                           |                   |
| 2.1B - Enhance existing public places to encourage more community interaction. Possibilities include park tents, benches, landscape improvements, and a kiosk.  |            | CC, Business, Parks Committee, Community org. |                   |

*Guiding Principle 2.2: Promote additional social activities for the community.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame       | Responsible Parties                        | Funding Resources |
|--|------------------|--|-------------------|
| 2.2A - Organize community events, such as Aurora Colony Days. Possibilities include block parties, holiday events, sausage or ice cream feeds, athletic events, art festivals, canoe rides, tree planting days, community competitions, and town hall meetings.<br><br><input checked="" type="checkbox"/> Support for a Saturday Market |                  | Community org., Business                   |                   |
| 2.2B - Publish a community newsletter to inform community members about local events and news, potential development of an internet based information distribution system (such as a   | 2011 and Ongoing | City staff, Community, Planning Commission |                   |

|              |  |  |  |
|--------------|--|--|--|
| list serve). |  |  |  |
|--------------|--|--|--|

*Guiding Principle 2.3: Actively welcome new residents and businesses.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame | Responsible Parties   | Funding Resources |
|--|------------|---|-------------------|
| 2.3A - Establish a welcoming committee of community members to personally reach out to new residents and businesses.   |            | Visitors Association, Historical Society, Community           |                   |
| 2.3B - Create a community guidebook describing the community, including a community calendar, Aurora businesses, consumer services and important contacts.   |            | Aurora Colony Visitor's Assoc., Historical Society, Community |                   |
| 2.3C – Publicize the museum’s self-guided walking tour (available for purchase).<br><input type="checkbox"/> Council to initiate contact with Historical Society Director for feedback/input on additional outreach efforts. | 2014       | Aurora Colony Visitor's Assoc., Historical Society            |                   |

*Guiding Principle 2.4: Develop partnerships with neighboring jurisdictions, such as schools, counties, neighboring cities and special districts, to collaborate on issues of common interest and concern.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame          | Responsible Parties | Funding Resources |
|---|---------------------|---------------------|-------------------|
| 2.4A - Encourage neighboring jurisdictions to participate in Aurora community events.<br><br><input checked="" type="checkbox"/> Update Intergovernmental Agreement (IGA) between County, ODA and City<br><br><input checked="" type="checkbox"/> Attend French Prairie and Positive Aurora Airport Management (PAAM) meetings. |                     |                     |                   |
|   | Feb. 2008           | CC, PC              |                   |
|   | Feb. 2008 (ongoing) | PC                  |                   |
| 2.4B - Establish a forum with other neighboring jurisdictions to periodically address regional issues. Attend French Prairie and Positive Aurora Airport Management (PAAM) meetings   | Ongoing             | CC, PC              |                   |

*Guiding Principle 2.5: Encourage and support increased volunteerism and individual contribution.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame | Responsible Parties     | Funding Resources |
|--|------------|-------------------------|-------------------|
| 2.5A – Create an inventory of community resources, including skills and knowledge held by community members. Distribute the inventory to promote resource sharing and draw upon the inventory for community event support.<br><input type="checkbox"/> Council to appoint a community resources/community volunteer liaison. |            | CC, Community           |                   |
| 2.5B - Provide rewards or prizes at community events to encourage turnout such as at Aurora Colony Days.   |            | Business, Community, CC |                   |

*Guiding Principle 2.6: Encourage community involvement in the process of shaping Aurora's future.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties | Funding Resources         |
|---|------------|---------------------|---------------------------|
| 2.6A - Sponsor community events to foster greater government involvement by community members. Possibilities include an annual Visioning Day and periodic town hall meetings.<br><input type="checkbox"/> Council to appoint a community events liaison.                |            | CC, PC              |                           |
| 2.6B - Promote easier ways for community members to get involved in government activities. Possibilities include shorter Committee terms, alternative meeting times or locations, provision of childcare, and larger meeting spaces to accommodate expanded attendance. |            |                     |                           |
| <input type="checkbox"/> Update Goal 1 (Citizen Involvement) Plan   | TBD        | City Planner, PC    | TBD                       |
| <input checked="" type="checkbox"/> Conduct public open house, a yearly community recognition event, and/or surveys in conjunction with planning activities and code updates.   | Ongoing    | CC, PC, City Staff  | TGM grant, DLCDC TA grant |
| <input checked="" type="checkbox"/> Include planning project information in community newsletter  | Ongoing    | City Staff          | City                      |
| <input checked="" type="checkbox"/> Update City of Aurora website with planning information,  | Ongoing    | City Staff          | City                      |

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties | Funding Resources        |
|---|------------|---------------------|--------------------------|
| e.g. draft plans, calendar of events.   |            |                     |                          |
| 2.6C - Create additional methods of communication between the City of Aurora government and community members. Possibilities include a new or expanded website, kiosk, and audio recordings of government meetings. |            |                     |                          |
| <input type="checkbox"/> Update Goal 1 (Citizen Involvement) Plan   | TBD        | City Planner, PC    | TBD                      |
| <input checked="" type="checkbox"/> Conduct public open house, a yearly community recognition event, and/or surveys in conjunction with planning activities   | Ongoing    | CC, PC, City Staff  | TGM grant, DLCD TA grant |
| <input checked="" type="checkbox"/> Include planning project information in community newsletter  | Ongoing    | City Staff, PC      | City                     |
| <input checked="" type="checkbox"/> Update City of Aurora website with planning information, e.g. draft plans, calendar of events.  | Ongoing    | City Staff, PC      | City                     |
| <input checked="" type="checkbox"/> Picnic in the park as part of Aurora Colony Days.   | annually   | City Staff          | Contributions            |

*Guiding Principle 2.7: Promote involvement and investment in Aurora youth.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame | Responsible Parties                                      | Funding Resources |
|--|------------|--|-------------------|
| 2.7A -Encourage contributions to youth groups and sponsorship of youth focused events and infrastructure. Possibilities include a skate park, athletic events, add a soccer field, public art projects and historic activities.  |            | CC, Parks Committee, Historical Society, Community       |                   |
| 2.7B - Institute a public safety week to increase awareness about drug and alcohol use, public health and other public safety topics. Invite local police and fire officials and other community members to address Aurora youth.<br><input type="checkbox"/> Council to initiate contact with Fire Dept to organize | Annually   | CC, Aurora Police Dept., Aurora Fire District, Community |                   |
| 2.7 C- <input checked="" type="checkbox"/> Little Miss Pioneer   | Annually   | Volunteers   | Donations         |

VISION THEME 3 **MANAGED GROWTH.**

Aurora experienced fast residential growth following the completion of the sewer system in 2001. In the next ten years, Aurora will work to establish clear standards and targets for balanced residential, commercial and industrial development to provide an expanded revenue base, allowing for the provision of public infrastructure and city service, while maintaining livability. Balanced development will help to ensure that infrastructure and city services keep pace with growth.

*Guiding Principle 3.1: Retain and encourage small businesses and restaurants in commercial area that can serve both residents and tourists.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame            | Responsible Parties  | Funding Resources |
|---|-----------------------|--|-------------------|
| 3.1A/3.5B - Improve quality of streetscape. Provide sidewalks, street trees, pedestrian scale lighting and safe, accessible street crossings.<br><br><input checked="" type="checkbox"/> Review and update street cross sections as part of the TSP update.   |                       |  |                   |
|   | Mar. 2008 – June 2009 | Consultant, City Planner, PC, CC, HRB                            | TGM Grant 07-09   |
| 3.1B - Establish business incubator programs. This will help existing and new businesses to succeed in Aurora.  |                       | Business, Aurora Colony Visitors Assoc.                          |                   |
| 3.1C - Promote commercial areas through a City newspaper and Aurora visitors brochure. The newspaper could be used to communicate sales or activities to community members.   |                       | Business, community  |                   |
| 3.1D/3.5E - Develop parking mgmt program for commercial area. This will study current parking utilization, potential commercial growth and parking demand, appropriate placement of parking and opportunities for more efficient joint-use of parking facilities.<br><br><input checked="" type="checkbox"/> Apply for TGM Code Assistance Grant.<br><br><input type="checkbox"/> Incorporate Development Code assessment and update to address parking design standards. |                       |  |                   |
|   | Nov. 2008 – Dec. 2008 | City Planner   | TGM Program       |
|   | 2014                  | Consultant, PC, CC, City Planner, Traffic Safety Committee (TSC) | TGM Program       |

*Guiding Principle 3.2: Encourage a balance of residential, commercial and light industrial growth in appropriate areas.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties  | Funding Resources |
|--|-----------------------|----------------------|-------------------|
| 3.2A/3.6A - Develop an Economic Opportunities Analysis (EOA). This document should identify issues of importance to the City of Aurora and include goals and a strategic plan to help the City Council and Planning Commission achieve economic goals.<br><br><input checked="" type="checkbox"/> Apply for DLCDC TA Grant<br><br><input checked="" type="checkbox"/> Hold public hearings and adopt EOA into the Comprehensive Plan and UGB findings. |                       |                      |                   |
|  | Nov. 2007 – Feb. 2008 | City Planner         | DLCDC TA Grant    |
|  | June 2009 – Aug. 2009 | City Planner, PC, CC | City              |
| 3.2B - Consider economic needs of Aurora community through appropriate UGB expansion and zoning of new lands within the UGB and considering all zoning to include residential, commercial and industrial.  | Ongoing               | PC, CC               |                   |
| 3.2C - Develop and Economic Opportunities Analysis. This document should identify issues of importance to the City of Aurora and include goals and a strategic plan to help the City Council and Planning Commission achieve economic goals.<br><br><input checked="" type="checkbox"/> Apply for EOA study funding  |                       |                      |                   |
|  | Awarded               | PC, CC               | TA Grant          |

*Guiding Principle 3.3: Promote economic development through commercial and industrial growth that is needed to provide an expanded revenue base.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties                         | Funding Resources |
|--|-----------------------|---|-------------------|
| <p>3.3A/3.3C/3.7A/3.8B - Create an Economic Development Plan for the City of Aurora. This department would be responsible for initiating and encouraging activities to promote economic growth while engaging Aurora residents to maintain livability and small town atmosphere.</p> <p><input checked="" type="checkbox"/> Complete EOA and adopt updated economic development goals and policies to encourage light commercial/industrial development.</p> <p><input type="checkbox"/> Consider UGB expansion to meet city's commercial/ industrial land needs.</p> <p><input checked="" type="checkbox"/> Coordinate airport planning efforts with ODA, Marion, Clackamas Counties and agricultural interested parties.</p> <p><input type="checkbox"/> Create an Economic Development Plan.</p> <p><input checked="" type="checkbox"/> Apply for an Enterprise Zone to encourage job creation and capital investment</p> |                       |   |                   |
|  | June 2008 – Aug. 2009 | City Planner, PC, CC                        | DLCD TA Grant     |
|  | Ongoing               | City Planner, PC, CC                        | DLCD TA Grant     |
|  | Ongoing               | City Planner, PC, CC                        |                   |
|  | TBD                   | PC  | TBD               |
| <p>3.3B - Establish business incubator programs. This will help existing and new businesses to succeed in Aurora.</p> <p><input type="checkbox"/> Continue to identify and market economic development opportunities and commercial and industrial lands</p> <p><input type="checkbox"/> Legislative review of development code to look at recent interest in food carts as an economic develop tool.</p>  | 2014                  | Business, CC, Aurora Colony Visitors Assoc. |                   |
| <p>3.3C/3.7A/3.8B - Promote appropriate light commercial/industrial development close to Aurora Airport, without negatively impacting surrounding agricultural area.</p>   | Ongoing               | PAAM, CC, PC, Marion County                 |                   |
| <p>3.3D - Recruit economic development experts to explore expanding tax base. Until an Economic Needs Analysis can be completed, a team of economic development experts from the community could be established to start detailing out strategies for expanding the tax base in the City of Aurora.</p>  |                       | Economic Development experts, PC, CC        |                   |

|  |  |  |  |
|--|--|--|--|
| <input checked="" type="checkbox"/> Contract with SEDCOR for assistance on economic development and marketing. |  |  |  |
|--|--|--|--|

*Guiding Principle 3.4: Create appropriate transitions between industrial, commercial and residential uses in newly developing areas, and between 99E and residential development.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame            | Responsible Parties              | Funding Resources   |
|---|-----------------------|----------------------------------|---|
| <p>3.4A - Develop and apply site design guidelines for new development that provide appropriate transitions between different land uses through landscaping, setbacks, and site planning to provide a more seamless urban fabric.</p> <p>3.4B/3.5E - Revisit zoning code to ensure that exclusive residential development within the UGB does not abut 99E and that commercial properties have adequate depth for viable development opportunities and appropriate transition to residential development.</p> |                       |                                  |   |
| <input checked="" type="checkbox"/> Update Comprehensive Plan policies to emphasize the need for appropriate land use transitions.  | Nov. 2008 – Aug. 2009 | City Planner, PC, CC             | DLCD TA grant   |
| <input checked="" type="checkbox"/> Review city zoning map and Development Code to determine what uses are currently permitted on properties located adjacent to 99E.   | 2011-2012             | City Planner, PC                 | TGM outreach workshop funded in 2011                      |
| <input type="checkbox"/> Amend zoning map and Development Code as needed to ensure exclusive residential development does not abut 99E.   | 2014-2015             | City Planner, PC, CC             | TGM outreach workshop funded in 2011                      |
| <input checked="" type="checkbox"/> Apply for TGM Code Assistance grant.  | Nov. 2008 – Dec. 2008 | City Planner                     | Code Update funded with Rural Investment Fund (RIF) grant |
| <input checked="" type="checkbox"/> Complete Development Code assessment to determine current site design requirements and deficiencies.  | Jan. 2009 – Dec. 2009 | Consultant, City Planner, PC, CC | TGM program   |
| <input checked="" type="checkbox"/> Amend Development Code as needed to provide appropriate transitions between different land uses.  | Jan. 2009 – June 2011 | Consultant, City Planner, PC, CC | Code Update funded with Rural Investment Fund (RIF) grant |

*Guiding Principle 3.5: Create a “main street” feel along 99E through appropriate commercial and mixed uses and appropriate gateway standards.*

| Action Item<br>□ Task  | Time Frame | Responsible Parties                               | Funding Resources |
|--|------------|---|-------------------|
| 3.5A - Improve gateway standards to be more business friendly; create entry and transition areas to retain identity, yet avoid replicating historic architectural styles on new buildings.   | 2010       | PC, HRB, Aurora Colony Visitors Assoc.            |                   |
| 3.5B - Improve quality of streetscape along 99E. Provide sidewalks, street trees, pedestrian-scale lighting, and safe, legible street crossings utilizing pedestrian refuges and center medians where appropriate.   | 2009-2012  | ODOT, PC, HRB, Aurora Colony Visitors Assoc., TSC |                   |
| 3.5C - Work with ODOT planners and engineers to develop a tree planting program along 99E within City limits.  | 2009       | ODOT, PC, CC                                      | TSP               |
| 3.5D - Revisit zoning code to ensure exclusively residential development within the UGB does not abut 99E. Ensure commercial properties have adequate depth for viable development opportunities and appropriate transition to residential development.            | 2014       | PC, CC, ODOT                                      |                   |
| 3.5E - Develop parking management program for commercial area. This will study current parking utilization, potential commercial growth and parking demand, appropriate placement of parking and opportunities for more efficient joint-use of parking facilities. |            | PC, CC, TSC                                       |                   |

*Guiding Principle 3.6: Work to control growth inside the Urban Growth Boundary (UGB) and influence forces outside the UGB to ensure viable balanced economic growth.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties                       | Funding Resources  |
|---|------------|---|--|
| 3.6A - Develop an Economic Needs Analysis/Assessment for the Aurora Airport. This document should identify issues of importance to the City of Aurora and include goals and a strategic plan to help the City Council and Planning Commission achieve economic goals. | 2014-2015  | PC, CC, Planning Consultant               | TGM, Economic Development Administration, USDA Rural Development |
| 3.3A/3.6B - Create an Economic Development Plan for the City of Aurora. This Department would be responsible for initiating and encouraging activities to promote economic growth while engaging Aurora residents to maintain livability and small town atmosphere.   | 2014-2015  | CC, PC, Economic Development experts, HRB |  |

*Guiding Principle 3.7: Work to ensure that the expansion of services and industry at and around the airport protect the livability of Aurora.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties              | Funding Resources |
|---|------------|----------------------------------|-------------------|
| 3.3A/3.7A - Promote appropriate light commercial/industrial development close to Aurora Airport, without negatively impacting surrounding agricultural area.  |            | PAAM, CC, PC, Marion County      |                   |
| 3.3A/3.7B - Create a Committee to research the desirability and feasibility of UGB expansion and Aurora Airport annexation.<br><input type="checkbox"/> Form a Citizen Action Committee (CAC)<br><input type="checkbox"/> Identify funding sources to complete above tasks.<br><input type="checkbox"/> Identify legal requirements needed to annex airport.<br><br><input checked="" type="checkbox"/> Review public facility master plans to determine whether or not adequate public facilities exist to serve the airport area. |            | PC, CC                           |                   |
|   |            | CAC, City Planner                |                   |
|   |            | CAC, City Attorney, City Planner |                   |
|   |            | CAC, City Engineer, City Planner |                   |

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties              | Funding Resources |
|---|------------|----------------------------------|-------------------|
| <input type="checkbox"/> Identify amendments needed to public facility plans that would be required to serve airport area.<br><input type="checkbox"/> Estimate infrastructure improvement costs needed to serve airport area.<br><input type="checkbox"/> Coordinate with Marion County, Clackamas County and ODA.<br><input type="checkbox"/> Conduct public involvement to receive community feedback. |            | CAC, City Engineer, City Planner |                   |
|   |            | CAC, City Engineer               |                   |
|   | Ongoing    | CAC, City Planner                |                   |
|   |            | CAC, City Planner                |                   |

*Guiding Principle 3.8: Work to limit impacts on surrounding agricultural uses, recognizing the importance of this industry to Aurora and the region.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame              | Responsible Parties                        | Funding Resources |
|---|-------------------------|--|-------------------|
| 3.3C/3.8A - Consider agricultural community needs when expanding UGB.<br><input type="checkbox"/> Consider impacts to agricultural lands when considering how and where to expand the UGB.<br><input type="checkbox"/> Develop list of interested parties concerned with agricultural issues.<br><input type="checkbox"/> Notify agricultural community regarding any UGB expansion plans.<br><input checked="" type="checkbox"/> Continued coordination with PAAM and Friends of French Prairie. |                         |  |                   |
|   | March 2008 – March 2009 | City Planner, PC, CC, Marion County        | DLCD TA grant     |
|   | Jan. 2009 – Feb. 2009   | City staff, PC                             |                   |
|   | March 2009 – Aug. 2009  | City Planner, City Recorder, Marion County |                   |
|   | Ongoing                 | PC, City Planner                           |                   |
| 3.3A/3.3C/3.8B - Promote appropriate light commercial/industrial development close to Aurora Airport, without negatively impacting surrounding agricultural area.   |                         | PAAM, CC, PC, landowners                   |                   |
| 3.3A/3.3C/3.8C - Involve adjacent agricultural property owners early on in city initiated plan updates.   |                         | PC, City Planner                           |                   |

**VISION THEME 4. TRANSPORTATION.**

Aurora will work to create safe and efficient modes of travel for automobiles, pedestrians and cyclists. Aurora will increase connections between neighborhoods. The Aurora community will work collaboratively with the County and State agencies to integrate major thoroughfares into the community.

| Action Item<br><input type="checkbox"/> Task  | Time Frame            | Responsible Parties                   | Funding Resources             |
|---|-----------------------|---------------------------------------|-------------------------------|
| 4A - Explore feasibility of urban renewal funding for curbs, sidewalks, and underground utilities throughout the City.<br><br><input checked="" type="checkbox"/> Identify areas where curbs, sidewalks and underground utilities are deficient.<br><br><input checked="" type="checkbox"/> Identify funding sources in TSP update future funding analysis. |                       |                                       |                               |
|   | March 2008 – May 2008 | City Planner, TSP Advisory Committees | USDA- Rural Development grant |
|   | May 2008 – July 2008  | Consultant, TSP Advisory Committee    | USDA- Rural Development grant |

*Guiding Principle 4.1: Utilize traffic calming techniques on 99E and other streets to promote safety.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties                  | Funding Resources                              |
|--|-----------------------|--------------------------------------|--|
| 4.1A - Create safe pedestrian access across 99E.<br><br><input checked="" type="checkbox"/> Identify unsafe pedestrian areas along 99E.<br><br><input checked="" type="checkbox"/> Identify pedestrian safety improvement needs.<br><br><input checked="" type="checkbox"/> Identify funding sources in TSP update funding analysis. |                       |                                      |  |
|  | March 2008 – May 2008 | City Planner, TSP Advisory Committee | TGM Grant 07-09                                |
|  | March 2008 – May 2008 | City Planner, TSP Advisory Committee | TGM Grant 07-09                                |
|  | May 2008 – July 2008  | Consultant, TSP Advisory Committee   | TGM Grant 07-09                                |
| 4.1B - Partner with ODOT to seek assistance with planning, design and funding. The purpose of this partnership is to create safe pedestrian crossing of major streets such as 99E.<br><br><input checked="" type="checkbox"/> Prioritize pedestrian safety projects.   |                       |                                      |  |
|  | Ongoing               | TSP Advisory Committee, PC, CC       | TGM grant 07-09 and 2011 TGM Outreach Workshop |

| Action Item<br><input type="checkbox"/> Task   | Time Frame          | Responsible Parties                        | Funding Resources              |
|--|---------------------|--|--------------------------------|
| <input type="checkbox"/> Secure funding for high priority projects.<br><br><input type="checkbox"/> Complete planning and design for priority projects subject to available funding. | June 2009 (ongoing) | City staff, TSC                            | ODOT TEM                       |
|  | TBD                 | City staff, ODOT, Consultant services, TSC | ODOT Bike/Ped, TGM grant 09-11 |

*Guiding Principle 4.2: Improve local streets through innovative means.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties                        | Funding Resources |
|--|-----------------------|--|-------------------|
| 4.2A - Enhance residential neighborhoods. This includes enhancing streets with sidewalks and planting strips, and ensuring streets are maintained in good working order.<br><br><input checked="" type="checkbox"/> Update local street cross-section in TSP.<br><br><input checked="" type="checkbox"/> Revise PWDS and Development Code to be consistent with TSP. |                       |  |                   |
|  | Finish June, 2009     | TSP Advisory Committee, Consultant, PC, CC | TGM grant 07-09   |
|  | June 2009 – Aug. 2009 | City Planner, PC, CC                       |                   |

*Guiding Principle 4.3: Create safe, convenient and attractive bicycle and pedestrian routes providing for connections throughout the community.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties                   | Funding Resources   |
|--|-----------------------|---------------------------------------|---|
| 4.3A - Enhance residential neighborhoods to provide adequate routes for bicyclists and pedestrians.<br><br><input checked="" type="checkbox"/> Identify bicycle/pedestrian needs.<br><br><input checked="" type="checkbox"/> Update bicycle/pedestrian plan in TSP.  |                       |                                       |   |
|  | March 2008 – May 2008 | City Planner, TSP Advisory Committee  | TGM grant 07-09   |
|  | May 2008 – June 2009  | Consultant, TSP Advisory Committee    | TGM grant 07-09   |
| 4.3B/5.3B - Utilize existing public right of ways to construct paths for multi-use bike and pedestrian paths for recreation and connectivity.<br><br><input checked="" type="checkbox"/> Inventory existing bicycle and pedestrian paths.<br><br><input checked="" type="checkbox"/> Update bicycle/pedestrian plan in TSP<br><br><input checked="" type="checkbox"/> Prioritize bicycle and pedestrian paths.<br><br><input type="checkbox"/> Secure funding for high priority projects. Complete yearly reviews of Capital Improvement Plan (CIP) and TSP to identify annual project goals.<br><br><input type="checkbox"/> Complete planning and design for priority projects subject to available funding. |                       |                                       |   |
|  | March 2008 – May 2008 | City Planner, TSP Advisory Committee  | TGM grant 07-09   |
|  | May 2008 – June 2009  | Consultant, TSP Advisory Committee    | TGM grant 07-09   |
|  | Nov. 2008 – June 2009 | TSP Advisory Committee, PC, CC        | TGM grant 07-09   |
|  | Ongoing               | City staff, TSC                       | ODOT Bike/Ped grant; State Parks Grants; Land and Water Conservation grants |
|  | TBD                   | City staff, ODOT, Consultant services |   |
| 4.3C - Partner with ODOT to seek assistance with planning, design, and funding. The purpose of this partnership is to create safe pedestrian crossing of major streets such as 99E.  | Ongoing               | ODOT, PC, TSC                         |   |

VISION THEME 5 **GREENSPACE AND RECREATION.**

Aurora will retain and enhance existing parks and green space and work to create additional parks, recreational opportunities, and interaction with natural areas. These amenities will not only increase livability for residents, but also help make Aurora a destination for outdoor enthusiasts.

| Action Item<br><input type="checkbox"/> Task   | Time Frame            | Responsible Parties  | Funding Resources |
|--|-----------------------|----------------------|-------------------|
| 5A - Conduct a land inventory in and around Aurora. The inventory should consist of ownership and current land use, with a special focus on gathering information on land currently owned by the City of Aurora. |                       |                      |                   |
| <input checked="" type="checkbox"/> Identify publicly owned lands as part of the buildable lands inventory and share with Parks Committee.   | March 2008 – May 2008 | City Planner, PC, CC | DLCD TA grant     |
| <input type="checkbox"/> Assess current parks and zone designations. Amendments to Public or Residential zones to expand permitted uses within parks.  | 2014                  |                      |                   |

*Guiding Principle 5.1: Develop additional parks.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties              | Funding Resources |
|---|------------|----------------------------------|-------------------|
| 5.1A - Enhance existing parks.<br>5.1B - Create a park on the North end of town.<br>5.1E - Work with developers to designate land for new parks and recreational areas. |            |                                  |                   |
| <input type="checkbox"/> Update Parks Master Plan to identify new park and recreation land needs for future development.  | 2014       | City staff, Parks Commission, CC | Park SDCs         |
| <input type="checkbox"/> Update Parks Master Plan to identify areas needed for new parks and recreational areas.  | 2014       | City staff, Parks Commission, CC | Park SDCs         |
| <input checked="" type="checkbox"/> Refine the specific location of new parks and recreational areas through the development process.                                   | Ongoing    | City Planner, PC, HRB            | Application fees  |
| <input checked="" type="checkbox"/> Update CIP to include design for Aurora City Park and north   | 2014       | City staff, Parks                |                   |

| Action Item<br><input type="checkbox"/> Task   | Time Frame             | Responsible Parties  | Funding Resources |
|--|------------------------|--|-------------------|
| end Park.  |                        | Commission, CC, HRB  |                   |
| 5.1C – Maintain a community wish list for new parks and recreational areas; evaluate potential locations.                                    | Ongoing                | Parks Committee, PC, Community, HRB                            |                   |
| 5.1D - Explore options for access to the Pudding River and Mill Creek; evaluate potential sites.   |                        |  |                   |
| <input type="checkbox"/> Encourage new development to incorporate access to Pudding River/Mill Creek in plans.                               | Feb. 2008<br>(ongoing) | City Planner, PC, HRB  | Application fees  |
| 5.1F - Promote and distribute information (maps, brochures) about parks and recreation areas in Aurora to residents and broader Aurora area. | 2014                   | Parks Committee, Community, Aurora Colony Visitors Assoc., HRB |                   |

*Guiding Principle 5.2: Maintain green buffer around Aurora by supporting local agricultural industry and maintenance of open space.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties                    | Funding Resources   |
|---|------------|--|---------------------|
| 5.2A - Create a green buffer plan with the community, property owners, and other stakeholders on how to maintain, acquire and protect land around Aurora. |            |  |                     |
| <input type="checkbox"/> Update Comprehensive Plan to define a green buffer around Aurora.  |            | City Planner, PC, CC                   | DLCD TA grant 07-09 |
| 5.2B - Explore funding mechanisms to support land owners in maintaining green buffer, or to assist Aurora in purchasing available open space.             |            | CC, PC                                 |                     |
| 5.2C - Collaborate with Marion County and neighboring communities to develop a greenway recreational trail along Mill Creek.                              | 2014       | Marion County, Parks Committee, CC, PC |                     |

*Guiding Principle 5.3: Develop multi-use trails for pedestrians and cyclists for both transportation and recreation.*

| Action Item<br><input type="checkbox"/> Task  | Time Frame            | Responsible Parties  | Funding Resources |
|---|-----------------------|--|-------------------|
| 5.3A - Identify sidewalk and bicycle path gaps and evaluate possibilities to connect them.<br><br><input checked="" type="checkbox"/> Identify sidewalk and bicycle path gaps and ways to connect them as part of the TSP update.   |                       |  |                   |
|   | March 2008 – May 2008 | City Planner, Consultant, TSP Advisory Committee               | TGM grant 07-09   |
| 5.3B - Utilize existing public ROW to construct multi-use and pedestrian paths in and between neighborhoods.  |                       | PC, CC   |                   |
| 5.3C - Develop partnerships or incentives with landowners to utilize their land for paths.  |                       | PC, CC   |                   |
| 5.3D - Revise development codes to encourage bicycle, pedestrian, and multi-use paths in new development. Ideas include designating land for paths in new developments and requiring bicycle amenities.<br><br><input checked="" type="checkbox"/> Update Comprehensive Plan policies to emphasize the need to encourage bike/pedestrian paths in new development.<br><br><input checked="" type="checkbox"/> Apply for TGM Code Assistance grant.<br><br><input checked="" type="checkbox"/> Complete Development Code assessment and update to include requirements for bike/pedestrian paths and amenities in new development. |                       |  |                   |
|   | Nov. 2008 – Aug. 2009 | City Planner, PC, CC   | DLCD TA grant     |
|   | Nov. 2008 – Dec. 2008 | City Planner   | TGM Program       |
|   | Jan. 2009 – June 2011 | Consultant, PC, CC, City Planner                               | TGM Program       |
| 5.3E - Promote and distribute information (maps, brochures) about trails and paths in Aurora area.  |                       | Parks Committee, Community, Aurora Colony Visitors Assoc., HRB |                   |
| 5.3F - Work with ODOT to enhance and expand pedestrian and bicycle paths along 99E.<br><br><input checked="" type="checkbox"/> Identify bike/pedestrian needs along 99E as part of TSP update.  |                       |  |                   |
|   | March 2008 – May 2008 | City Planner, TSP Advisory Committee                           | TGM Grant 07-09   |

| Action Item<br><input type="checkbox"/> Task  | Time Frame | Responsible Parties  | Funding Resources             |
|---|------------|----------------------|-------------------------------|
| <input checked="" type="checkbox"/> Work with ODOT to require bike/ped paths for new development. | Ongoing    | City staff, PC, ODOT | Application fees              |
| <input type="checkbox"/> Apply for grant funding for priority projects.                           | Ongoing    | City Staff           | ODOT TEM, ODOT Bike/Ped Grant |

*Guiding Principle 5.4: Be mindful of our impact on the environment in the decision making process.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame           | Responsible Parties     | Funding Resources |
|--|----------------------|-------------------------|-------------------|
| 5.4A - Encourage, educate and promote environmentally friendly ideas and solutions in future planning of Aurora. |                      |                         |                   |
| <input type="checkbox"/> Consider adopting green street standards within new public works design standards.      | May 2008 – June 2009 | Consultant, PC, CC, TSC | TGM grant 07-09   |

*Guiding Principle 5.5: Retain and encourage appropriate landscaping throughout the city for its importance to the livability of Aurora.*

| Action Item<br><input type="checkbox"/> Task   | Time Frame | Responsible Parties | Funding Resources |
|--|------------|---------------------|-------------------|
| 5.5A - Define, update and maintain guidelines for minimum landscaping throughout city. |            | PC, HRB             |                   |

## COMPLETED TASK LIST

|       |   |
|-------|---|
| 2009  | <p>4.1A Explore feasibility of urban renewal funding for curbs, sidewalks, and underground utilities throughout the City.</p> <p>4.1B Partner with ODOT to seek assistance with planning, design and funding-Transportation System Plan Update.</p> <p>4.2A/4.3A/4.3B/5.3B Updated cross sections with TSP Update and updated Development Code.</p> <p>5.1E Master Plan for existing park and north end park completed and CIP updated.</p> <p>5.3A/5.3B Identify sidewalk and bicycle path gaps and evaluate possibilities to connect them.</p> <p>5.3D Update Comprehensive Plan policies to emphasize the need to encourage bike/pedestrian paths in new development.</p> <p>5.3F Identify bike/pedestrian needs along 99E as part of TSP update and work with ODOT to require bike/pedestrian paths for new development.</p>  |
| 2010* | <p>1.1B Apply for TGM grant and complete Development Code assessment and update to address development design standards.</p> <p>1.2A Update and enforce gateway standards.</p> <p>1.2C Update current design standards for properties outside Historic District and Gateway.</p> <p>1.4A Community Improvement days held in April and August 2010.</p> <p>1.4B Raise awareness of Housing Rehab program. Include program brochure with utility mailings.</p> <p>2.1A/B Construction of pavilion and stage in city park and new public benches along portions of Hwy 99E. Park improvements included a new path, public benches, sprinkler system, and landscape improvements to city park. The city also entered into a new contract for maintenance of the park.</p> <p>2.4A Update IGA between County, ODA and City.</p> <p>2.4A Attend French Prairie and Positive Aurora Airport <i>Management (PAAM) meetings</i>.</p> <p>2.6B Planning initiated monthly review of information to submit to community newsletter</p> <p>3.1A Review and update street cross sections as part of the TSP update.</p> <p>3.1B Establish business incubator programs. (NK?)</p> <p>3.1D/3.5E Apply for TGM Code Assistance Grant.</p> <p>3.2A/3.6A Apply for DLCD TA Grant for Economic Opportunities Analysis.</p> <p>3.2B Consider economic needs of Aurora community through appropriate UGB expansion and zoning of new lands within the UGB and considering all zoning to include residential, commercial and industrial</p> <p>3.2C/3.6A Apply for EOA study funding.</p> <p>3.3A/3.3C/3.6A/3.7A/3.8B Complete EOA and adopt updated economic development goals and policies to encourage light commercial/industrial development. 3.4B/3.5E Update Comprehensive Plan policies to emphasize the need for appropriate land use transitions.</p> <p>3.4B/3.5E Complete Development Code assessment to determine current site design requirements and deficiencies.</p> <p>3.4B/3.5E Amend Development Code as needed to provide appropriate transitions between different land uses.</p> <p>3.5A Improve gateway standards to be more business friendly; create entry and transition areas to retain identity, yet avoid replicating historic architectural styles on new buildings.</p> <p>3.5B Improve quality of streetscape along 99E (portion between 2<sup>nd</sup> Street and Bob's Avenue completed). City was also successful in getting approval for a new 99E crosswalk at Ottaway Road.</p> |

|         |   |
|---------|---|
|         | <p>3.5C Work with ODOT planners and engineers to develop a tree planting program along 99E within City limits (city to adopt their own tree ordinance in the future).</p> <p>4.1B Prioritize pedestrian safety projects and secure funding for high priority projects- working with ODOT, the city secured financing for sidewalk and parking improvements to 99E from 2<sup>nd</sup> Street to Bob's Avenue.</p> <p>5.3D Complete Development Code assessment and update to include requirements for bike/pedestrian paths and amenities in new development.</p>   |
| 2011**  | <p>1.1C Water billings color-coded to bring attention to Historic District properties as a form of outreach and assistance to property owners within the Historic District.</p> <p>1.2A Initiated review of Title 17-Historic District Guidelines with Historic Review Board.</p> <p>2.6B Updates of city website initiated and ongoing.</p> <p>3.3A City sending representatives to Aurora Airport Master Plan meetings and providing feedback.</p> <p>3.4B/3.5E Review city zoning map and Development Code to determine what uses are currently permitted on properties located adjacent to 99E.</p> <p>4.1B/4.3C Partner with ODOT to seek assistance with planning, design and funding-TGM Outreach Workshop.</p> <p>4.1/4.3 Transportation Growth Management Workshop grant received for report on 99E and Ottaway Road safety corridor improvements and recommendations.</p> <p>4.2A Adoption of Street Tree Ordinance #468.</p> |
| 2012*** | <p><i>Ongoing work with the Historic Review Board to finalize the update to Title 17 and historic district design guidelines (adopted in September 2013 via Ordinance #473)</i></p> <p>2.2A Support for a Saturday Market</p> <p>3.3A <i>Establishment of the N. Marion Enterprise Zone</i></p> <p>3.3A/3.3C/3.3D <i>Contract with SEDCOR to serve as Enterprise Zone manager</i></p> <p><i>Submitted application for 99E improvements south of Bob's Avenue for 2015-2018 STIP</i></p> <p><i>Development Code is now online- continued maintenance of site ongoing</i></p>   |
| 2013    | <p><i>Develop informational brochures for planning related concerns such as fencing; structural permits; site clearance areas; living in a historic district; etc</i></p>   |
| 2014    |   |

- \*Acknowledged by the Aurora City Council on April 12, 2011.
- \*\*Acknowledge by the Aurora City Council on August 14, 2012.
- \*\*\* Acknowledge by the Aurora City Council on October 15, 2013)

## Chapter 16.66

### ANNEXATIONS

#### Sections:

- 16.66.010 Purpose.**
- 16.66.020 Policy.**
- 16.66.030 Administration and approval process.**
- 16.66.040 Approval standards.**
- 16.66.050 Application submission requirements.**
- 16.66.060 Annexation initiated by city.**
- 16.66.070 Zoning upon annexation.**
- 16.66.080 Service extensions.**

#### **16.66.010 Purpose.**

The purpose of this chapter is to enact policies relating to annexation and petitions for annexation of property to the city, to determine the process and criteria by which annexations will be reviewed and approved, to provide for city review of all annexation requests for a determination of the availability of facilities and services as related to the proposal, and maximize citizen involvement in the annexation review process.

(Ord. 415 § 7.145.010, 2002)

#### **16.66.020 Policy.**

Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Aurora comprehensive plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the city and the policies and regulations of affected agencies' jurisdictions and special districts.

(Ord. 415 § 7.145.020, 2002)

#### **16.66.030 Administration and approval process.**

A. The approval process for annexations to the city shall be as provided in ORS 222.

B. The application for an annexation required by this chapter shall be filed with the city, including required fees on forms provided by the city. Upon receipt of a completed request for annexation, the Planning Director shall prepare a staff report and recommendation describing compliance with the policies and criteria required by this and other relevant ordinances. The Planning Commission shall hold a public hearing in accordance with the provisions of Chapter 16.76 and shall make a recommendation to the City Council. The City Council shall hold a public hearing in accordance with the provisions of Chapter 16.76. Following the public hearing, the City Council shall make a final decision on the annexation request. The final action on a proposed annexation shall be by ordinance. If no election is required, the annexation shall become effective thirty (30) days after the date of adoption by the City Council.

C. When the City Council elects to hold an election, pursuant to ORS 222, annexations approved by the Council shall be placed on the ballot at the next available primary or general election. If an election is required, the annexation ordinance shall be effective on the date the election is certified.

(Ord. 415 § 7.145.030, 2002)

#### **16.66.040 Approval standards.**

The decision to approve, approve with modification or deny, shall be based on the following criteria:

A. There is sufficient public facilities and services capacity to serve all net buildable lands inside the city at the maximum allowed density, plus sufficient additional capacity to adequately serve the

proposed annexation area at its maximum allowed density;

B. The following three tiered priority list shall establish the required order of priority for annexation, except as provided in subsection E of this section:

1. Land which is immediately adjacent to the current city limits, and for which there is sewer and water service immediately available. Residential designated land which is immediately adjacent to the current city limits and for which there is sewer and water service immediately available must also comply with the sixty (60) percent of net buildable land and eighty (80) percent of maximum density requirements described in subsection (B)(3) of this section,

2. Commercial and industrial designated land which is located less than two hundred fifty (250) feet from the current city limits, and for which sewer and water service can be provided by minor line extensions. "Minor line extensions" shall be as defined by the city engineer,

3. Residential designated land which is located less than two hundred fifty (250) feet from the current city limits and for which sewer and water service can be provided by minor line extensions when at least sixty (60) percent of the net buildable land for the applicable zoning district within the current city limits has actually been developed, or is committed to development; and that such development has occurred at an average of not less than the following minimums in the zone, which represents approximately eighty (80) percent of maximum density:

- a. R-1 3.5 units per acre\*
- b. R-2 5.2 units per acre\*

\* For properties included in the historic residential overlay, this requirement shall be satisfied if developed or committed to development at a density of 2.6 units per acre. Committed to development means

there is a valid approved land development permit, for which approval has not expired under the two-year limit;

C. The application complies with the comprehensive plan and all other applicable city policies and ordinances;

D. The application complies with the applicable sections of ORS 222;

E. On a case-by-case basis and without setting precedents for other annexation actions, the City Council may approve a proposed annexation that meets the criterion in subsections A, C, and D of this section, but does not meet the criterion in subsection B of this section, based on findings that all of the following criteria are satisfied:

1. A significant public need exists, within the city limits at the time of the proposed annexation, in at least one of the following:

- a. Efficient provision of municipal utility services,
- b. Effective multi-modal transportation access and circulation patterns, or
- c. Logical and economic provision of governmental services limited to police, fire, public works, schools, or parks and recreation facilities, and

2. Approving the proposed annexation shall address and satisfy the above identified public need,

3. Under this exception, the identified public need is not required to be the exclusive purpose of the proposed annexation.

(Ord. 419 § 6, 2002; Ord. 415 § 7.145.040, 2002)

#### **16.66.050 Application submission requirements.**

A. All applications shall be made on forms provided by the city and shall be accompanied by:

1. A map to a engineering scale of the area to be annexed which includes the surrounding area;

2. A map of the area to be annexed including adjacent city territory as shown on the Marion County assessor map;

3. A conceptual development plan which includes:

a. The type of intensities (density) of the proposed land use,

b. Transportation corridors,

c. Significant natural features, and

d. Adjoining land uses;

4. A narrative which explains how the annexation conforms to the approval standards;

5. The applicable county assessor map;

6. A metes and bounds description of the annexation area including a map;

7. A narrative which discusses the availability, capacity and status of existing water, sewer, drainage, transportation, park, police and fire service, and school facilities and how the increased demand for such facilities to be generated by any proposed development within the annexation area may be satisfied.

B. Three copies of maps, conceptual development plan and required drawings are required. One copy shall not exceed eleven (11) inches by seventeen (17) inches. Sheet size shall not exceed eighteen (18) inches by twenty-four (24) inches. The scale of the required drawings shall be an engineering scale.

C. The required information may be combined on one map.

(Ord. 415 § 7.145.050, 2002)

**16.66.060 Annexation initiated by city.**

The City Council may initiate an annexation on its own motion. In that event, the standards and procedures of this chapter, including zone change procedures, shall apply as if the annexation was initiated by a

property owner, except that no filing fee shall be required.

(Ord. 415 § 7.145.060, 2002)

**16.66.070 Zoning upon annexation.**

Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

| Comprehensive Plan | Zoning Classification             |
|--------------------|-----------------------------------|
| R-1                | R-1, Low Density Residential      |
| R-2                | R-2, Moderate Density Residential |
| C                  | Commercial                        |
| I                  | Industrial                        |

(Ord. 415 § 7.145.070, 2002)

**16.66.080 Service extensions.**

Property owners in the annexed area must bear the costs associated with extension of sewer and water lines and roads except for major facilities such as a sewer pump station or major water main needed to facilitate the functioning of the city wide system or to accommodate for substantial future growth. At the discretion of the City Council, the City may assess property owners in the annexed area for a portion of the costs associated with above major facilities.

(Ord. 415 § 7.145.080, 2002)

## **ORS Chapter 222 (Excerpt)**

**222.111 Authority and procedure for annexation.** (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

(6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.

(7) Two or more proposals for annexation of territory may be voted upon simultaneously; however, in the city each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot. [1957 c.613 §2 (enacted in lieu of 222.110); 1959 c.415 §1; 1967 c.624 §13; 1985 c.702 §7]

**222.115 Annexation contracts; recording; effect.** A contract between a city and a landowner containing the landowner's consent to eventual annexation of the landowner's property in return for extraterritorial services:

(1) Must be recorded; and

(2) When recorded, is binding on successors in interest in that property. [1991 c.637 §4; 2012 c.46 §§1,2]

**222.120 Procedure without election by city electors; hearing; ordinance subject to referendum.**

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39; 2009 c.595 §180]

**222.125 Annexation by consent of all owners of land and majority of electors; proclamation of annexation.** The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [1985 c.702 §3; 1987 c.738 §1]

**Note:** 222.125 was added to and made a part of ORS chapter 222 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

**222.130 Annexation election; notice; ballot title.** (1) The statement summarizing the measure and its major effect in the ballot title for a proposal for annexation shall contain a general description of the boundaries of each territory proposed to be annexed. The description shall use streets and other generally recognized features. Notwithstanding ORS 250.035, the statement summarizing the measure and its major effect may not exceed 150 words.

(2) The notice of an annexation election shall be given as provided in ORS 254.095, except that in addition the notice shall contain a map indicating the boundaries of each territory proposed to be annexed.

(3) Whenever simultaneous elections are held in a city and the territory to be annexed, the same notice and publication shall fulfill the requirements of publication for the city election and the election held in the territory. [Amended by 1967 c.283 §1; 1979 c.317 §4; 1983 c.350 §33; 1995 c.79 §80; 1995 c.534 §10; 2007 c.154 §60]

**222.140** [Repealed by 1979 c.317 §26]

**222.150 Election results; proclamation of annexation.** The city legislative body shall determine the results of the election from the official figures returned by the county clerk. If the city legislative body finds that the majority of all votes cast in the territory favors annexation and the city legislative body has dispensed with submitting the question to the electors of the city, the city legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [Amended by 1983 c.83 §23; 1983 c.350 §34; 1985 c.702 §9]

**222.160 Procedure when annexation is submitted to city vote; proclamation.** This section applies when the city legislative body has not dispensed with submitting the question of annexation to the electors of the city. If the city legislative body finds that a majority of the votes cast in the territory and a majority of the votes cast in the city favor annexation, then the legislative body, by resolution or ordinance, shall proclaim those annexations which have received a majority of the votes cast in both the city and the territory. The proclamation shall contain a legal description of each territory annexed. [Amended by 1983 c.350 §35; 1985 c.702 §10]

**222.170 Effect of consent to annexation by territory; proclamation with and without city election.** (1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120, the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section. [Amended by 1955 c.51 §2; 1961 c.511 §2; 1971 c.673 §1; 1973 c.434 §1; 1983 c.350 §36; 1985 c.702 §11; 1987 c.447 §117; 1987 c.737 §4; 1999 c.1093 §12]

**222.173 Time limit for filing statements of consent; public records.** (1) For the purpose of authorizing an annexation under ORS 222.170 or under a proceeding initiated as provided by ORS 199.490 (2), only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

(2) Statements of consent to annexation filed with the legislative body of the city by electors and owners of land under ORS 222.170 are public records under ORS 192.410 to 192.505. [1985 c.702 §20; 1987 c.737 §5; 1987 c.818 §8]

**Note:** 222.173 to 222.177 were added to and made a part of ORS chapter 222 by legislative action but were not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

**222.175 City to provide information when soliciting statements of consent.** If a city solicits statements of consent under ORS 222.170 from electors and owners of land in order to facilitate annexation of unincorporated territory to the city, the city shall, upon request, provide to those electors and owners information on that city's ad valorem tax levied for its current fiscal year expressed as the rate per thousand dollars of assessed valuation, a description of services the city generally provides its residents and owners of property within the city and such other information as the city considers relevant to the impact of annexation on land within the

unincorporated territory within which statements of consent are being solicited. [1985 c.702 §21; 1987 c.737 §6; 1987 c.818 §9]

**Note:** See note under 222.173.

**222.177 Filing of annexation records with Secretary of State.** When a city legislative body proclaims an annexation under ORS 222.125, 222.150, 222.160 or 222.170, the recorder of the city or any other city officer or agency designated by the city legislative body to perform the duties of the recorder under this section shall transmit to the Secretary of State:

- (1) A copy of the resolution or ordinance proclaiming the annexation.
- (2) An abstract of the vote within the city, if votes were cast in the city, and an abstract of the vote within the annexed territory, if votes were cast in the territory. The abstract of the vote for each election shall show the whole number of electors voting on the annexation, the number of votes cast for annexation and the number of votes cast against annexation.
- (3) If electors or landowners in the territory annexed consented to the annexation under ORS 222.125 or 222.170, a copy of the statement of consent.
- (4) A copy of the ordinance issued under ORS 222.120 (4).
- (5) An abstract of the vote upon the referendum if a referendum petition was filed with respect to the ordinance adopted under ORS 222.120 (4). [1985 c.702 §4; 1987 c.737 §7; 1987 c.818 §10]

**Note:** See note under 222.173.

**222.179 Exempt territory.** The amendments to ORS 222.210, 222.230, 222.240 and 222.270 made by chapter 702, Oregon Laws 1985, do not apply in territory subject to the jurisdiction of a local government boundary commission. [1985 c.702 §27]

**Note:** 222.179 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 222 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

**222.180 Effective date of annexation.** (1) The annexation shall be complete from the date of filing with the Secretary of State of the annexation records as provided in ORS 222.177 and 222.900. Thereafter the annexed territory shall be and remain a part of the city to which it is annexed. The date of such filing shall be the effective date of annexation.

(2) For annexation proceedings initiated by a city, the city may specify an effective date that is later than the date specified in subsection (1) of this section. If a later date is specified under this subsection, that effective date shall not be later than 10 years after the date of a proclamation of annexation described in ORS 222.177. [Amended by 1961 c.322 §1; 1967 c.624 §15; 1973 c.501 §2; 1981 c.391 §5; 1985 c.702 §12; 1991 c.637 §9]

**222.183 Notice of annexation when effective date delayed for more than one year.** (1) If the effective date of an annexation is more than one year after the date of a proclamation of annexation, the city, through its recorder or other city officer or agency performing the duties of recorder under this section, shall send notice to the county clerk of each county within which the city is located. The notice shall be sent not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

(2) The notice described in subsection (1) of this section shall be in addition to any other notice or filing required under ORS 222.010 to 222.750. [1995 c.607 §67]

**222.750 Annexation of unincorporated territory surrounded by city.** (1) As used in this section:

(a) "Creek" means a natural course of water that is smaller than, and often tributary to, a river, but is not shallow or intermittent.

(b) "River" means a large, continuous and natural stream of water that is fed along its course by converging tributaries and empties into an ocean, lake or other body of water.

(2) When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the ocean shore, a river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the subject for which notice has been mailed to each record owner of real property in the territory proposed to be annexed.

(3) This section does not apply when the territory not within a city:

(a) Is surrounded entirely by water; or

(b) Is surrounded as provided in subsection (2) of this section, but a portion of the corporate boundaries of the city that consists only of a public right of way, other than Interstate Highway 5, constitutes more than 25 percent of the perimeter of the territory.

(4) Unless otherwise required by its charter, annexation by a city under this section must be by ordinance or resolution subject to referendum, with or without the consent of any owner of real property within the territory or resident in the territory.

(5) For property that is zoned for, and in, residential use when annexation is initiated by the city under this section, the city shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the city proclaims the annexation approved. The city recorder or other officer performing the duties of the city recorder shall:

(a) Cause notice of the delayed annexation to be recorded by the county clerk of the county in which any part of the territory subject to delayed annexation is located within 60 days after the city proclaims the annexation approved; and

(b) Notify the county clerk of each county in which any part of the territory subject to delayed annexation is located not sooner than 120 days and not later than 90 days before the annexation takes effect.

(6) Notwithstanding subsection (5) of this section, property that is subject to delayed annexation becomes part of the city immediately upon transfer of ownership.

(7) This section does not limit provisions of a city charter, ordinance or resolution that are more restrictive than the provisions of this section for creating or annexing territory that is surrounded as described in subsection (2) of this section.

(8) If a city charter, ordinance or resolution requires the city to conduct an election in the city, the city shall allow electors, if any, in the territory proposed to be annexed to vote in the election on the question of annexation. If the governing body of the city finds that a majority of the votes cast in the city and the territory combined favor annexation, the governing body, by ordinance or resolution, shall proclaim the annexation approved. The proclamation shall contain a legal description of each territory annexed. [Amended by 1963 c.444 §1; 1985 c.702 §16; 2007 c.654 §1; 2007 c.706 §1]



## MEDICAL MARIJUANA FACILITY PERMIT INFORMATION SHEET AND CONDITIONS

**Submit the completed application and fee, along with the following submittals to:**  
Community Development Department, City of Keizer, 930 Chemawa Road NE, PO Box 21000,  
Keizer, OR 97307.

1. Provide a detailed description of the type, nature and extent of the enterprise to be conducted.
2. Provide a detailed description of the proposed accounting and inventory systems for the Facility.
3. Provide detailed illustrations (to scale) of all proposed signage (sign permit required) and location of such signage.
4. Provide a separate background check form for each Company Principal, Operator, Employee, Volunteer, Person with a Financial Interest, and Persons or entities providing debt financing for the facility. (Any company, corporation, limited liability company, organization, or group must provide a separate background check form for the individual members.)

**Any Medical Marijuana Facility must comply with the following requirements, in addition to any other state or local requirements:**

1. The Facility must continue to be registered in good standing as an Oregon Medical Marijuana Facility pursuant to state law.
2. The Facility must meet applicable laws and regulations, including, but not limited to, building and fire codes, including the payment of all fines, fees, and taxes owing to the City.
3. The Facility must not manufacture or produce any extracts, oils, resins or similar derivatives of Marijuana on-site and must not use open flames or gases in the preparation of any products.
4. Marijuana and tobacco products must not be smoked, ingested or otherwise consumed on the Premises of the Facility.
5. Operating hours for retail sales to Medical Marijuana Qualifying Patients must be no earlier than 10:00 a.m. or later than 7:00 p.m. on the same day.
6. The Facility must utilize an air filtration and ventilation system which, to the greatest extent feasible, confines all objectionable odors associated with the Facility 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.
7. The Facility must provide for secure disposal of Marijuana remnants or by-products; such remnants or by-products shall not be placed within the Facility's exterior refuse containers.
8. The Facility must not be co-located on the same tax lot or within the same building with any Marijuana social club, smoking club, or grow site.
9. A Facility shall not be located:
  - a. Within 1500 feet from any public or private school; or
  - b. Within 1000 feet of any Public Property, not including right-of-way;
  - c. Within 1000 feet of another Medical Marijuana Facility.

Such distances shall be measured between the closest points of the respective lot lines.

10. Signage shall not include logos or illustrations, and shall emphasize identification of the Premises without drawing undue attention.
11. The Facility shall have no Marijuana in edible form.
12. No Minor is allowed on the Premises unless the Minor is a Medical Marijuana Qualifying Patient and is accompanied by a parent, guardian, or caregiver whose purpose is to procure the Minor's Medical Marijuana.
13. A Person with any felony convictions or a conviction of any drug related misdemeanor (including, but not limited to those under ORS 475) may not (1) be an Operator, Company Principal, employee, or volunteer of a Facility; or (2) have a Financial Interest in the Facility.
14. The Facility 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 Manager finds the books and records of the Operator are deficient in any way or if the Operator's accounting system is not auditable, the Operator must modify the Facility's accounting system to meet the requirements of the Manager.
15. Each Facility Operator must keep and preserve for a period of at least three (3) years records containing at least the following information:
  - a. Daily wholesale purchases (including grow receipts) and retail sales, including a cash receipts and expenses journal;
  - b. State and federal income tax returns;
  - c. Names and any aliases of any Operator of the Facility;
  - d. Names and any aliases of employees/volunteers of the Facility;
  - e. Names of and any aliases of Persons with a Financial Interest in the Facility; and
  - f. The Manager may require additional information as he or she deems necessary.
16. Each Facility must display its current permit inside the Facility in a prominent place easily visible to Persons conducting business in the Facility.
17. Sales or any other transfers of Marijuana products must occur completely inside the Facility building and must be conducted only between the Facility and Medical Marijuana Qualifying Patients. No walk-up or drive-through service is allowed.
18. The Facility shall not place, allow, or use any type of device or apparatus designed to injure, maim, or kill by the contact of any person with any string, wire, rod, stick, spring, or other contrive affixed to it or connected with it or with its trigger, including, but not limited to, any spring gun or set gun as prohibited under state law.

**A medical marijuana facility permit terminates automatically on June 30 of each year, unless a permit renewal application is received and approved before June 30.**

**No portion of the medical marijuana facility permit fee is refundable in the event operation of the facility is discontinued for any reason.**

For questions, please contact the Community Development Department of the City of Keizer at 503-856-3441.



## MEDICAL MARIJUANA FACILITY PERMIT/RENEWAL APPLICATION

**\$2,000 Application Fee**  
(\$1,500 refundable if denied/withdrawn)

**A medical marijuana facility permit terminates automatically on June 30 of each year, unless a permit renewal application is received and approved before June 30.**

**No portion of the medical marijuana facility permit fee is refundable in the event operation of the facility is discontinued for any reason.**

| FOR OFFICE USE ONLY   |  |
|---|--|
| Application Received Date   | Application Review Date  |
| Application <input type="checkbox"/> Denied <input type="checkbox"/> Approved                           | Permit <input type="checkbox"/> Suspended or <input type="checkbox"/> Revoked on _____, 20__ |
| Community Development Approval:<br>Date:  | Keizer Police Department Approval:<br>Date:  |
| FACILITY INFORMATION  |  |
| <input type="checkbox"/> New Application  | <input type="checkbox"/> Renewal Application   |
| Business Name (include all names (e.g. corporation, DBA) to be used to identify and market the facility | Secretary of State Business Registration No.   |
| Physical Address of Facility  | Mailing Address (if different)   |
| City, State, Zip  | City, State, Zip   |
| Business Telephone:   | Main Contact at Facility   |
| Anticipated Start Date of Facility:   |  |
| OPERATOR CONTACT INFORMATION  |  |
| Operator Name*  |  |
| Operator Mailing Address  | City, State, Zip   |
| Operator Home Phone:  | Operator Cell Phone:   |

\*"Operator" means the Person who is the proprietor of a Facility, whether in the capacity of Company Principal, 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 Facility 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 Facility is in operation. If multiple Operators, attach additional Operator's contact information on additional pages.

| <b>EMERGENCY CONTACT INFORMATION</b>   |                               |
|--|-------------------------------|
| Emergency Contact Person and Relationship  |                               |
| Emergency Contact Phone Number   |                               |
| <b>COMPANY PRINCIPAL INFORMATION</b>   |                               |
| Company Principal Name*  |                               |
| Company Principal Mailing Address  | City, State, Zip              |
| Company Principal Home Phone:  | Company Principal Cell Phone: |
| Type/Quantity of Ownership Interest (Sole Proprietor, Percentage of Ownership in Corporation or LLC, etc.) |                               |

\*"Company Principal" means a Person who is an officer or director of a legal entity or has a controlling interest in the entity, through ownership or control of 10% or more of the stock in the entity or 10% or more of the total membership interest in the entity or 10% or more of the total investment interest in the entity. If multiple Company Principals, attach additional Company Principals contact information on additional pages.

List the Operator/Operators, and all Company Principals, employees, volunteers, Persons with a Financial Interest and any other Persons required under Ordinance No. 2014-702. Attach additional pages if needed.

| Name | Other Previous Names (maiden) | How Affiliated?<br>(owner, operator, employee etc) | Any Felony or Misdemeanor Drug Convictions? |
|------|-------------------------------|--|---|
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |
|      |                               |  |   |

I certify the contents of this application to be correct to the best of my knowledge, and furthermore, that I have read, understood and agreed that the responsibility for complying with all applicable federal, state, or local laws, ordinances, or regulations rests solely with the applicant.

I certify that the proposed facility is registered as an Oregon Medical Marijuana Facility.

I certify that the proposed facility has met all applicable requirements in the Keizer Development Code.

I certify that all current fees and taxes owed have been paid.

I understand that it is my duty and obligation to comply with all rules, regulations, ordinances or other laws governing the use of the premises and corresponding structures, including, but not limited to Keizer Ordinance 2014-702 as amended, the Uniform Building Code, the Uniform Fire Code, and any private restrictions on the property.

I understand that a City of Keizer Medical Marijuana Facility Permit will be issued only after all documentation has been received, reviewed, background checks have been conducted, and all permit conditions, including, but not limited to those attached hereto, have been met. I agree that if a permit is issued, such permit must be displayed inside the facility in a prominent place easily visible to persons conducting business in the facility.

I certify the information on this application is true and correct to the best of my knowledge. I understand my application may be returned as incomplete, denied, or the permit revoked for failure to comply with Ordinance No. 2014-702 as amended, for submitting falsified information to the City or the Health Authority, or for noncompliance with any other City Ordinances or regulations, or violation of any state or local laws. I have reviewed and understand the City's permit conditions. By signing this application I attest that I have legal authority to act on behalf of the medical marijuana facility and business named above and that if a permit is granted I am accountable for any intentional or unintentional action of its owners, officers, managers, employees, agents, or volunteers who, with or without my knowledge, violate ORS 475.314 or Ordinance No. 2014-702 as amended.

\_\_\_\_\_  
Operator Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

STATE OF OREGON     )  
  ) ss.  
County of Marion     )

SUBSCRIBED AND SWORN to and before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_



## MEDICAL MARIJUANA FACILITY BACKGROUND CHECK FORM

**Each person who is subject to a background check must be fingerprinted by the Keizer Police Department. Police Department personnel will contact you for an appointment.**

|   |        |  |            |                                   |  |   |             |          |
|---|--------|--|------------|-----------------------------------|--|---|-------------|----------|
| Last Name                                     |        |  | First Name |                                   |  | Middle Name   |             |          |
| Street Address                                |        |  |            | City                              |  | State   |             | Zip Code |
| Race  | Gender | Home Phone                                 |            | Cell Phone                        |  | Work Phone  |             |          |
| Height  | Weight | Eyes                                       | Hair       | Criminal Record? Felon?           |  | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |             |          |
| Last 5 Numerals Of Social Security Number     |        |  |            | Driver's License Number And State |  |   |             |          |
| Date Of Birth                                 |        | Place Of Birth (City/County/State/Country) |            |                                   |  |   | Ommp Card # |          |
| Any Other Names Used (Including Maiden Names) |        |  |            |                                   |  |   |             |          |
| Medical Marijuana Facility Name               |        |  |            |                                   |  | OMMP #  |             |          |

**If you answered yes to either Criminal Record or Felon, list all charges, arrests and/or convictions involving felony convictions or convictions of any drug related misdemeanor (including, but not limited to those under ORS 475) and the outcome regardless of how long ago below. (Attach additional pages if needed.)**

|   | Date (or estimate) | List each charge, arrest or conviction | Drug | County | State | Outcome |
|---|--------------------|--|------|--------|-------|---------|
| 1 |                    |  |      |        |       |         |
| 2 |                    |  |      |        |       |         |
| 3 |                    |  |      |        |       |         |
| 4 |                    |  |      |        |       |         |
| 5 |                    |  |      |        |       |         |

I hereby certify that I am the above named individual and that the information provided is true and correct. I understand that a national criminal records check will be completed on me. My signature below authorizes the Keizer Police Department to request and receive any juvenile, police, court or investigation reports needed to complete this background check. In the event disqualifying information is discovered, and you disagree, you may contact Oregon State Police/Identification Service Section/Public Records Unit at 503-378-3070.

I certify the information I have provided is correct and complete. I understand that if I provide false or incomplete information, the application for a Medical Marijuana Facility Permit may be returned as incomplete or denied. I understand that the check may be repeated during the time I am associated with the Facility.

THIS INFORMATION IS TO BE HELD CONFIDENTIAL. I understand that the City of Keizer will keep this information confidential to the extent permissible under the law.

I hereby release the City of Keizer, the Keizer Police Department and its officers, agents and elected officials from any and all liability or damage that may result from the background check and/or furnishing the information requested. I hereby release the City of Keizer, the Keizer Police Department and its officers, agents and elected officials from any and all claims should I be disqualified from providing services to the Medical Marijuana Facility Permit requested hereunder based on information of an adverse nature.

\_\_\_\_\_  
Signature Affiliation to Medical Marijuana Facility  
(Owner, Employee, etc.)

\_\_\_\_\_  
Printed Full Name Date

STATE OF OREGON     )  
                                  ) ss.  
County of Marion     )

SUBSCRIBED AND SWORN to and before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

|  |   |
|--|---|
| <b>OFFICE USE ONLY</b>                                   |   |
| <input type="checkbox"/> Disqualifying Information Found | <input type="checkbox"/> No Disqualifying Information Found |
| Date: _____ Initials _____                               |   |

# MEDICAL MARIJUANA DISPENSER PERMIT APPLICATION



CITY OF ROSEBURG  
900 SE DOUGLAS, ROSEBURG, OR 97470  
**\$50.00 Original Application Investigation Fee**  
**\$50.00 Annual Permit Fee (\$25.00 if received after 7/1) Per Dispensary**

RENEWAL \_\_\_\_\_  
RECEIVED \_\_\_\_\_  
TO POLICE \_\_\_\_\_  
PERMIT # \_\_\_\_\_

*Entire application must be completed – if a question is not applicable, write N/A*

APPLICANT'S NAME \_\_\_\_\_  
HOME ADDRESS \_\_\_\_\_  
CITY/ZIP \_\_\_\_\_ HOME PHONE # \_\_\_\_\_ CELL # \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DRIVER'S LICENSE NUMBER \_\_\_\_\_ STATE ISSUED \_\_\_\_\_  
SEX: M  F  EMAIL: \_\_\_\_\_  
**A COLOR PASSPORT OR WALLET PHOTO MUST BE PROVIDED WITH APPLICATION FOR PROCESSING AND PERMIT**

DISPENSARY NAME \_\_\_\_\_  
DISPENSARY OPERATOR \_\_\_\_\_ DISPENSARY PHONE # \_\_\_\_\_  
DISPENSARY ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
WILL YOU BE WORKING OR VOLUNTEERING AT MORE THAN ONE DISPENSARY LOCATION  YES  NO  
**NOTE: A DISPENSER PERMIT WILL BE REQUIRED FOR EACH DISPENSARY AT WHICH YOU ARE EMPLOYED OR VOLUNTEER YOUR SERVICES**  
IF YES, LIST ADDITIONAL LOCATION(S) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IF YOU ANSWER 'YES' TO EITHER OF THE FOLLOWING QUESTIONS, PLEASE PROVIDE A SEPARATE SHEET OF PAPER TO EXPLAIN THE FELONY OR MISDEMEANOR INCLUDING DATES AND HOW THIS CONVICTION IS NOT APPLICABLE TO THE DISPENSARY BUSINESS FOR WHICH YOU ARE APPLYING.**

**\*\*THE ATTACHMENT WILL NOT BE PART OF THE PUBLIC RECORD.**

HAVE YOU EVER BEEN CONVICTED OF ANY FELONY? YES  NO

HAVE YOU BEEN CONVICTED OF A MISDEMEANOR WITHIN THE PAST FIVE YEARS RELATING TO FRAUD, THEFT OR THE MANUFACTURE OR DELIVERY OF A SCHEDULE I OR SCHEDULE II CONTROLLED SUBSTANCE?

YES  NO

\_\_\_\_\_  
(initial)  
The dispenser shall at all times comply with the regulations established by the Oregon Health Authority and RMC Chapter 9.14, as well as all other state and local laws relating to the dispensing and distribution of medical marijuana, including the City's land use and development regulations, building codes and fire codes relating to such dispensaries.

**As applicant for a City of Roseburg Medical Marijuana Dispensary License, I hereby certify that I understand the requirements of RMC 9.14 are available upon request and I must comply with all state and federal bonding and licensing requirements in connection with my business.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

*For Office Personnel Only:* INVESTIGATION FEE RECEIPT # \_\_\_\_\_ PERMIT FEE RECEIPT # \_\_\_\_\_

Approval: Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Police Chief of Designee

\_\_\_\_\_  
Date

**THIS APPLICANT HAS MET THE REQUIREMENTS FOR MEDICAL MARIJUANA DISPENSER PURSUANT TO RMC CHAPTER 9.14**

\_\_\_\_\_  
Roseburg City Recorder or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Expiration Date

# MEDICAL MARIJUANA DISPENSARY OPERATOR LICENSE APPLICATION

900 SE DOUGLAS  
ROSEBURG, OR 97470 - (541) 492-6866  
\$500.00 Original Application Investigation Fee  
\$500.00 Yearly Dispensary License Fee  
(1/2 fee if received after 7/1)

**Entire application must be complete.**  
**Incomplete forms will not be processed.**  
**OHA License Copy must be provided**

Renewal \_\_\_\_\_  
Received \_\_\_\_\_



OREGON HEALTH AUTHORITY LICENSE # \_\_\_\_\_  COPY PROVIDED WITH APPLICATION  
DISPENSARY NAME \_\_\_\_\_  
DISPENSARY PHONE \_\_\_\_\_ ALTERNATE PHONE \_\_\_\_\_  
DISPENSARY ADDRESS \_\_\_\_\_ ZIP \_\_\_\_\_  
MAILING ADDRESS (If different than above) \_\_\_\_\_  
DAYS AND HOURS OF OPERATION \_\_\_\_\_

IS THIS SPACE SHARED WITH ANOTHER BUSINESS?  YES  NO IF YES, WHO \_\_\_\_\_  
ARE YOU CHANGING, ADDING OR REMOVING A SIGN OR SIGNS?  YES  NO  
IS THIS NEW CONSTRUCTION  YES  NO IF NO, DO YOU PLAN ON MAKING CHANGES TO THE BUILDING OR SITE  
 YES  NO IF YES, PLEASE DESCRIBE \_\_\_\_\_

**If you answer "yes" to signs or construction contact the City Community Development Department at 541-492-6850 to discuss permits, site review or other concerns**

## The following information must be completed by the operator of this dispensary:

1. FIRST NAME/MID INITIAL/LAST NAME: \_\_\_\_\_  
SEX: M  F  DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_  
DRIVER LICENSE# & STATE: \_\_\_\_\_ JOB TITLE: \_\_\_\_\_  
PERSONAL PHONE #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

HAVE YOU EVER HAD A BUSINESS LICENSE SUSPENDED OR REVOKED? YES  NO  If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IF YOU ANSWER 'YES' TO EITHER OF THE FOLLOWING QUESTIONS, PLEASE PROVIDE A SEPARATE SHEET OF PAPER TO EXPLAIN THE FELONY OR MISDEMEANOR INCLUDING DATES AND HOW THIS CONVICTION IS NOT APPLICABLE TO THE DISPENSARY BUSINESS FOR WHICH YOU ARE APPLYING.**

**\*\*THE ATTACHMENT WILL NOT BE PART OF THE PUBLIC RECORD.**

HAVE YOU EVER BEEN CONVICTED OF ANY FELONY? YES  NO

HAVE YOU BEEN CONVICTED OF A MISDEMEANOR WITHIN THE PAST FIVE YEARS RELATING TO FRAUD, THEFT OR THE MANUFACTURE OR DELIVERY OF A SCHEDULE I OR SCHEDULE II CONTROLLED SUBSTANCE?

YES  NO

\_\_\_\_\_ (initial) The dispensary operator shall at all times comply with the regulations established by the Oregon Health Authority and RMC Chapter 9.14, as well as all other state and local laws relating to the dispensing and distribution of medical marijuana, including the City's land use and development regulations, building codes and fire codes relating to such dispensaries.

\_\_\_\_\_ (initial) The dispensary operator shall not employ, or accept volunteer services from, any person to dispense medical marijuana or perform any other dispensary-related tasks, who has not obtained a medical marijuana dispenser's permit from the City.

**As applicant for a City of Roseburg Medical Marijuana Dispensary Operator License, I hereby certify that I understand the requirements of RMC 9.14 are available upon request and I must comply with all state and federal bonding and licensing requirements in connection with my business.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**YOU MUST NOTIFY THE CITY RECORDER'S OFFICE OF TELEPHONE NUMBER CHANGES OR IF THE DISPENSARY BUSINESS CLOSES. CHANGE OF OWNERSHIP OR RELOCATION REQUIRES A NEW REGISTRATION**

|   |  |
|---|--|
| <i>For Office Personnel Only</i>  | <i>Date application received</i> _____   |
| INVESTIGATION FEE RECEIPT # _____ LICENSE RECEIPT # _____   |  |
| Comm. Dev. - Yes ___ No ___ Date: ___/___/___ Zoning _____ By _____   | Police - Yes ___ No ___ Date: ___/___/___ By _____                                 |
| Fire - Yes ___ No ___ ___/___/___ By _____  | Self Inspection Brochure Sent: ___/___/___ Inspection by Fire Marshal: ___/___/___ |
| Approval Yes ___ No ___ (If No, attach memorandum outlining denial) Comments: _____                                       |  |
| <b>THIS APPLICANT HAS MET THE REQUIREMENTS FOR A MEDICAL MARIJUANA DISPENSARY PURSUANT TO THE ROSEBURG MUNICIPAL CODE</b> |  |
| _____<br>Roseburg City Recorder or Designee   | _____<br>Date  |

Revised 9/2014

**DISPENSARY NAME:** \_\_\_\_\_

Notes:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORDINANCE NO. 2700-2015

AN ORDINANCE ADDING CHAPTER 22 OF TITLE 3 TO THE ONTARIO CITY CODE TO ESTABLISH A BUSINESS LICENSE FOR MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY

- WHEREAS,** Enrolled Oregon Senate Bill 1531 (2013) authorizes Oregon cities to impose reasonable restrictions on the operation and location of medical marijuana facilities, sometimes known as dispensaries;
- WHEREAS,** Under Oregon law, local governments may regulate the operation and location of certain types of businesses within their jurisdiction except when such action is specifically preempted by state law; and
- WHEREAS,** Although the State of Oregon has passed legislation authorizing medical marijuana facilities and providing criminal immunity under state law, the operation of those facilities remains illegal under federal law; and
- WHEREAS,** The City Council has home rule authority to decide whether, and under what conditions, certain commercial conduct should be regulated within the City and subject to the general and police powers of the City, except when local action has been clearly and unambiguously preempted by state statute; and
- WHEREAS,** The City's licensing and regulatory system should not be construed to constitute an authorization to engage in any activity prohibited by law nor a waiver of any other license or regulatory requirement imposed by any other provisions of City ordinance or local, regional, state or federal law; and
- WHEREAS,** The City Council wants to regulate the operation of medical marijuana facilities in the City in ways that protect and benefit the public health, safety and welfare of existing and future residents and businesses in the City; and
- WHEREAS,** The City Council finds that the presence of medical marijuana facilities within the City of Ontario may potentially result in adverse social and economic impacts, increased crime incidents, and physical deterioration in the general areas of such businesses; and that regulations applicable to such facilities are necessary to protect minors and to preserve the character, safety and stability of residential areas that are in proximity to such commercial businesses; and
- WHEREAS,** The Oregon Health Authority has issued permits to several businesses to operate medical marijuana facilities within the City, and it being necessary for the health, safety and welfare of the residents of the City, an emergency is hereby declared to authorize this Ordinance to take effect immediately upon passage; and
- WHEREAS,** Notwithstanding the emergency passage of this ordinance, the City Council intends that Ordinance 2699-2015, which becomes effective on May 1, 2015, and which extends the City's moratorium on medical marijuana facilities until August 1, 2015, prohibits the issuance of any licenses under this Ordinance 2700-2015 until the expiration of the

moratorium.

NOW THEREFORE, The Common Council For The City Of Ontario Ordains As Follows:

Section 1. The following Chapter 22 is hereby added Title 3 of the Ontario City Code and is entitled "Mandatory Business Licenses for Medical Marijuana Facilities":

## CHAPTER 22 MANDATORY BUSINESS LICENSES FOR MEDICAL MARIJUANA FACILITIES

### 3-22-1 DEFINITIONS

1. City Manager means the City Manager or the designee of the City Manager authorized to handle any matters arising under this Chapter on the City Manager's behalf.

2. Marijuana or medical marijuana means all parts of the plant Cannabis family 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. 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 preparation 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. As used in this Chapter, "marijuana" or "medical marijuana" refers to marijuana dried, produced, processed, kept, stored, delivered, transferred, dispensed or otherwise provided for the exclusive benefit of and use by a person to mitigate the symptoms or effects of a person's debilitating medical condition as defined in ORS 475.302.

3. Medical marijuana facility means a facility designed, intended or used for purposes of delivering, dispensing, or transferring marijuana to Oregon medical marijuana registry identification card holders pursuant to ORS 475.300-475.346. The facility includes all premises, buildings, curtilage or other structures used to accomplish the storage, distribution and dissemination of marijuana.

4. Operator means a person who owns, operates or otherwise has legal responsibility for a facility and who meets the qualifications established by the Oregon Health Authority and has been approved by the Oregon Health Authority to operate a medical marijuana facility.

5. Principal means members, partners or corporate officers, and all stockholders holding more than 10 percent of the voting stock for any applicant who is not a natural person.

6. Registration identification card means a document issued by the Oregon Health Authority that identifies a person authorized to engage in the medical use of marijuana, and the person's designated caregiver, if any.

### 3-22-2 LOCAL LICENSE REQUIRED

Medical marijuana facilities must possess a valid license issued under this Chapter to operate within the City. The license required by this Chapter facilitates the registration and the City's oversight of a medical marijuana facility. The license required by this Chapter should not be construed to constitute an authorization to engage in any activity prohibited by law nor a waiver of any other regulatory or license requirement imposed by any other provision of City ordinance or local, regional, state or federal law.

### 3-22-3 STATE REGISTRATION REQUIRED

To be eligible to apply for a license under this Chapter, medical marijuana facilities must be registered with the Oregon Health Authority and authorized by state law to operate.

### 3-22-4 LICENSE APPLICATION

(A) Contents of Applications. Applications for new and renewed licenses must be submitted to the City Manager on forms provided by the City. A separate application must be submitted for each proposed facility. The initial or renewal application must include the following information:

1. Certification that the proposed facility is registered at that location as a medical marijuana facility with the Oregon Health Authority pursuant to ORS 475.314.
2. The applicant's name, residence address, and date of birth, with photo identification such as a driver's license or other government-issued identification.
3. The names and residence addresses of:
  - a. Any person or legal entity that has an ownership interest in the facility, including all principals of the applicant;
  - b. Any person or legal entity with a financial interest that has loaned or given money or real or personal property to the applicant, or principal of the applicant, for use by the proposed facility within the preceding year;
  - c. Any person or legal entity that has leased real property to the applicant for use by the facility and any person who manages that property; and
  - d. Any person who is anticipated at the time of the application to be an employee or volunteer at the proposed facility.
4. The business name.
5. The address and telephone number of the proposed facility.
6. The mailing address for correspondence about the license.
7. A detailed description of the type, nature and extent of the business.
8. The proposed days and hours of operation.
9. A detailed description of the proposed accounting and inventory system of the facility.
10. Certification that the facility has met all applicable requirements of the City development code and sign code.
11. Certification that all applicable taxes and fees have been paid.

12. A complete application for a criminal background check for the applicant, and all principals, persons with a financial interest, employees, and volunteers of the proposed medical marijuana facility.

13. The names of at least three natural persons who can give an informed account of the business and moral character of the applicant and principals.

14. The signature, under penalty of perjury, of the applicant, if a natural person, or otherwise the signature of an authorized agent of the applicant, if the applicant is other than a natural person.

15. Other information deemed necessary by the City Manager to complete review of the application.

(B) Information Shall be Kept Current. All information provided in an initial or renewal application must be kept current at all times, including after a license is issued. Each licensee shall notify the City Manager in writing within ten business days of any change in the information provided to obtain the license.

### **3-22-5 LICENSE DETERMINATION**

(A) Determination. Within 25 days after receiving a complete application and application fee for a medical marijuana facility license, the City Manager will issue the license if the City Manager finds that the facility is registered as a medical marijuana facility with the Oregon Health Authority pursuant to ORS 475.314 and that all other requirements under this Chapter have been met.

(B) Denial. In addition to denial for failure to meet the requirements of this Chapter, the City Manager may deny a license if:

1. The applicant made an untrue, misleading, or incomplete statement on, or in connection with, the application for the license or a previous application for a license;
2. Notwithstanding the federal Controlled Substances Act, the applicant fails to meet all requirements of local, state, and federal laws and regulations, including, but not limited to, other permitting or licensing requirements and land use regulations; or
3. The applicant, principals, employees, volunteers, or persons with a financial interest in the facility have been convicted of a felony for the manufacture or delivery of a Schedule I or Schedule II controlled substance.

(C) An applicant may appeal the City Manager's denial of a license in accordance with Section 3-22-13(B). Any aggrieved person may appeal the City Manager's issuance of a license in accordance with Section 3-22-13(B).

### **3-22-6 APPLICATION FEE**

An initial license application and a renewal application must be accompanied by a nonrefundable application fee in the base amount of \$1,200 for a facility with five or fewer employees and volunteers. For facilities with more than five employees and volunteers, the fee

shall be the base fee plus \$220 for each additional employee or volunteer. The City Council may revise the fee amount from time to time by resolution of the Council.

### **3-22-7 DISPLAY OF LICENSE**

The license issued under this Chapter must be prominently displayed at all times in an easily visible location inside the facility.

### **3-22-8 TERMINATION OF LICENSE**

(A) Termination. A license terminates automatically one year from the date of issuance, unless a license renewal application has been approved.

(B) Renewal. A license may be renewed for additional annual terms as provided by this Chapter.

(C) Renewal Application. Renewal applications shall be submitted, with the required application fee, to the City Manager not less than 30 days prior to the expiration date of the existing license.

(D) Termination Due to Change in Law. A license terminates automatically if federal or state statutes, regulations or guidelines are modified, changed, or interpreted in such a way by state or federal law enforcement officials as to prohibit operation of the facility under this ordinance.

(E) Surrender. A licensee may surrender a medical marijuana facility license by delivering written notice to the City that the licensee thereby surrenders the license. A licensee's surrender of a license under this section does not affect the licensee's civil or criminal liability for acts the licensee committed before surrendering the license.

### **3-22-9 TRANSFERABILITY**

Licenses issued under this Chapter shall not be transferred to any other person. The City Manager may waive this restriction and authorize a transfer if it is to a limited liability company, corporation or partnership in which the names of principals have been included in the most recent license application for the facility and the City has already completed criminal background checks on those principals.

### **3-22-10 INDEMNIFICATION**

(A) Waiver. By accepting a medical marijuana facility license issued under this Chapter, the licensee waives and releases the City, its officers, elected officials, employees, volunteers and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of a facility owner or operator, principal, person or legal entity with a financial interest in the facility, person or entity that has leased real property to the facility, employee, volunteer, client or customer for a violation of federal, state or local laws and regulations.

(B) Indemnification. By accepting a medical marijuana facility license issued under this Chapter, the licensee(s), jointly and severally if there is more than one, agree to indemnify and hold harmless the City, its officers, elected officials, employees, volunteers, and agents, insurers, and self-insurance pool against all liability, claims, and demands on account of any injury, loss, or

damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the medical marijuana facility that is the subject of the license.

### 3-2-11 STANDARDS OF OPERATION

(A) Registration and Compliance with Oregon Health Authority Rules. The facility's registration as a medical marijuana facility under ORS 475.314 must be in good standing with the Oregon Health Authority, and the facility must comply with all applicable laws and regulations administered by the Oregon Health Authority for facilities.

(B) Compliance with Other Laws. The facility must comply with all applicable laws and regulations, including, but not limited to, the building and fire codes.

(C) Registry Identification Card Required. All persons allowed within the facility, except employees of the City performing their official duties, must have a valid registry identification card and be in compliance with rules adopted by the Oregon Health Authority.

(D) Sales in Facility. Sales or any other transfers of marijuana on the facility premises must occur inside the facility building and must be conducted only between the facility and individuals with registry identification cards.

(E) On-Site Use. Marijuana and tobacco products must not be smoked, ingested, consumed or otherwise used on the premises of a medical marijuana facility.

(F) On-Site Manufacturing. Manufacturing or production of any extracts, oils, resins or similar derivatives of marijuana is prohibited at a facility. Use of open flames or gases in the preparation of any products is prohibited at a facility.

(G) Outdoor Storage. Outdoor storage of merchandise, raw materials or other material associated with the facility is prohibited.

(H) Secure Disposal. The facility must provide for secure disposal of marijuana remnants or byproducts; marijuana remnants or by-products shall not be placed within the facility's exterior refuse containers.

(I) Home Occupation. A facility may not be operated as a home occupation.

(J) Screening from Public. All transactions shall occur within the interior of the facility, out of the view of the public. All doorways, windows and other openings shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. Walk-through windows, drive-through windows or other outside delivery systems are prohibited.

(K) Objectionable Odors. The facility must use an air filtration and ventilation system which, to the greatest extent feasible, confines all objectionable odors associated with the facility 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.

(L) Permanent Structure. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle.

(M) Blight. The facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.

(N) Security Devices. A facility must install and maintain all security devices required by the Oregon Health Authority.

(O) Lighting. A facility must maintain adequate outdoor lighting over each exterior exit.

(P) Hours of Operation. No facility shall have operating hours earlier than 10 a.m. or later than 7 p.m. of the same day.

(Q) Payment of Marijuana Tax. Unless waived by the City, the operator of the facility shall comply with the provisions of Chapter 21 of Title 3 of the City Code regarding payment of a tax on marijuana.

### **3-2-12 LOCATION OF FACILITY**

(A) Zone Location. A medical marijuana facility shall be located only within the C-2 land use zone described Title 10A, Chapter 29 of the City Code.

(B) Location Restrictions. A medical marijuana facility is prohibited in the following locations, regardless of zone, with distances measured from the closest points of the respective lot lines:

1. within 1,000 feet of a public or private elementary or secondary school, or a career school;
2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors, such as a Head Start school or a Boys and Girls Club, but not including child care facilities that are neither registered or certified by the State;
3. within 1,000 feet of a public park, public playground, public recreation center or public facility;
4. within 1,000 feet of another medical marijuana facility;
5. within 200 feet of all residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), Chapter 23 (TRO) and Chapter 52 (UGA-R) of Title 10A;
6. within 1,000 feet of a certified or registered child care facility licensed by the State of Oregon;
7. on the same tax lot as a smoking club or marijuana grow site; or
8. any combination of the above.

(C) Changes in Distances. If a medical marijuana facility complies with the distance restrictions set forth in Section 3-2-12(B) at the time of its initial license application, subsequent changes in use of other structures in the area (the establishment of a new school or child care facility, for example) shall not cause a medical marijuana facility to become noncompliant with Section 3-2-12(B).

### 3-22-13 ENFORCEMENT AND PENALTIES

(A) Revocation or Suspension of License. The City Manager may deny, suspend or revoke a license issued under this Chapter for failure to comply with this Chapter, for submitting falsified information to the City or the Oregon Health Authority, or for noncompliance with any other City ordinances or state law.

(B) Appeal of Issuance, Denial, Revocation or Suspension. Any person aggrieved by the City Manager's issuance, denial, suspension or revocation of a license may appeal it to the City Council by delivering a written notice of appeal to the City Manager within 30 days of the date of the denial, suspension or revocation. The appeal shall be heard by the City Council in a public meeting scheduled within 60 days of the date that the notice of appeal is delivered to the City Manager. The appellant shall be given at least a five day notice of the public meeting, and shall be entitled to appear and be heard. The City Council's decision on the appeal shall be final.

(C) Civil Penalty. In addition to the other remedies provided in this section, any person or entity, including any person who acts as the agent of, or otherwise assists, a person or entity who fails to comply with the requirements of this Chapter or the terms of a license issued under this Chapter, who undertakes an activity regulated by this Chapter without first obtaining a license, who fails to comply with a cease and desist order issued pursuant to this Chapter, or who fails to comply with state law commits an unclassified civil violation which shall be processed according to the procedures established in Chapter 4 "General Penalty" of Title 1 of this Code.

(C) Public Nuisance. Any premises, house, building, structure or place of any kind where medical marijuana is grown, processed, manufactured, sold, bartered, distributed or given away in violation of state law or this Chapter, or any place where medical marijuana is kept or possessed for sale, barter, distribution or gift in violation of state law or this Chapter, is a public nuisance. The City may institute an action in circuit court in the name of the City to abate, and to temporarily and permanently enjoin, such nuisance. The court has the right to make temporary and final orders as in other injunction proceedings. The City shall not be required to give bond in such an action.

(D) Remedies not Exclusive. 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 City ordinance or state law.

**Section 2.** Severability. The sections, subsections, paragraphs, and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph, or clause does not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

**Section 3.** An emergency having been declared, this ordinance shall take effect immediately upon passage.

PASSED AND ADOPTED by the Common Council of the City of Ontario this \_\_\_\_ day of \_\_\_\_\_,

2015, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Ron Verini, Mayor

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

## May 2015 Update

### LAND USE APPLICATIONS

| <b><u>Project</u></b>           | <b><u>Status</u></b>  |
|---------------------------------|---|
| Building Permits/Correspondence | <ul style="list-style-type: none"><li>• 14955 4th Street proposed addition</li><li>• Enforcement action on 21187 99E (Chip and Dales/Toby Js) and 20848 99E (Ramirez)</li><li>• 21377 Hwy 99E solicitations</li></ul> |
| Sign Permits                    | <ul style="list-style-type: none"><li>• Portland Laser Engraving</li></ul>  |
| Manufactured Home Permit        |   |
| Land Use Applications           | <ul style="list-style-type: none"><li>• Black Star Studios- Home Occupation for June</li><li>• Legislative Amendment 2015-01 (MMDs) for May 12<sup>th</sup> City Council hearing</li></ul>                            |

### ADDITIONAL PLANNING

| <b><u>Project</u></b>    | <b><u>Status</u></b>   |
|--------------------------|--|
| ODOT 99E Corridor Study  | <ul style="list-style-type: none"><li>• Staff has still not received the final adopted study</li></ul> |
| Development Code updates |  |
| Misc.                    | <ul style="list-style-type: none"><li>• Newsletter ideas?</li></ul>                                    |