



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 15, 2015
Jurisdiction: City of Oakridge
Local file no.: 2015-01
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/10/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 001-15 {23609}

Received: 4/10/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Oakridge

Local file no.: **2015-01**

Date of adoption: March 26, 2015

Date sent:

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): February 10, 15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Yes, the original proposal as far as restricted areas within 1000 feet of the facilities was more restrictive than state statute. The City decided to go with the distance restrictions and what facilities are affected from the state statute's.

Local contact (name and title): Louis Gomez

Phone: 541-782-2258

E-mail: louisgomez@ci.oakridge.or.us

Street address: 48318 E. 1st St-P.O. Box 1410

City: Oakridge

Zip: 97463-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Ordinance 874, Article 4 Low Density Residential District R-1 Section 4.02, Article 7 Central Commercial District C-2 Section 7.02, Article 8 Highway Commercial District C-3 Section 8.02, Article 10 Light Industrial District I-1 Section 10.02, Article 11 Heavy Industrial District Section 11.02, Article 24 Conditional Use permits Section 24.08 and Article 33 Definitions.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
---------------------------	--------------	----------------

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Oregon Health Authority, DLCD, OLCC

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

The information submitted should explain the city's intent to establish land use regulations for Medical Marijuana Dispensaries and Retail Sales of Marijuana. The intent was to balance the needs of the people for their medicine and the rights of the people to possess marijuana legally. We also wanted to take in the feelings of the rest of the community as these changes were moved forward.

ORDINANCE NO. 907

**AN ORDINANCE AMENDING SECTIONS 4.02, 7.02, 8.02, 10.02, 11.02, 24.08
AND ARTICLE 33 OF THE ZONING ORDINANCE OF THE CITY OF
OAKRIDGE ESTABLISHING LAND USE REGULATIONS FOR MARIJUANA
FACILITIES IN THE CITY OF OAKRIDGE**

WHEREAS, during the 2013 Special Legislative Session, the Oregon Legislature passed HB 3460, which allows for the establishment and registration of Medical Marijuana Facilities; and

WHEREAS, at the November 2014 General Election, the voters of the State of Oregon approved Ballot Measure 91, which will legalize the use and sale of recreational marijuana in Oregon; and

WHEREAS, marijuana is classified as a Schedule I Controlled Substance under the Federal Controlled Substances Act, the use, possession, and sale of which is currently illegal under Federal law; and

WHEREAS, pursuant to Article IX, Section 2 of the Oregon Constitution and the Oakridge Charter, the City of Oakridge is a home rule municipality with all the powers that the constitutions, statutes, and common law of the United States and the State of Oregon expressly or impliedly grant or allow the City; and

WHEREAS, the 2014 Oregon Legislature approved Senate Bill 1531, which explicitly allows cities in Oregon to adopt reasonable regulations on the operation of Medical Marijuana Facilities, including: 1) limitations on the hours during which a Medical Marijuana Facility may be operated, 2) limitations on where a Medical Marijuana Facility may be located within an agricultural, industrial, commercial, or mixed use zone, and 3) conditions on the manner in which a Medical Marijuana Facility may dispense medical marijuana; and

WHEREAS, Ballot Measure 91 does not restrict cities from adopting reasonable time, place, and manner regulations of the nuisance aspects of establishments that sell marijuana to consumers if the City makes specific findings that the establishment would cause adverse effects to occur; and

WHEREAS, Ballot Measure 91 recognizes that any authority to regulate marijuana uses granted by Measure 91 is in addition to and not in lieu of the City's authority to regulate pursuant to the Oakridge Charter, Oregon statutes and the Oregon Constitution; and

WHEREAS, the City Council finds that location of Medical Marijuana Uses in the Low Density Residential District (R-1), Medium Density Residential District (R-2), Neighborhood Commercial District (C-1) and Mixed Use District (M-1) would

adversely affect other property owners' ability to peacefully enjoy property located in those zones; and

WHEREAS, in the interest of the health, safety, and well-being of the citizens of Oakridge, the City Council has determined that Marijuana Uses should be allowed only within certain zones and those uses should be subject to reasonable regulations; and

WHEREAS, on February 10, 2015, Oakridge notified the Department of Land Conservation and Development of the proposed amendments to the Zoning Ordinance of the City of Oakridge (ZOCO); and

WHEREAS, on February 25, 2015, notice of a public hearing before the Planning Commission was mailed to all affected property owners in compliance with ORS 227.186; and

WHEREAS, Notice of a public hearing before the Planning Commission was posted on February 24, 2015, at regular posting locations and March 11, 2015 on the City Website. The notice was published/posted in order to reach persons believed to have particular interest and to provide the public with a reasonable opportunity to be aware of the hearings on the proposal pursuant to ZOCO Section 32.02; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments to the Zoning Ordinance of the City of Oakridge on March 17, 2015, adopted recommended findings of fact, and recommended to the City Council that Zoning Ordinance of the City of Oakridge be amended as presented in this ordinance; and

WHEREAS, notice of a public hearing before the City Council was posted on March 9, 2015 at regular posting locations and March 12, 2015 in the local publication. The notice was published/posted in order to reach persons believed to have particular interest and to provide the public with a reasonable opportunity to be aware of the hearings on the proposal pursuant to ZOCO Section 32.02; and

WHEREAS, the Oakridge City Council held a public hearing on the proposed amendments to the Zoning Ordinance of the City of Oakridge on March 19, 2015; and

WHEREAS, the Council has considered materials relevant to the proposed amendments, including staff reports, the findings made by the Planning Commission, testimony and comments submitted at both public hearings, both orally and writing;

NOW, THEREFORE, the City of Oakridge ordains as follows:

Section I. The City Council hereby adopts the Findings of Fact attached to this Ordinance as Exhibit A.

Section II. Section 4.02 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 4.02 USES AND STRUCTURES

- (1) Permitted uses and structures:
 - (a) Boarding, lodging or rooming houses, provided there are no more than three boarders;
 - (b) Day care facilities providing care to 12 or fewer children;
 - (c) Duplex on corner or double-frontage lots or lots abutting a rear alley, with a minimum lot area of 7,000 square feet and lot dimensions of at least 75 feet in width and 80 feet in depth;
 - (d) Gardens and greenhouses for noncommercial uses;
 - (e) Home occupations;
 - (f) Manufactured homes;
 - (g) Manufactured home subdivisions if the density of the subdivision is the same as that allowed by the Land Division Ordinance governing subdivisions (minimum lot size 5,000 square feet);
 - (h) Residential homes;
 - (i) Single-dwelling unit;
 - (j) Tri-plex on corner or double-frontage lots, with a minimum of 9,000 square feet and lot dimensions of at least 75 feet in width and 80 feet in depth subject to the procedures and criteria Article 25 - Site Plan Review of this ordinance;
 - (k) Bed and breakfast establishments provided there are no more than two guest rooms.
- (2) Permitted accessory uses and structures
 - (a) One single-dwelling unit accessory to a residential unit subject to the procedures and criteria Article 25 - Site Plan Review of this ordinance;
 - (b) Other accessory buildings and uses shall be allowed only to the extent necessary and normal to the uses permitted in this district.
 - (c) No more than two accessory buildings, including accessory dwelling units, shall be permitted to any dwelling unit.
 - (d) Accessory buildings are only allowed in rear yards or side yards, when side yard set backs are maintained.
 - (e) All accessory buildings that are not a part of the main building shall be separated from the main building by at least ten feet, unless building code requirements allow a lesser distance.
 - (f) No accessory building is allowed within ten feet of a property line abutting a street.

- (g) Garages, carports, or any parking space with direct, access from the street shall be set back at least 20 feet from a property line abutting a street.
- (3) Uses and structures permitted conditionally. The Planning Commission, subject to the procedures and criteria of Article 24 - Conditional Use Permits and Article 25 - Site Plan Review, when appropriate, of this Ordinance, may grant a conditional use permit for the following uses:
 - (a) Agriculture;
 - (b) Boarding, lodging or rooming house for more than three boarders;
 - (c) Clinics;
 - (d) Day care facilities providing care to 13 or more children;
 - (e) Greenhouses for commercial purposes other than marijuana production;
 - (f) Hospitals;
 - (g) Manufactured home subdivisions if the density of the subdivision is greater than that allowed by the Land Division Ordinance governing subdivisions (lot size less than 5,000 square feet);
 - (h) Mobile home parks;
 - (i) Duplexes or Tri-plexes, on lots other than corner or double-frontage lots or those abutting a rear alley;
 - (j) Nursing homes;
 - (k) Public and semi-public buildings and structures only if such use or structure is essential to the physical, social, and economic welfare of the area. No unscreened stockpiling or-storage of materials shall be allowed;
 - (l) Public parks, playgrounds, golf courses, swimming pools and community centers;
 - (m) Public or private schools;
 - (n) Religious institutions;
 - (o) Residential facilities;
 - (p) Uses similar to those listed above and are normally located in and consistent with the purpose of this district;
 - (q) Attached single-dwelling unit (townhouse) developments with a minimum lot size of 3,500 square feet per dwelling unit;
 - (r) Bed and breakfast establishments, with three or more guest rooms.
- (4) Special temporary use permitted: A mobile home, or other manufactured structure, as a temporary, accessory dwelling to a permanent residence for designated members of the immediate family when a medical hardship exists in the family. See Article 26 - Temporary Use Permits for more information.

Section III. Section 7.02 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 7.02 USES AND STRUCTURES

- (1) Permitted uses and structures: The following uses and structures shall be permitted except that: yards and open areas for all permitted uses shall not be used for the storage or display of used building materials or for any scrap or salvage operation, storage, or sale; and any use allowed must not be objectionable due to odor, dust, smoke, noise, vibration or appearance.
- (a) Bed and breakfast establishments;
 - (b) Business and professional offices;
 - (c) Clinics, including animal clinics, except that animals may not be boarded overnight. The Planning Commission shall review animal clinics for soundproofing requirements;
 - (d) Day care facilities;
 - (e) Drug stores and pharmacies;
 - (f) Financial institutions;
 - (g) Laundromat;
 - (h) Health spas or studios;
 - (i) Hotels and motels, provided no off-street parking areas or driveways are located between the building and the front lot line;
 - (j) Household appliance and small equipment repair and maintenance;
 - (k) Mixed-use developments that combine two or more permitted uses in a single building or development.
 - (l) Personal services such as barber and beauty shops;
 - (m) Existing residential uses;
 - (n) New residential uses, except new mobile home parks, provided that dwelling units do not occupy the front 25 feet of the building's ground floor facing the principal commercial street, except that a six-foot wide separate entrance to the residential uses may be allowed off the principal commercial street at the ground floor;
 - (o) Restaurants, delicatessens, cafes, and coffee houses, not including drive-through facilities;
 - (p) Retail stores (including those selling food, flowers, live plants, hardware, sporting and dry goods, clothing, packaged liquor and other retail products), with less than 30,000 square feet of floor area;
 - (q) Shoe repair;
 - (r) Wholesale sales, less than 30,000 square feet in floor area, as long as it is fully enclosed within one or more buildings and has no outside parking, storage or display in a front or side yard;
 - (s) Public and semi-public buildings and structures, which provide a point of service or offices dealing directly with the public. No stockpiling or outdoor storage of materials shall be allowed;

- (t) Accessory buildings and uses normal and incidental to the uses permitted conditionally by this section; other than drive-through facilities.
 - (u) Uses determined by the Planning Director to be similar to the uses listed above and also consistent with the purpose of this district stated in section 7.01.
- (2) Uses and structures permitted conditionally. The Planning Commission, subject to the procedures and criteria of Article 24 - Conditional Use Permits of this ordinance, may grant a conditional use permit for the following uses:
- (a) Amusement establishments, such as arcades, pool halls, movie theaters, and similar uses;
 - (b) Automotive sales and repair, as long as it is fully enclosed within one or more buildings and has no outside parking, storage or display in a front or side yard;
 - (c) Bars, taverns and nightclubs not accessory to a restaurant;
 - (d) Building maintenance service;
 - (e) Clubs, lodges, fraternal organizations and religious institutions, with less than 15,000 square feet of floor area;
 - (f) Manufacturing products for retail or wholesale sale, less than 30,000 square feet in floor area, as long as it is fully enclosed within one or more buildings and has no outside parking or storage in a front or side yard;
 - (g) Marijuana Processors, less than 30,000 square feet in floor area, as long as the use is fully enclosed within one or more buildings and has no outside parking or storage in front yard;
 - (h) Marijuana Retailers;
 - (i) Marijuana Wholesalers, less than 30,000 square feet in floor area, as long as it is fully enclosed within one or more buildings and has no outside parking, storage or display in a front or side yard;
 - (j) Marijuana Producer
 - (k) Medical Marijuana Facilities;
 - (l) Mixed-use developments (two or more uses in a single building or development) including one or more conditionally permitted uses;
 - (m) Public or private schools;
 - (n) Public parking areas and structures;
 - (o) Public parks, playgrounds and community centers;
 - (p) Residential uses that do not meet the requirements of Section 6.02(1)(g) of this Article;
 - (q) Drive-through facilities, when normal and incidental to the uses permitted by this section.
 - (r) Uses determined by the Planning Director to be similar to the uses listed above and also consistent with the purpose of this district stated in section 7.01.

Section IV. Section 8.02 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 8.02 USES AND STRUCTURES

- (1) Permitted principal uses and structures.
 - (a) Automotive sales and repair;
 - (b) Business and professional offices;
 - (c) Bus terminals;
 - (d) Carwashes;
 - (e) Clinics, including animal clinics, except that animals may not be boarded overnight. The Planning Commission shall review animal clinics for soundproofing requirements;
 - (f) Drug stores and pharmacies;
 - (g) Dry cleaners;
 - (h) Financial institutions;
 - (i) Laundromat;
 - (j) Health spas or studios;
 - (k) Hotels and motels;
 - (l) Household appliance and small equipment repair and maintenance;
 - (m) Mixed-use developments that combine two or more permitted uses in a single building or development.
 - (n) Personal services such as barber and beauty shops;
 - (o) Existing residential uses and existing mobile home parks;

 - (p) Private utility buildings and offices;
 - (q) New residential uses, except new mobile home parks, provided that a dwelling unit does not occupy the building's ground floor, except that a six-foot wide separate entrance to the residential uses may be allowed off the principal commercial street at the ground floor;
 - (r) Restaurants, delicatessens and cafes;
 - (s) Retail stores (including those selling food, flowers, live plants, hardware, sporting and dry goods, clothing, packaged liquor and other retail products) with less than 25,000 square feet of floor area;
 - (t) Retail sales of building materials;
 - (u) Shoe repair;
 - (v) Sporting equipment and recreational equipment rental services.
 - (w) Wholesale sales;
 - (x) Accessory buildings and uses normal and incidental to the uses permitted by this section;

- (y) Uses determined by the Planning Director to be similar to the uses listed above and also consistent with the purpose of this district stated in section 8.01.
- (2) Uses and structures permitted conditionally. The Planning Commission, subject to the procedures and criteria of Article 24 - Conditional Use Permits of this ordinance, may grant a conditional use permit for the following uses:
- (a) Agriculture supply and equipment sales and service;
 - (b) Amusement establishments, such as arcades, pool halls, movie theaters, and similar uses;
 - (c) Bars, taverns and nightclubs not accessory to a restaurant;
 - (d) Building maintenance service;
 - (e) Clubs, lodges and fraternal organizations;
 - (f) Religious institutions;
 - (g) Manufacturing products for retail sale, provided the sales floor occupies a least the front 25 feet of depth on the building's ground floor;
 - (h) Marijuana Processors;
 - (i) Marijuana Retailers;
 - (j) Marijuana Wholesalers;
 - (k) Marijuana Producer
 - (l) Medical Marijuana Facilities;
 - (m) Mixed-use developments (two or more permitted and conditionally permitted uses in a single building or development) including one or more conditionally permitted uses;
 - (n) Public and- semi-public buildings and structures, but no unscreened stockpiling or storage of materials shall be allowed;
 - (o) Public parking areas and structures;
 - (p) Public parks, playgrounds and community centers;
 - (q) Retail stores (including those selling food, flowers, live plants, hardware, sporting and dry goods, clothing, packaged liquor, and other retail products) with between 25,000 and 40,000 square feet of floor area;
 - (r) Service stations, subject to the special requirements imposed by Article 24 - Conditional Use Permits of this ordinance;
 - (s) Transmission facilities and structures for radio, television, telephone and microwave;
 - (t) Uses determined by the Planning Director to be similar to the uses listed above and also consistent with the purpose of this district stated in section 8.01.

Section V. Section 10.02 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 10.02 USES AND STRUCTURES

- (1) Permitted principle uses and structures:
 - (a) Accessory buildings and uses normal and incidental to the uses permitted in this section;
 - (b) Automobile and truck repair;
 - (c) Building material sales yards, excluding concrete or asphalt batch or mixing plants;
 - (d) General warehousing, wholesale, or storage use;
 - (e) Mobile or other manufactured home for a caretaker or guard employed on the premises;
 - (f) Public buildings and public utility service buildings, except sewage treatment plants;
 - (g) Railroad yards and freight stations, trucking and motor freight stations and facilities;
 - (h) Retail sale of wood for fuel or the sale of other wood products.

- (2) Uses and structures permitted conditionally. The Planning Commission, subject to the procedures and criteria of Article 24 - Conditional Use Permits and Article 25 - Site Plan Review, may grant a conditional use permit for the following uses:
 - (a) Junk yards and auto wrecking yards;
 - (b) Kennels and veterinary clinics;
 - (c) Marijuana Processors;
 - (d) Marijuana Wholesalers;
 - (e) Marijuana Producer
 - (f) Service stations, subject to the special requirements imposed by Article 24 - Conditional Use Permits of this ordinance;
 - (g) Sewage treatment plants;
 - (h) Uses involving any manufacturing, processing, assembly, research or wholesaling;
 - (i) Uses similar to those listed above and are normally located in and are consistent with the purpose of this district.

Section VI. Section 11.02 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 11.02 USES AND STRUCTURES

- (1) Permitted uses and structures:
 - (a) Accessory buildings and uses normal and incidental to the uses permitted in this section;
 - (b) Compounding, assembly or treatment of previously prepared raw materials;
 - (c) Junk yards and auto wrecking yards;
 - (d) Kennels and veterinary clinics;

- (e) Manufacture of lumber, wood and paper products, chemical and petrochemical products, metal and metal alloy products, and the storage of any raw materials for such industries;
 - (f) Quarries, gravel pits, and surface and subsurface mining, including the crushing, screening, or washing of extracted materials;
 - (g) Uses involving any manufacturing, processing, assembling, research, or wholesaling;
 - (h) Accessory buildings and uses normal and incidental to the uses permitted in this section;
 - (i) Automobile and truck repair;
 - (j) Building material sales yards, excluding concrete or asphalt batch or mixing plants;
 - (k) General warehousing, wholesale, or storage use;
 - (l) Mobile or other manufactured home for a caretaker or guard employed on the premises;
 - (m) Public buildings and public utility service buildings, except sewage treatment plants;
 - (n) Railroad yards and freight stations, trucking and motor freight stations and facilities;
 - (o) Retail sale of wood for fuel or the sale of other wood products.
- (2) Uses and structures permitted conditionally. The Planning Commission, subject to the procedures and criteria of Article 24 - Conditional Use Permits and Article 25 - Site Plan Review of this ordinance, may grant a conditional use permit for the following uses.
- (a) Bulk plants;
 - (b) Marijuana Processors;
 - (c) Marijuana Wholesalers;
 - (d) Marijuana Producer
 - (e) Service stations, subject to the special requirements imposed by Article 24 - Conditional Use Permits of this ordinance;
 - (f) Slaughter houses;
 - (g) Uses similar to those listed above and are normally located in and are consistent with the purpose of this district.
 - (j) Service stations, subject to the special requirements imposed by Article 24 - Conditional Use Permits of this ordinance;
 - (h) Sewage treatment plants;
 - (f) Uses similar to those listed above and are normally located in and are consistent with the purpose of this district.

Section VII. Section 24.08 of the Zoning Ordinance of the City of Oakridge is amended to read as follows:

SECTION 24.08 ADDITIONAL CONDITIONS

Some land uses, by the nature of the activity associated with them, require separate and intense consideration by the Planning Commission before their establishment.

- (1) Agriculture: Agricultural uses shall conform to the following criteria:
 - (a) Domestic farm animals shall not be kept on lots having an area of less than 20,000 square feet. The total number of all such animals, other than their young under the age of six months, allowed on a lot shall be limited to the square footage of the lot divided by the total minimum areas required for each animal as listed below:

Horses and cattle	10,000 square foot area
Goat and sheep	5,000 square foot area
Bee colonies	1,000 square foot area
Fowl and rabbits	500 square foot area
 - (b) No animal raising or breeding enterprise shall be conducted on a commercial basis.
 - (c) Animal runs or barns, fowl and rabbit pens, and bee colonies shall be located on the rear half of the property but not closer than 70 feet to the front property line nor closer than 50 feet from any residence nor closer than 20 feet to any interior property line.
 - (d) Domestic farm animals shall be properly caged or housed, and proper sanitation shall be maintained at all times.
 - (e) All animal or fowl food shall be stored in metal or other rodent-proof receptacles.
- (2) Boarding, lodging or rooming house having four or more boarders
 - (a) Lot area. The minimum lot area shall be 8,000 square feet.
 - (b) Lot coverage. The maximum coverage of the lot by all structures shall not exceed 45 percent of the lot area. The maximum coverage of the lot for all structures, driveways, and parking areas shall not exceed 65 percent of the lot area.
 - (c) Yards.
 - (i) Principal building. Each principal building shall be set back from all property lines at least one foot for each foot of height, except that no principal building shall be required to be set back more than 20 feet from any property line.
 - (ii) Accessory building. Accessory buildings are not allowed in any side yard.
 - (d) Landscaping. All lot area not covered by building or parking areas is to be landscaped. A minimum of 35 percent of the total lot area shall be landscaped. See Article 25 - Site Plan Review of this ordinance for further information.
- (3) Hospitals. Any building used for hospital purposes shall provide and maintain a minimum of 50 feet from side and rear property lines, except in the street side of a corner lot where the street is dedicated to the public.

Alleys next to or within the property being used for hospital purposes may be included in the required setback.

(4) Marijuana Processors, Marijuana Retailers, Marijuana Wholesalers, and Medical Marijuana Facilities.

(a) At the time the conditional use application is filed, the Marijuana Processor, Marijuana Retailer, Marijuana Wholesaler, or Medical Marijuana Facility may not be located within 1000 feet of any of the following:

(i) A public or private elementary, secondary, or career school;

(b) In addition to the restrictions imposed by subsection (a) of this section, at the time a conditional use application is filed, a Medical Marijuana Facility may not be located within 1000 feet of another Medical Marijuana Facility.

(c) For purposes of this section (4) the following definitions apply:

(i) "Career School" means any private proprietary professional, technical, business, or other school instruction, organization, or person that offers any instruction or training for the purpose or purported purpose of instructing, training, or preparing persons for any profession at a physical location attended primarily by minors.

(ii) "Elementary School" means a learning institution containing any combination of grades Kindergarten through 8 or age level equivalent.

(iii) "Secondary School" means a learning institution containing any combination of grades 9 through 12 or age level equivalent and includes those institutions that provide junior high schools which include 9th grade.

(iv) "Within 1000 feet" means a straight line measurement in a radius extending for 1000 feet or less in every direction from any point on the boundary line of the real property on which the Marijuana Processor, Marijuana Retailer, Marijuana Wholesaler, or Medical Marijuana Facility is located and the real property on which a use identified in subsection (a) is located.

(5) Public or private schools. Any building used for school purposes shall provide and maintain setbacks of 50 feet from side and rear property lines, except in the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys next to or within the property being used for school purposes may be included in the required setback.

(6) Religious institutions. Any building used for religious worship purposes in any residential area, except freestanding parsonages, shall provide and

maintain a minimum setback of 20 feet from any property line that is under a different ownership and is zoned for residential use.

(7) Service stations.

- (a) A sight-obscuring fence or wall, not less than five feet in height, shall be provided between the service station and abutting property in any residential district. Said wall or fence shall reduce to a three-foot maximum in any required front yard setback.
- (b) All lighting shall be such that its direction and color do not create a traffic hazard or a nuisance to any adjoining property.
- (c) A minimum of 15 percent of the total lot area must be landscaped according to Article 25 - Site Plan Review of this ordinance.

Section VIII. Article 33 of the Zoning Ordinance of the City of Oakridge is amended to add the following definitions in appropriate alphabetical order:

Marijuana Processor: an individual or entity licensed by the Oregon Liquor Control Commission to process, compound, or convert marijuana into products that contain marijuana or marijuana extracts.

Marijuana Producer: an individual or entity licensed by the Oregon Liquor Control Commission to manufacture, plant, cultivate, grow, or harvest marijuana. For purposes of this code, marijuana production is not an agricultural use.

Marijuana Retailer: an individual or entity licensed by the Oregon Liquor Control Commission to sell marijuana items to consumers.

Marijuana Wholesaler: an individual or entity licensed by the Oregon Liquor Control Commission to purchase marijuana items for resale to someone other than a consumer.

Medical Marijuana Facility: a facility registered by the Oregon Health Authority pursuant to ORS 475.314.

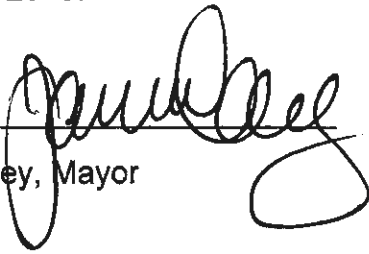
Section IX. This ordinance shall take effect on the thirtieth day after its enactment.

READ FOR THE FIRST TIME BY TITLE ONLY, this 19th day of March, 2015.

READ FOR THE SECOND TIME, BY TITLE ONLY, PASSED AND ADOPTED by a vote of the Oakridge City Council this 26th day of March 2015.

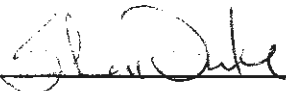
PASSED BY THE COUNCIL of the City of Oakridge this 26th day of March 2015.

APPROVED AND SIGNED BY THE MAYOR of the City of Oakridge this 26th day
of March 2015.



James Coey, Mayor

Attest:



Susan LaDuke, City Recorder

Ayes: 4

Nays: 2