

**MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT,
PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE**



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, OCTOBER 16, 2018, 7:00 PM, MT**

Pursuant to the Public Meetings Laws and Rules within the Oregon Revised Statutes, the City Council has the authority, ability, and standing to take action on any items on the Agenda, or add items to the Agenda, during the Study Session or Regular Meeting, as long as all public meeting notice requirements have been met.

1) CALL TO ORDER

Roll Call: Betty Carter _____ Marty Justus _____ Ramon Palomo _____ Dan Capron _____
Thomas Jost _____ Norm Crume _____ Mayor Ron Verini _____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on Friday, October 12, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

4) PUBLIC COMMENTS Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. Our of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

5) NEW BUSINESS

A) Fire Department Exhaust System Bid Review

6) PUBLIC HEARING

A) Land Use Action #2018-08-15ZCA, Amending Title 10A ("the Zoning Title") of the Ontario City Code to Allow Certain Marijuana Related Operations and Activities in Certain Zones under a Conditional Use Permit and to Prohibit Them in all Other Zones not Specifically Noted as Being Allowed as a Conditional Use; Adoption of Ordinance #2748-2018 on First Reading by Title Only

7) HAND-OUTS/DISCUSSION ITEMS

A) Civil Penalties Update
B) Check Register August to October 11, 2018

8) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

9) ADJOURN



**AGENDA REPORT
NEW BUSINESS
October 16, 2018**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: FIRE DEPARTMENT EXHAUST SYSTEM BID REVIEW

DATE: October 10, 2018

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE PURCHASE OF THE DIESEL EXHAUST EXTRACTION SYSTEM TO THE LOW BIDDER, WEIDNER FIRE, FOR \$67,220.00.

SUMMARY:

Public Works staff developed a bid package and reached out to vendors of this type of exhaust system. The team received three bids, and secured a responsible, responsive low bid for a Diesel Exhaust Extraction System for the Fire Department Bay. The Staff would like to secure approval of the bid by the Council so that they can finalize the purchase and have the system installed.

BACKGROUND:

This diesel exhaust extraction system will provide the Fire Department with an appropriate system to eliminate the exhaust created by the fire apparatus that are started in the bay and protect staff from exposure to the exhaust fumes. The City will be paying for the project but will be reimbursed by the Rural Fire District at the completion of the project.

CURRENT SITUATION:

The staff have gone through the process of securing a low bid and would like to move forward with the purchase of this exhaust extraction system to provide a safer, cleaner environment for staff as soon as possible. The Rural Fire District is ready to provide reimbursement for this project. The low bid from Weidner Fire is attached for information, as are the other bids and the bid form.

ANALYSIS:

- A. **FINANCIAL** The low bid price is \$67,220.00, but the overall cost to the City of Ontario is essentially \$0, as the entire amount will be reimbursed by the Rural Fire District.

The exhaust item was discussed and supported by the budget committee.

Line Item: 055-13-712113

- B. **TIMING** Staff would like to continue moving forward with this purchase as soon as possible. This piece of equipment is necessary for personnel safety.
- C. **POLICY/LEGAL** The City Council must approve the contract with the low bidder to attest that city and state procurement regulations have been followed.

ALTERNATIVES:

1. Approve the purchase of the Diesel Exhaust Extraction System on the low bid process.
2. Do not approve the purchase of the diesel exhaust extraction system. The impact of this is that fire department staff will not receive the benefit of cleaner air while working in the fire bays.

RECOMMENDATION:

Staff recommends that the City Council approve the purchase of the diesel exhaust extraction system from Weidner Fire for \$67,220.00 and receive reimbursement for the project from the Rural Fire District.

ATTACHMENTS:

1. Fire Station Bid Quote - Exhaust System
2. Ontario Fire and Rescue Proposal Air Exchange
3. Ontario Fire and Rescue Proposal Weidner
4. Ontario OR Quote Oct 2018 (1)



City of Ontario

444 SW 4th Street
Ontario, OR 97914

Bid or Quote Tracking Form

Item: Exhaust System

Item On State Bid List? Yes ☐ No ☒

City Representative: Al Haun

Budgeted Amount: _____

Date: _____

Line Item: _____

Vendor #1 Name: Weidner Fire

Contact Person: John Rech

Phone # 1-801-565-9595

First Attempt: Contact Date: 9/14/18 Contact Time: 430PM Response? Yes ☒ No ☐

Second Attempt: Contact Date: _____ Contact Time: _____ Response? Yes ☐ No ☐

Bid Attached? Yes ☒ No ☐ Verbal Quote? ☐ Written Quote? ☒ Amount: \$67,220.00

Notes:

Emailed bid packet -Roger met with Chief Terry 9/17/18 - Emailed revised parts list 9/19/18 Received bid in an email @

Vendor #2 Name: Plymovent

Contact Person: Jim Cleary

Phone # 909-720-7064

First Attempt: Contact Date: 9/14/18 Contact Time: 4:35PM Response? Yes ☒ No ☐

Second Attempt: Contact Date: _____ Contact Time: _____ Response? Yes ☐ No ☐

Bid Attached? Yes ☒ No ☐ Verbal Quote? ☐ Written Quote? ☒ Amount: \$93,114.00

Notes:

Left message and emailed bid packet Emailed revised parts list 9/19/18 Received bid @ 10:31AM on 9/28/18 in an email

Vendor #3 Name: Magnagrip

Contact Person: Kay Bogle

Phone # 1-800-875-5440

First Attempt: Contact Date: 9/14/18 Contact Time: 4:47PM Response? Yes ☐ No ☒

Second Attempt: Contact Date: 9/28/18 Contact Time: 3:23PM Response? Yes ☒ No ☐

Bid Attached? Yes ☒ No ☐ Verbal Quote? ☐ Written Quote? ☒ Amount: \$83,009.00

Notes:

received revised bid 10/01/18 @ 3:33PM

AIR EXCHANGE, INC.

The Clean Air Specialists

495-A Edison Ct.
Fairfield, CA 94534

WA Contractors Lic. AIREX1*988DJ
CA Contractors Lic. 664135

Phone: 800-300-2945
Fax: 707-864-2705

DIR# 1000011166

Proposal submitted to: Ontario Fire Department	Phone: 541-889-8572	Date: 9/28/2018
Street: 444 SW 4th St.	Application Engineer: Chris Koss	
City, State and Zip Code: Ontario, OR	Job Location: Same	
Customer Representative: Al Haun	Title:	Cell:

Thank you for allowing Air Exchange, Inc. the opportunity to provide the following quotation to you.

SCOPE OF WORK: Plymovent Diesel Exhaust Removal System.

One (1)	SBTA-21, Sliding Balancer Track Back-In System, 25' Total Length, One Hose.	\$ 4,082.00
Three (3)	STRA-60-2, Straight Rail Drive-Thru System, 2 Crabs/Hoses per Rail.	\$ 45,600.00
One (1)	10HP TEV Fan, 208-230V, 3Phase, w/TEFC Motor.	\$ 3,717.00
One (1)	10HP OS-3 Control Panel, 208-230V, 3Phase, with Wireless Transmitter System.	\$ 2,265.00
Lot	Ducting, Supports, Materials, 16" x 60" Silencer, 16" Upblast Back Draft Damper.	\$ 4,350.00
	Complete turnkey job.	

Materials:	\$ 60,014.00
(7) Tailpipe Modifications:	\$ 1,260.00
Lifts:	\$ 2,140.00
(Est.) Freight:	\$ 2,500.00
Electrical:	\$ 2,400.00
Labor:	\$ 24,800.00
Sales Tax:	N/A
TOTAL:	\$ 93,114.00

NOTES: Terms and Conditions as attached.

Electrical cost based on breaker panel being sufficient.

Freight will be pre-paid and freight bills will accompany invoice.

Sales tax based on current rates. Actual rates in effect at billing.

Delivery of system will be within 10 weeks of proposal acceptance.

Payment to be made as follows: Equipment due on delivery, Balance due net 30 after completion.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's compensation Insurance.

Authorized Signature:

CHRIS KOSS
PROJECT MANAGER

Note: This proposal may be with-drawn by us if not accepted within 45 days.

ACCEPTANCE OF PROPOSAL and TERMS AND

CONDITIONS. (Pages 1 and 2, inclusively.) The above prices, specifications and Terms and Conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. By signing where indicated, you, as agent for the organization proposed, hereby authorized Air Exchange, Inc. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

SIGNATURE: _____

**DATE OF
ACCEPTANCE:** _____

TERMS AND CONDITIONS

AIR EXCHANGE, INC.

495-A Edison Ct.
Fairfield, CA 94534

WA Contractors Lic. AIREX1*988DJ
CA Contractors Lic. 664135

Phone: 800-300-2945
Fax: 707-864-2705

Page 2 of 2
DIR# 1000011166

PROJECT PROPOSED: Ontario F.D. - Plymovent System

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits and fees of any kind are not included in this proposal; including but not limited to, any pertinent load calculations; technical drawings, submittals, shop drawings and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated on Page 1 of 2 of the proposal.
3. All work to be performed during normal business hours (M-F, 7:30 a.m. to 4:00 p.m.). Work done outside of normal business hours will be subject to additional charges (i.e., time and one-half, double time, etc.) unless indicated on Page 1 of 2 of the proposal.
4. Payments terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
5. Freight is not included, unless indicated on Page 1 of 2 of the proposal. Please provide preferred carrier. If you authorize, Air Exchange, Inc. will pay for freight charges and invoice you, but you must include this provision in your purchase order to Air Exchange, Inc.

Date: 9/28/2018	Customer: Ontario Fire and Rescue Contact: Chief Terry Leighton Phone: 541-881-3233 Email: terry.leighton@ontariooregon.org
Proposal #: 09282018	Address: 444 SW 4th Street Ontario OR 97914 Job Location: Main station

> **Scope of Work:** Weidner Fire will provide a MagneGrip exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Three MagneGrip straight suction rail systems for pull thru apparatus parking and one sliding flex hose system for back in parking configuration. Wireless pressure sensors, control panel, and system fan.

QTY	P/N	EQUIPMENT DESCRIPTION	PRICE EA.	EXT. PRICE
3	SSRM-601	MagneGrip 60 ft. straight suction rail, includes support legs, one crab, tailpipe adapter, end cap, hose, balancer and rubber lips.	8,450.00	25,350.00
3	520042-01	MagneGrip crab for straight suction rail, includes hose, balancer, and nozzle.	3,170.00	9,510.00
1	SFTM 301	MagneGrip 30 ft. sliding flex hose system, includes track, support legs, hose, balancer, and tailpipe adapter.	4,100.00	4,100.00
7	540558-01	MagneGrip wireless auto start transmitters	195.00	1,365.00
1	CF363-10	MagneGrip Cincinnati fan/motor assembly, 10 HP, single phase, 5600 CFM at 6" sp, 16" inlet and outlet.	4,693.00	4,693.00
1	500183-05	MagneGrip control panel, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,661.00	1,661.00
1	500157-16	MagneGrip 16" upblast and rain damper, galvanized	636.00	636.00
1	500151-16	MagneGrip 16" x 42" exhaust silencer	1,100.00	1,100.00
6	530022-08	MagneGrip 8" blast gate, galvanized	0.00	0.00
6	500155-03	MagneGrip 8" tapered suction rail plenum	0.00	0.00
1	520049-08	MagneGrip suction rail shock absorber assembly	450.00	450.00
1	Install	Install includes: equipment installation, equipment rental, electrical, spiral duct, start up, calibration, and training.	16,855.00	16,855.00
1	Freight	Estimated freight	1,500.00	1,500.00
			TOTAL:	67,220.00

Delivery of system will be within **6** weeks of proposal acceptance.

Payment Terms: Equipment portion of project due on delivery, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon strikes, accidents, weather, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

Weidner Fire | 135 West 7065 South Midvale, UT 84047 | Tel: 801.565.9595 | weidnerfire.com



PROPOSAL



TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits and fees of any kind are not included in this proposal; including but not limited to, any pertinent load calculations; technical drawings, submittals, shop drawings and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated on Page 1 of 2 of the proposal.
3. All work to be performed during normal business hours (M-F, 7:30 a.m. to 4:00 p.m.). Work done outside of normal business hours will be subject to additional charges (I.e., time and one-half, double time, etc.) unless indicated on Page 1 of 2 of the proposal.
5. Payments terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
6. Freight is not included, unless indicated on Page 1 of 2 of the proposal. Please provide preferred carrier. If you authorize, Weidner Fire will pay for freight charges and invoice you, but you must include this provision in your purchase order to Weidner Fire.

SIGNATURE: _____ **Date:** _____

(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

MagneGrip Group

DATE: October 1, 2018

PROPOSAL FOR: Ontario Fire Department
444 SW 4th Street
Ontario, Oregon 97914

ATTENTION: Al Haun, Ontario Public Works

PROJECT SCOPE: Provide and install a fully automatic MagneGrip™ Diesel Exhaust Extraction System for the source capture and the removal of vehicle exhaust emissions from Apparatus' start up to door threshold.

EQUIPMENT, MATERIAL AND LABOR PRICE:

Seven Drop MagneGrip™ Horizontal Flex and Suction Rail Track Exhaust Removal System
Package Includes:

- < (3) SSRM-602 Suction Rail systems complete with 5" inch high temperature hose, with (2) Trolley Assembly with external guide wheels, (2) MagneGrip Nozzle Assembly that seals completely around the tailpipe to contain contaminated air and (2) Adaptor assembly that provides easy connection and cool air induction per rail.
- < (1) SFTM-301 Horizontal Hose Track "No Loop System" with 6" expandable hose and 5" high temperature hose drop, complete with MagneGrip Nozzle Assembly that seals completely around the tailpipe to contain contaminated air and Adaptor assembly that provides easy connection and cool air induction per track.
- < (7) 530630-05 Extreme High Temperature Lower Hose rated at 850 degrees, with Handle Assembly
- < (1) CF363-10 MagneGrip Exhaust Fan Model CF363 with durable powder coating and of continuous welded construction throughout. Fan has an efficient backward incline, spark resistant fan wheel and is rated at 10hp 5600 cfm @ 6"sp, meets AMCA #2 standard and bench balanced to ANSI Standard for stability. Fan shall be wired for three phase.
- < (1) 500183-08 Wireless Auto-Start Control Panel in NEMA 4X enclosure with automatic start/stop operation. Entire assembly is UL/CUL listed with timer, manual override switch and wireless capable.
- < Wireless receiver, transmitters and pressure sensors for automatic system activation.
- < (1) 500157-16 16" Up-blast Back Draft Damper Type Rain Cap
- < (1) 500151-16 Silencer
- < (7) 540558-01 Auto Start Transmitter
- < Electrical Power Wiring from available supply to control panel and to fan. Safety disconnect for fan motor is included. Does not include any subpanels if required, and excludes any modifications required to bring service to code.



MagneGrip Group

- < Tailpipe Modifications as required but, limited to vehicle tailpipes from the muffler out. Large modifications, tailpipe relocation and severely damaged tailpipes may be excluded.
- < All spiral ductwork, lateral connectors, dampers and hangers for Class 2 Mechanical Installation included.
- < Adjustable Telescopic Support Legs to hang rail or track systems
- < Shipping to Job Site, Included
- < Factory provided labor to install above system to provide a complete turnkey project
- < Start up and Field Training
- < Equipment is 100% American Made by an ISO9001-2008 Company

PRICE\$83,009.00

TERMS:

- < Net Due upon Receipt of Invoice
- < Does not Include Roof Penetration and Sealing, if required
- < Pricing does not include any state taxes, sales tax or special tax if required.

SUBMITTED BY:

Clean Air Concepts

M Rossman

Maggie Rossman-Roach, Vice President

10/1/18
Date

ACCEPTED BY:

Signature

Print Name

Title

Date

PO# if required





**AGENDA REPORT
PUBLIC HEARING
October 16, 2018**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **LAND USE ACTION #2018-08-15ZCA, AMENDING TITLE 10A ("THE ZONING TITLE") OF THE ONTARIO CITY CODE TO ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES IN CERTAIN ZONES UNDER A CONDITIONAL USE PERMIT AND TO PROHIBIT THEM IN ALL OTHER ZONES NOT SPECIFICALLY NOTED AS BEING ALLOWED AS A CONDITIONAL USE; ADOPTION OF ORDINANCE #2748-2018 ON FIRST READING BY TITLE ONLY**

DATE: October 11, 2018

PROPOSED MOTION:

1). I MOVE THE CITY COUNCIL ACCEPT AND APPROVE THE FINDINGS OF FACTS PRESENTED IN THE STAFF REPORT AND THE RECOMMENDATIONS OF THE PLANNING COMMISSION SENT FORWARD FROM THE PUBLIC HEARING ON OCTOBER 8, 2018, ON PLANNING ACTION 2018-08-15ZCA.

2). I MOVE THE CITY COUNCIL APPROVE ORDINANCE 2748-2048 WITH THE RECOMMENDATION FROM THE PLANNING COMMISSION, AN ORDINANCE AMENDING TITLE 10A ("THE ZONING TITLE") OF THE ONTARIO CITY CODE TO ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES IN CERTAIN ZONES UNDER A CONDITIONAL USE PERMIT AND TO PROHIBIT THEM IN ALL OTHER ZONES NOT SPECIFICALLY NOTED AS BEING ALLOWED AS A CONDITIONAL USE, ON FIRST READING BY TITLE ONLY.

OR

3). I MOVE THE CITY COUNCIL ACCEPT AND APPROVE THE FINDINGS OF FACTS PRESENTED IN THE STAFF REPORT WITH RECOMMENDATIONS OF THE PLANNING COMMISSION SENT FORWARD FROM THE PUBLIC HEARING ON OCTOBER 8, 2018, ON PLANNING ACTION 2018-08-15ZCA AND CITY COUNCIL AMENDMENTS THERETO.

4). I MOVE THE CITY COUNCIL APPROVE ORDINANCE 2748-2048 AS AMENDED, AN ORDINANCE AMENDING TITLE 10A ("THE ZONING TITLE") OF THE ONTARIO CITY CODE TO

ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES IN CERTAIN ZONES UNDER A CONDITIONAL USE PERMIT AND TO PROHIBIT THEM IN ALL OTHER ZONES NOT SPECIFICALLY NOTED AS BEING ALLOWED AS A CONDITIONAL USE, ON FIRST READING BY TITLE ONLY.

SUMMARY:

The State of Oregon by legislative enactment has established a process for the licensing and registration of certain marijuana facilities and dispensaries. Currently, the city zoning regulations do not address or allow these uses. An Initiative has been put on the November 6, 2018, ballot in an effort to remove the current marijuana ban within Ontario the city limits. The City Council has directed the drafting of appropriate regulations and standards governing the time, manner, and place where marijuana facilities and dispensaries may be allowed within the Ontario city limits should the ban be overturned by a vote of the people.

BACKGROUND:

On Monday April 13, 2015, the Planning Commission acted on planning action 2015-03-06 ZCA on the creation of Chapter 10A-58 entitled "Medical Marijuana Facilities".

In 2018, the Ontario City Council established a Marijuana Ad Hoc Committee to review the effects and impacts to the City of Ontario due to the legalization of marijuana in the State of Oregon. When a local initiative and referendum to remove the ban that the City of Ontario placed on the operations and activities of marijuana, the Council asked the committee for recommendations on regulations and standards governing the time, manner and place of marijuana operations and activities within the city limits. The Committee, comprised of five members who are pro-marijuana and two members who are anti-marijuana, met in several public meetings and formulated their recommendation, summarized in the attached Exhibit "B", and recommendations for buffer setbacks are shown in Blue in Exhibit "A". It is noted some of the recommendations are not addressed in these planning codes and will be addressed in the business licensing codes when and if the ban is lifted.

Staff created documents for presentation to the Ontario Planning Commission, including the document labeled Exhibit "A" which included the Ad Hoc Committee recommendations noted in Blue, along with existing buffer setbacks established under Title 10A-58 shown in Purple. Staff recommended buffer setbacks are shown in Red. All other buffers shown in Black are being recommended by both the Ad Hoc Committee and city staff and previously established under Chapter 10A-58.

The documents prepared for the City Council Public Hearing have been updated to add the recommendations by the Planning Commission on October 8, 2018, in "**BLACK & BOLD**".

RECOMMENDATION:

Staff recommends the City Council accept the Findings of Facts and the recommendation of the Planning Commission and approve Ordinance #2748-2018.

ATTACHMENTS:

1. Exhibit A_2018-08-15ZCA-Draft Zoning Amendments
2. Exhibit B_Ad Hoc Committee Ordinance Recommendations
3. Exhibit C-1_BUFFER MAPS_200 RESIDENT
4. Exhibit C-2_BUFFER MAPS_200 RESIDENT
5. Exhibit D-1_BUFFER MAPS AD HOC_500 Residential
6. Exhibit D-2_BUFFER MAPS AD HOC_500 Residential
7. Exhibit E-1_BUFFER MAPS STAFF 200-350 Residential
8. Exhibit E-2_BUFFER MAPS STAFF 200-350 Residential
9. Exhibit F_OLCC School Buffer zones 9-21-18
10. Exhibit G_Malheur Enterprise News Article 08-08-2018
11. Exhibit H Minority Report-Peterson-Kirby
12. Exhibit I_Letters_Planning Meeting
13. Exhibit J_ORDINANCE 2747-2018_CC FIRST READING
14. PRES_CC_Public Hearing_10-16-18

Exhibit A Draft Zoning Amendments

NOTES: Buffer distance recommendations are color coded as follows: (Planning Commission Recommendation BLACK BOLD underlined) (Existing Code is in Purple), (Staff recommendation is in Red), and (Marijuana Ad Hoc Committee in in Blue).

Section 1. Ontario City Code Sections 10A-03-134.1 through 10A-03-134.11 are hereby added to Chapter 10A-03 ("Definitions") of Title 10A of the Ontario City Code:

10A-03-134.1 MARIJUANA

Marijuana means all parts of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae, 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. "Marijuana" does not include industrial hemp, as defined in ORS 571.300.

10A-03-134.1.1 MARIJUANA BUSINESS

Marijuana Business means an establishment operated by any person or entity who is or will be appropriately licensed by the Oregon Health Authority or the Oregon Liquor Control Commission which sells, produces, cultivates, grows, wholesales, processes, researches, develops or tests medical marijuana or recreational adult use marijuana within the City of Ontario.

10A-03-134.1.2 MARIJUANA GROW SITES MEDICAL

Marijuana Grow Sites means a specific location registered by the Oregon Health Authority (OHA) or other Oregon regulatory agency and used by the grower to produce marijuana for medical use by a specific patient. Medical grow sites are currently regulated by State law as follows: 12 mature plants are allowed per grow site in residential zones; 48 mature plants per grow site in all other zones. If all grows at the site had registered with the State of Oregon by January 2, 2015, the grow site is limited to the number of plants at the grow site as of December 31, 2015, not to exceed 24 mature plants per grow site in residential zones and 96 mature plants per grow site in other zones. Owners or possessors of real property used for Marijuana Grow Sites shall not allow said Sites to exceed the maximum number of plants authorized under State law.

10A-03-134.1.3 MARIJUANA ITEMS

Marijuana items means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts.

10A-03-134.1.4 MARIJUANA PROCESSING SITE

Marijuana processing site means a property/site registered with the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana for the preparing, compounding or conversion of marijuana into cannabinoid products, cannabinoid concentrates, and cannabinoid extracts for medical or recreational purposes.

10A-03-134.1.5 MARIJUANA PROCESSOR FLAMMABLE

Marijuana processor means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana using a process that uses a flammable gas or substance.

10A-03-134.1.6 MARIJUANA PROCESSOR NON-FLAMMABLE

Marijuana processor means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana using a process that uses a non-flammable substance, such as but not limited to CO2.

10A-03-134.1.7 MARIJUANA PRODUCER RECREATIONAL

Marijuana producer means an entity licensed by the Oregon Liquor Commission to manufacture, plant, cultivate, grow or harvest marijuana for recreational purposes.

10A-03-134.1.8 MARIJUANA RECREATIONAL FACILITY

A facility designed, intended, or used for purposes of production, processing, testing, wholesaling, or retailing of marijuana, in any form, to any other OLCC licensee or consumer in this state.

10A-03-134.1.9 MARIJUANA RETAILER

Marijuana retailer means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to sell marijuana items to a legal consumer in this State.

10A-03-134.1.10 MARIJUANA TESTING LABORATORY

Marijuana testing laboratory means a laboratory licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) that tests marijuana items for producer, processor, wholesaler or retail licensees.

10A-03-134.1.11 MARIJUANA WHOLESALER

Marijuana wholesaler means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to purchase marijuana items in this state for resale to a person other than a consumer.

Section 2. Section 10A-27-10 is hereby amended by adding that portion that is underlined:

10A-27-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-1 Zone:

1. Dry-cleaning and laundry establishments which do not exceed 2,000 square feet in floor area and have no more than two delivery vehicles operating from the location
2. Any permitted or permissible non-residential use that operates later than 11:00 p.m. or earlier than 7:00 a.m.;
3. Mortuaries or funeral homes;
4. Nursing home;
5. Residential care facility housing more than eight clients;
6. Utility facilities, other than distribution lines, at specific location necessary for the

- functioning of that utility;
7. Marijuana Retailer as provided in Chapter 10A-59;
8. Marijuana Laboratory as provided in Chapter 10A-59;
9. Marijuana Wholesaler as provided in Chapter 10A-59;
10. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
11. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 3. Section 10A-29-10 is hereby amended by adding that portion that is underlined:

10A-29-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-2 Zone:

1. Utility facilities, other than distribution lines, at a specific location necessary for the functioning of that utility;
2. Fair, rodeo, stadium, race track or similar facility on site of more than three acres;
3. Mini-warehouses or storage buildings;
4. Congregate housing facility;
5. Marijuana Retailer as provided in Chapter 10A-59;
6. Marijuana Laboratory as provided in Chapter 10A-59;
7. Marijuana Wholesaler as provided in Chapter 10A-59;
8. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
9. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 4. Section 10A-31-10 is hereby amended by adding that portion that is underlined and deleting the portion lined out:

10A-31-10 - CONDITIONAL USES.

The following uses ~~and structures common to all zones as listed in Chapter 10A-53 are allowed~~ are permitted conditionally in the C-2-H Zone:

1. Utility facilities, other than distribution lines, necessary for the functioning of that utility;
- ~~2. Medical marijuana facility as provided in Chapter 10A-59;~~
2. Accessory uses and structures common to all zones as listed in Chapter 10A-53;
3. Marijuana Retailer as provided in Chapter 10A-59;
4. Marijuana Laboratory as provided in Chapter 10A-59;
5. Marijuana Wholesaler as provided in Chapter 10A-59; and
6. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
7. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 5. Section 10A-33-10 is hereby amended by adding those portions that are underlined and deleting those portions that are lined out:

10A-33-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-3 Zone:

1. Light manufacturing involving noiseless and award fabrication and minimal truck traffic;
2. Utility facilities, other than distribution lines, necessary for the functioning of a

utility; and

3. Congregate housing facility;

4. Marijuana Retailer as provided in Chapter 10A-59;

5. Marijuana Laboratory as provided in Chapter 10A-59;

6. Marijuana Wholesaler as provided in Chapter 10A-59; and

7. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and

8. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 6. Section 10A-52-205 is hereby amended by adding that portion that is underlined:

10A-52-205 - CONDITIONAL USES.

The following uses are permitted conditionally in the UGA E-2 Zone:

1. Commercial recreation facilities or RV Park;
2. Schools and college;
3. Churches;
4. Bars, taverns, cocktail lounges;
5. Dry cleaning, laundry;
6. Bed and breakfast;
7. Dwelling, multi-family mixed use [when accessory to a commercial development];
8. Public buildings, facilities and services;
9. Distribution centers;
10. Amusement center;
11. Utility facility necessary for the function of the utility in the area;
12. Any use which is demonstrated to be of similar character and impact to that of the listed principal commercial uses or principal light industrial uses;
13. Marijuana Retailer as provided in Chapter 10A-59;
14. Marijuana Laboratory as provided in Chapter 10A-59;
15. Marijuana Wholesaler as provided in Chapter 10A-59;
16. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
17. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 7. Section 10A-39-10 is hereby amended by adding that portion that is underlined:

10A-39-10 - CONDITIONAL USES, COMMERCIAL.

The conditional commercial uses listed below may be permitted in the I-1 Zone upon application of the standards for all conditional uses and the following additional ~~standards:~~ standard: the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.

~~The proposed use will primarily serve those who work or do business with industries in the industrial zones; and there is a need for such use to provide service or goods to those who work in or do business with industries in the industrial zones; and the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.~~

1. Automatic or self service care or truck washes.
2. Gasoline service stations.
3. Retail food stores not to exceed 2,000 square feet of gross floor area;
4. Bars, taverns, cocktail lounges, restaurants or combinations thereof not to exceed 3,000 square feet gross floor area.
5. Job printing and duplication.

6. Motel catering to general travelers when located on a developed truck stop;
7. Radio or television towers and related facilities, subject to a structure height variance approval.
8. Outdoor advertising signs providing such sign is compatible with surrounding existing or planned land uses. Such a sign may not be compatible with an industrial park.
9. Marijuana Retailer as provided in Chapter 10A-59;
10. Marijuana Laboratory as provided in Chapter 10A-59;
11. Marijuana Wholesaler as provided in Chapter 10A-59;
12. Marijuana Producer as provided in Chapter 10A-59;
13. Marijuana Processor Non-Flammable as provided in Chapter 10A-59;
14. Marijuana Processor Flammable as provided in Chapter 10A-59; and
15. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 8. Section 10A-41-10 is hereby amended by adding that portion that is underlined:

10A-41-10 - CONDITIONAL USES, COMMERCIAL.

The conditional commercial uses listed below may be permitted in the I-2 Zone upon application of the standards for all conditional uses and the following additional ~~standards:~~ standard: the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.

~~The proposed use will primarily serve those who work or do business with industries in the industrial zones; and there is a need for such use to provide service or goods to those who work in or do business with industries in the industrial zones; and the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.~~

1. Automatic or self service care or truck washes.
2. Gasoline service stations.
3. Retail food stores not to exceed 2,000 square feet of gross floor area.
4. Bars, taverns, cocktail lounges, restaurants or combinations thereof not to exceed 3,000 square feet gross floor area.
5. Job printing and duplication.
6. Radio or television towers and related facilities, subject to a structure height limitation in the AH, Airport Hazard Overlay Zone.
7. Automobile service establishments as defined herein.
8. Marijuana Retailer as provided in Chapter 10A-59;
9. Marijuana Laboratory as provided in Chapter 10A-59;
10. Marijuana Wholesaler as provided in Chapter 10A-59;
11. Marijuana Producer as provided in Chapter 10A-59;
12. Marijuana Processor Non-Flammable as provided in Chapter 10A-59;
13. Marijuana Processor Flammable as provided in Chapter 10A-59; and
14. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 9. Section 10A-57-137 is hereby amended by deleting the portion lined out:

10A-57-137 Advertises activities that are illegal under any State ~~or Federal~~ law applicable at the location of the sign or of the activities.

Section 10. The Chapter 10A-58 of Title 10 entitled “Medical Marijuana Facilities” is hereby repealed in its entirety and replaced with the following Chapter 10A-59 of Title 10A of the Ontario City Code and is entitled “Marijuana Related Operations and Activities”:

CHAPTER 10A-59 MARIJUANA RELATED OPERATIONS AND ACTIVITIES

10A-59-05 MARIJUANA GROW SITE MEDICAL, MARIJUANA PROCESSING SITES, MARIJUANA PROCESSOR FLAMMABLE, MARIJUANA PROCESSOR NON-FLAMMABLE, MARIJUANA PRODUCER RECREATIONAL, MARIJUANA RECREATIONAL FACILITY, MARIJUANA RETAILER, MARIJUANA LABORATORY AND WHOLESALER AS PROHIBITED USE IN CERTAIN ZONES.

The following uses are prohibited in all zones other than those zones in which they are specifically designated as conditional uses: Marijuana Grow Site Medical defined in Section 10A-03-134.1.2, a Marijuana Processing Site defined in Section 10A-03-134.1.4, a Marijuana Processor Flammable defined in Section 10A-03-134.1.5, a Marijuana Processor Non-Flammable defined in Section 10A-03-134.1.6, a Marijuana Producer Recreational defined in Section 10A-03-134.1.7, a Marijuana Recreational Facility defined in Section 10A-03-134.1.8, a Marijuana Retailer defined in Section 10A-03-134.1.9, a Marijuana Testing Laboratory defined in Section 10A-03-134.1.10 a Marijuana Wholesaler defined in Section 10A-03-134.1.11, and a Medical Marijuana Facility defined in Section 10A-03-134.5. The zones in which those uses are prohibited include but not limited to the following zones in Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones:

- Chapter 11 (RS-50);
- Chapter 13 (RD-40);
- Chapter 17 (RM-10);
- Chapter 19 (R-MH);
- Chapter 37 (IBP);
- Chapter 45 (AD);
- Chapter 49 (PD);
- Chapter 51 (PF); and
- All urban growth area zones, including the following zones in Chapter 52: UGA I-1, UGA I-2, UGA E-2, UGA E-5, UGA-C and UGA-R.

10A-59-10 MARIJUANA RELATED OPERATIONS AND ACTIVITIES AS CONDITIONAL USE IN C-1, C-2 AND C-3 ZONES

Unless lawfully prohibited by Section 3-23-1 and any amendments thereto imposing a ban on marijuana within the jurisdiction of the City of Ontario, the following uses are conditional uses in the C-1, C-2 and C-3 zones, as provided in Chapters 27, 29 and 33 of Title 10A: Marijuana Business defined in Section 10A-03-134.1.1; Marijuana Grow Site Medical defined in Section 10A-03-134.1.2; Marijuana Processors (non-flammable) defined in Section 10A-03-134.1.6; Marijuana Recreational Facility defined in Section 10A-03-134.1.8; Marijuana Retailers defined in Section 10A-03-134.1.9; Marijuana Laboratory defined in Section 10A-03-134.1.10; Marijuana Wholesalers defined in Section 10A-03-134.1.11; and Medical Marijuana Facilities defined in Section 10A-03-134.5.

10A-59-15 MARIJUANA RELATED OPERATIONS AND ACTIVITIES GENERAL AND SPECIAL CONDITIONS IN THE C-1, C-2 AND C-3 ZONES.

All marijuana operations and activities located in the C-1, C-2, and C-3 zone are subject to Chapter 10B-25 ("Conditional Use Permits") of Title 10B, and to the conditions generally imposed upon conditional uses in these zones and to the application fee set by most recent fee resolution. The following special conditions shall also apply to all marijuana operations and activities:

(A) Location Restrictions. Marijuana operations and activities are prohibited in the following locations, 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 attended primarily by minors, including but not limited to:
 - a) All Ontario 8C Schools
 - b) St. Peter's Christian School
 - c) Treasure Valley Christian School
 - d) Four River's Charter School;
2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors existing at the time of this ordinance which are:
 - a) Ontario Head Start Center
 - b) Oregon Child Development Coalition (OCDC)
 - c) Malheur County Child Development Center
 - d) Treasure Valley Relief Nursery
 - e) Ontario Boys and Girls Club;
3. within 1,000 feet of a property zoned as PF Public Facility or UGA-PF Public Facility UGA, excepting therefrom the Oregon Department of Transportation lands adjacent to East Idaho Avenue and the City of Ontario Water Treatment Plant lands East of East Lane and the Ontario Public Works Department lands located at 1551 NW 9th Street;
4. **within 1,000 feet of property leased by the City of Ontario and designated as a Public Park as long as that property remains leased by and designated by the City as a Public Park;**
5. within 1,000 feet of another Medical Marijuana Retail Facility;
6. within **(350)** (0') (350') (1000') feet of another Marijuana Recreational Retail Facility;
7. within **(500)** (200') (350') (500') feet of residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), and Chapter 52 (UGA-R) of Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones;
8. on the same tax lot as a smoking club; or
9. any combination of the above.

(B) Other Restrictions. Marijuana operations and activities are subject to the following additional restrictions:

1. A facility shall be designed so that all transactions 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.
2. Any and All marijuana operations and activities are considered a

change of use and any existing and new structures used for such operations shall be brought up to and or constructed to current building codes and standards, including but not limited to the American Disability Act (ADA), parking standards and providing for public bathrooms for the business customer use including persons waiting to be serviced.

3. All Medical and Recreational Marijuana Retail Facilities shall be required to provide parking as per **(10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area)** (10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area) (10A-57-75(6) 300 square feet gross floor area only). Parking for all marijuana operations and activities shall comply with Off-Street Parking and Loading requirements 10A-57-60 through 10A-57-100.

4. 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.

5. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified by the State of Oregon.

6. The exterior of the facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.

7. All marijuana operations, activities and or facilities must install and maintain all security devices required by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).

8. All Medical and Recreational Marijuana Retail Facilities within the C-3 zone shall have a large enough indoor waiting area as to not allow large customer lines outdoors along the public sidewalks and rights of ways or blocking any entrances to other adjacent businesses.

9. Prior to commencing business operations, a facility must have a current business license issued by the City of Ontario under Chapter 22 of Title 3 of the Ontario City Code and the licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) for the type of operation allowed.

10. All Marijuana operations and activities shall be on a Conditional Use application prescribed by the Ontario Planning Director and shall include all the items and attachments noted and required in the application along with all fees required by code and current resolution. The application will be date and time stamped as received by the Planning Department only, to set the order of review. The application will be reviewed by the Planning Director for completeness and compliance to established buffers before it is accepted for consideration. Any incomplete application or one not meeting the established buffers shall be returned to the applicant for corrections and/or additional required information and once returned will be time stamped and dated again.

Once the application is accepted as complete by the Planning Director the date accepted as complete shall be the priority dated for establishing the buffer between marijuana retailers if the application is approved and all licensing and development requirements are met.

11. The conditional use permit is governed by 10B-25-40 and the Marijuana Conditional use permit shall have a time limit of 12 months and become void if conditions are not met, unless an extension is granted for good cause under 10B-25-40(3).

12. The Conditional Use Permit (CUP) must be approved by the Ontario Planning Department before any Land Use Compatibility Statement (LUCS) will be signed by the Ontario Planning Department for any of the Marijuana State Business License or Registration required by the State of Oregon and/or City of Ontario.

10A-59-20 MARIJUANA RELATED OPERATIONS AND ACTIVITIES AS CONDITIONAL USE IN C-2H, E-2, I-1 AND I-2 ZONES

Unless lawfully prohibited by Section 3-23-1 and any amendments thereto imposing a ban on marijuana within the jurisdiction of the City of Ontario, the following uses are conditional uses in the C-2H, E-2, I-1 and I-2 zones, as provided in Chapters 27, 29 and 33 of Title 10A: Marijuana Businesses defined in Section 10A-03-134.1.1; Marijuana Grow Sites Medical defined in Section 10A-03-134.1.2; Marijuana processing sites defined in Section 10A-03-134.1.4; Marijuana Processor Flammable defined in Section 10A-03-134.1.5; Marijuana Processors Non-Flammable defined in Section 10A-03-134.1.6; a Marijuana Producer Recreational defined in Section 10A-03-134.1.7; Marijuana Recreational Facility defined in Section 10A-03-134.1.8; Marijuana Retailers defined in Section 10A-03-134.1.9; Marijuana Testing Laboratory defined in Section 10A-03-134.1.10; Marijuana Wholesalers defined in Section 10A-03-134.1.11; and Medical Marijuana Facilities defined in Section 10A-03-134.5.

10A-59-25 MARIJUANA RELATED OPERATIONS AND ACTIVITIES GENERAL AND SPECIAL CONDITIONS IN THE C-2H, E-2, I-1 AND I-2 ZONES.

All marijuana operations and activities located in the C-2H, E-2, I-1, and I-2 zone are subject to Chapter 10B-25 ("Conditional Use Permits") of Title 10B, and to the conditions generally imposed upon conditional uses in these zones and to the application fee set by most recent fee resolution. The following special conditions shall also apply to all marijuana operations and activities:

(A) Location Restrictions. A marijuana operations and activities are prohibited in the following locations, 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 attended primarily by minors, including but not limited to:
 - a) All Ontario 8C Schools
 - b) St. Peter's Christian School
 - c) Treasure Valley Christian School
 - d) Four River's Charter School;
2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors existing at the time of this ordinance which are:

- a) Ontario Head Start Center
 - b) Oregon Child Development Coalition (OCDC)
 - c) Malheur County Child Development Center
 - d) Treasure Valley Relief Nursery
 - e) Ontario Boys and Girls Club;
3. within 1,000 feet of a property zoned as PF Public Facility or UGA-PF Public Facility UGA, excepting therefrom the Oregon Department of Transportation lands adjacent to East Idaho Avenue and the City of Ontario Water Treatment Plant lands East of East Lane and the Ontario Public Works Department lands located at 1551 NW 9th Street;
4. **within 1,000 feet of property leased by the City of Ontario and designated as a Public Park as long as that property remains leased by and designated by the City as a Public Park;**
5. within 1,000 feet of another medical marijuana retail facility;
6. within **zero** (0') (350') (1000') feet of another marijuana recreational retail facility;
7. within **(500)** (200') (200') (500') feet of residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), and Chapter 52 (UGA-R) of Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones;
8. on the same tax lot as a smoking club; or
9. any combination of the above.

(B) Other Restrictions. A marijuana operations and activities are subject to the following additional restrictions:

- 1. A facility shall be designed so that all transactions 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.
- 2. Any and All marijuana operations and activities are considered a change of use and any existing and new structures used for such operations shall be brought up to and or constructed to current building codes and standards, including but not limited to the American Disability Act (ADA), parking standards and providing for public bathrooms for the business customer use including persons waiting to be serviced.
- 3. All Medical and Recreational Marijuana Retail Facility shall be required to provide parking as per (10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area) (10A-57-75(6) 300 square feet gross floor area only). Parking for all marijuana operations and activities shall comply with Off-Street Parking and Loading requirements 10A-57-60 through 10A-57-100.

4. 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.
5. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified by the State of Oregon.
6. The exterior of the facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.
7. All marijuana operations, activities and or facilities must install and maintain all security devices required by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).
8. All outdoor grows authorized in the I-1 and I-2 zone shall be secured by a sight restricting security fence (as in a cyclone fence with slates) and follow all other State of Oregon security requirements by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).
9. Prior to commencing business operations, a facility must have a current business license issued by the City of Ontario under Chapter 22 of Title 3 of the Ontario City Code and the licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) for the type of operation allowed.
10. All Marijuana operations and activities shall be on a Conditional Use application prescribed by the Ontario Planning Director and shall include all the items and attachments noted and required in the application along with all fees required by code and current resolution. The application will be date and time stamped as received by the Planning Department only, to set the order of review. The application will be reviewed by the Planning Director for completeness and compliance to established buffers before it is accepted for consideration. Any incomplete application or one not meeting the established buffers shall be returned to the applicant for corrections and/or additional required information and once returned will be time stamped and dated again. Once the application is accepted as complete by the Planning Director the date accepted as complete shall be the priority dated for establishing the buffer between marijuana retailers if the application is approved and all licensing and development requirements are met.
11. The conditional use permit is governed by 10B-25-40 and the Marijuana Conditional use permit shall have a time limit of 12 months and become void if conditions are not meet, unless an extension is granted for good cause under 10B-25-40(3).
12. The Conditional Use Permit (CUP) must be approved by the Ontario Planning Department before any Land Use Compatibility Statement (LUCS) will be signed by the Ontario Planning Department for any of the Marijuana State Business License or Registration required by the State of Oregon and/or City of Ontario.

Exhibit “B”

Ad Hoc Committee Ordinance Recommendations

Should the City Council require a 2 year residency for any business owner with more than a 51% ownership to operate a dispensary in Ontario.

Ad Hoc Committee supports this requirement.

Notes: Attorney’s initial reaction was that he believes it could be done going forward, but not looking backward.

Should the city council require that a business owner be required to operate in another state before being able to operate a store in Ontario?

Ad Hoc Committee does not support this policy

Buffer Zones:

Ad Hoc Committee supports for 1,000 foot buffer from retail to parks/recreation.

Ad Hoc Committee supports no buffer from retail to church and daycare.

Ad Hoc Committee supports 500 foot buffer from retail to residential.

Ad Hoc Committee supports a 1,000 foot retail to retail buffer zone.

Time:

Ad Hoc Committee supports following the state hours of operation.

Taxation and Licensing:

Ad Hoc Committee supports city business license for medical grows within the city.

Ad Hoc Committee supports taxation at highest possible local level (currently 3%).

Ad Hoc Committee supports all business licenses pay \$5,000. Motion passes 7-0

Ad Hoc Committee supports a no cost registration for all medical grows. Motion passes 7-0

Advertising:

Ad Hoc Committee supports prohibiting billboard advertising in the city.

Where:

Ad Hoc Committee supports non-flammable processing should be allowed in all zones other than residential. Flammable processing should be allowed in just industrial zones. Motion passes 7-0

Ad Hoc Committee supports allowing all wholesalers in the commercial and industrial Zones. Motion passes 7-0

Ad Hoc Committee supports indoor and outdoor grows in industrial zones. Motion passes 7-0

Ad Hoc Committee supports that we allow both indoor and outdoor grows of medical marijuana. Motion passes 7-0

Revenue:

Ad Hoc Committee supports the city council be allowed to spend money as they see fit to educate children and parents. Motion passes 6-1;

MARIJUANA FACILITIES ZONING AREA

200 FEET RESIDENTIAL BUFFERS

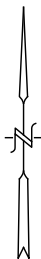


REGULATED MJ BUFFERED ZONING AREAS

- 1000 FEET PUBLIC FACILITY BUFFER (INCLUDES PUBLIC SCHOOLS)
- 1000 FEET LISTED NON-COMMERCIAL MINORS FACILITY BUFFER
- 1000 FEET KNOWN PRIVATE SCHOOL THAT MAY FALL UNDER STATE BUFFER
- 200 FEET RESIDENTIAL BUFFER

MAP DISCLAIMER

THIS MAP WAS MADE FOR APPROXIMATE REPRESENTATION OF PROPOSED BUFFERS AND AREAS OF USE. IT IS NOT SURVEY ACCURATE AND CANNOT BE USED TO DETERMINE IF A PIECE OF PROPERTY MEETS ALL THE REQUIREMENTS OF SETBACKS AND BUFFERS. CITY ASSUMES NO RESPONSIBILITY TO ANYONE USING THIS MAP TO DETERMINE IF A PROPERTY MEETS THE REQUIRED SETBACKS AND BUFFERS OR IF THEY ARE TRULY IN OR OUT OF THE REQUIRED BUFFERS. THIS IS THE RESPONSIBILITY OF THE USER TO DETERMINE IF THEIR PROPERTY IS IN OR OUT OF THE BUFFER AREAS.



SCALE: 1" = 1500'

REGULATED MJ ALLOWED ZONING AREAS

- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-2H GENERAL HEAVY COMMERCIAL
- C-3 CENTRAL COMMERCIAL
- E-2 EMPLOYMENT ZONE 2 ACRES
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

Exhibit "C-1"

MARIJUANA FACILITIES ZONING AREA

200 FEET RESIDENTIAL BUFFERS



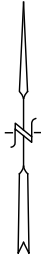
REGULATED MJ BUFFERED ZONING AREAS



AREAS NOT ALLOWED

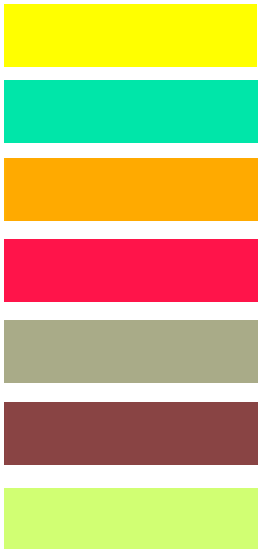
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SCALE 1" = 1600'

REGULATED MJ ALLOWED ZONING AREAS



- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-2H GENERAL HEAVY COMMERCIAL
- C-3 CENTRAL COMMERCIAL
- E-2 EMPLOYMENT ZONE 2 ACRES
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

Exhibit "C-2"

MARIJUANA FACILITIES ZONING AREA

AD HOC COMMITTEE RECOMMENDED BUFFERS

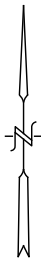


REGULATED MJ BUFFERED ZONING AREAS

- 1000 FEET PUBLIC FACILITY BUFFER (INCLUDES PUBLIC SCHOOLS)
- 1000 FEET LISTED NON-COMMERCIAL MINORS FACILITY BUFFER
- 1000 FEET KNOWN PRIVATE SCHOOL THAT MAY FALL UNDER STATE BUFFER
- 500 FEET RESIDENTIAL BUFFER AND AREAS NOT ALLOWED

MAP DISCLAIMER

THIS MAP WAS MADE FOR APPROXIMATE REPRESENTATION OF PROPOSED BUFFERS AND AREAS OF USE. IT IS NOT SURVEY ACCURATE AND CANNOT BE USED TO DETERMINE IF A PIECE OF PROPERTY MEETS ALL THE REQUIREMENTS OF SETBACKS AND BUFFERS. CITY ASSUMES NO RESPONSIBILITY TO ANYONE USING THIS MAP TO DETERMINE IF A PROPERTY MEETS THE REQUIRED SETBACKS AND BUFFERS OR IF THEY ARE TRULY IN OR OUT OF THE REQUIRED BUFFERS. THIS IS THE RESPONSIBILITY OF THE USER TO DETERMINE IF THEIR PROPERTY IS IN OR OUT OF THE BUFFER AREAS.



SCALE: 1" = 1600'

REGULATED MJ ALLOWED ZONING AREAS

- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-2H GENERAL HEAVY COMMERCIAL
- C-3 CENTRAL COMMERCIAL
- E-2 EMPLOYMENT ZONE 2 ACRES
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

Exhibit "D-1"

MARIJUANA FACILITIES ZONING AREA

AD HOC COMMITTEE RECOMMENDED BUFFERS

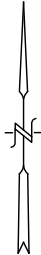


REGULATED MJ BUFFERED ZONING AREAS

 AREAS NOT ALLOWED

MAP DISCLAIMER

THIS MAP WAS MADE FOR APPROXIMATE REPRESENTATION OF PROPOSED BUFFERS AND AREAS OF USE. IT IS NOT SURVEY ACCURATE AND CANNOT BE USED TO DETERMINE IF A PIECE OF PROPERTY MEETS ALL THE REQUIREMENTS OF SETBACKS AND BUFFERS. CITY ASSUMES NO RESPONSIBILITY TO ANYONE USING THIS MAP TO DETERMINE IF A PROPERTY MEETS THE REQUIRED SETBACKS AND BUFFERS OR IF THEY ARE TRULY IN OR OUT OF THE REQUIRED BUFFERS. THIS IS THE RESPONSIBILITY OF THE USER TO DETERMINE IF THEIR PROPERTY IS IN OR OUT OF THE BUFFER AREAS.



SCALE 1" = 1600'

REGULATED MJ ALLOWED ZONING AREAS

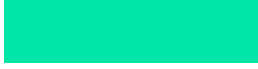
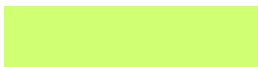
- | | |
|---|-------------------------------|
|  | C-1 NEIGHBORHOOD COMMERCIAL |
|  | C-2 GENERAL COMMERCIAL |
|  | C-2H GENERAL HEAVY COMMERCIAL |
|  | C-3 CENTRAL COMMERCIAL |
|  | E-2 EMPLOYMENT ZONE 2 ACRES |
|  | I-1 LIGHT INDUSTRIAL |
|  | I-2 HEAVY INDUSTRIAL |

Exhibit "D-2"

MARIJUANA FACILITIES ZONING AREA

STAFF RECOMMENDED BUFFERS

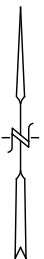


REGULATED MJ BUFFERED ZONING AREAS

- 1000 FEET PUBLIC FACILITY BUFFER (INCLUDES PUBLIC SCHOOLS)
- 1000 FEET LISTED NON-COMMERCIAL MINORS FACILITY BUFFER
- 1000 FEET KNOWN PRIVATE SCHOOL THAT MAY FALL UNDER STATE BUFFER
- 350 FEET RESIDENTIAL BUFFER AND AREAS NOT ALLOWED
- 200 FEET RESIDENTIAL BUFFER

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SCALE: 1" = 1500'

REGULATED MJ ALLOWED ZONING AREAS

- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-2H GENERAL HEAVY COMMERCIAL
- C-3 CENTRAL COMMERCIAL
- E-2 EMPLOYMENT ZONE 2 ACRES
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

MARIJUANA FACILITIES ZONING AREA

STAFF RECOMMENDED BUFFERS



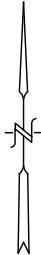
REGULATED MJ BUFFERED ZONING AREAS



AREAS NOT ALLOWED

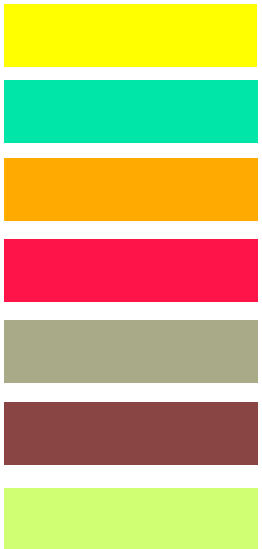
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SCALE 1" = 1600'

REGULATED MJ ALLOWED ZONING AREAS



- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-2H GENERAL HEAVY COMMERCIAL
- C-3 CENTRAL COMMERCIAL
- E-2 EMPLOYMENT ZONE 2 ACRES
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

Exhibit "E-2"

OLCC Public Retailers & Labs

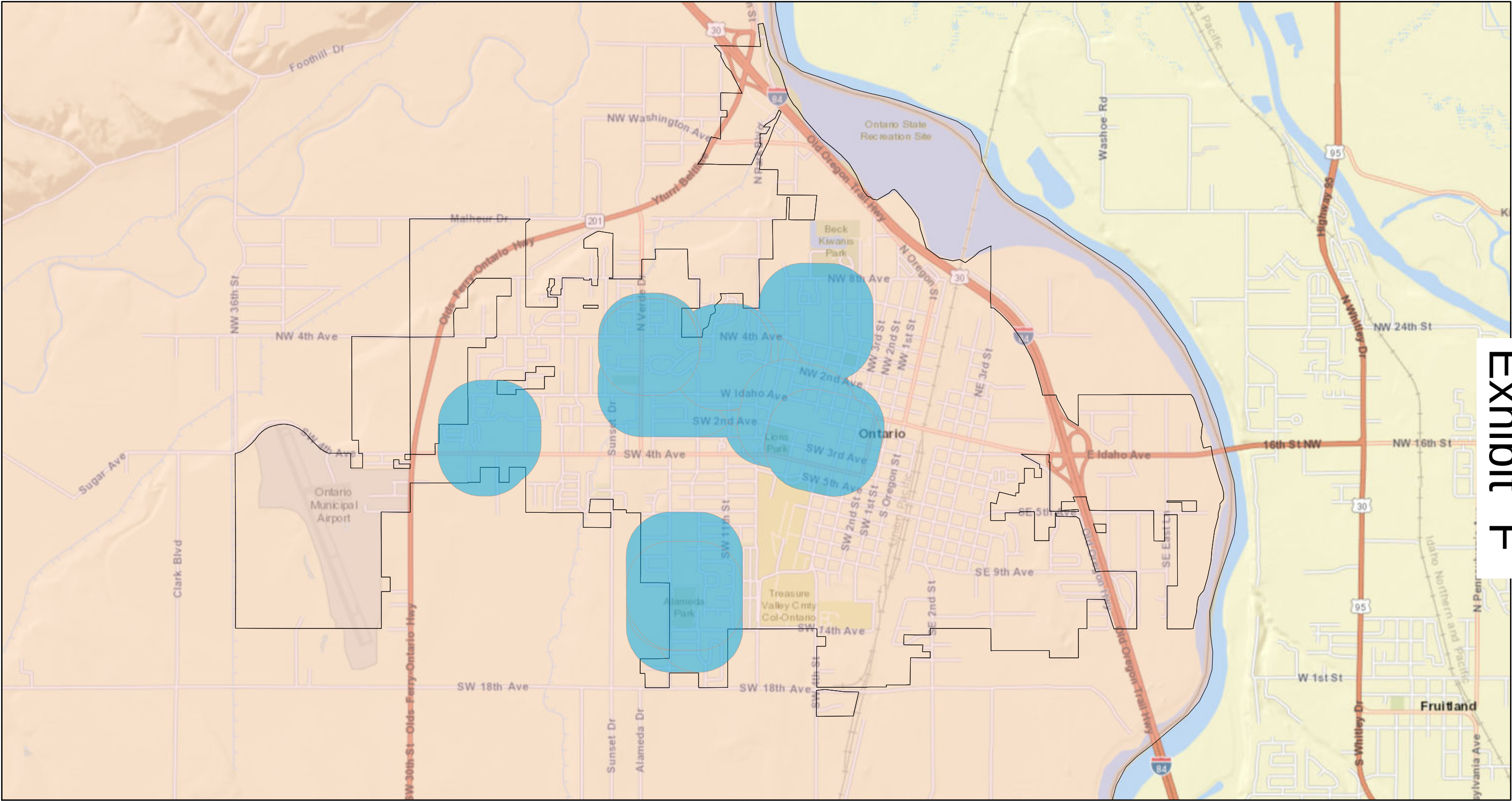


Exhibit "F"

9/21/2018 4:45:13 PM

Approved Marijuana Retail & Lab Locations

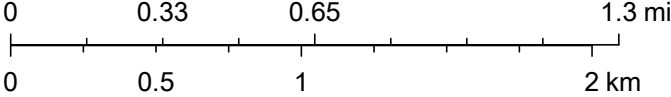
- Laboratory
- Recreational Retailer

K-12 School Footprint 1000ft Buffers

Jurisdictions with Marijuana Ban

Yes

1:36,112



Bureau of Land Management, State of Oregon GEO, State of Oregon, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, U.S. Forest Service

Wednesday, August 8, 2018

The Voice of Malheur County

108th year, No. 44 \$1.00



Customers line up outside Hotbox Farms, a retail marijuana store in Huntington before it opens.

Officials say they aren't seeing ripple effects into local businesses, but plenty of money flows into city coffers.

The Enterprise/Jayne Fraser

Huntington's CANNABIS connection

Officials in the remote outpost keep a wary eye toward the future as the money from marijuana sales rolls in

HUNTINGTON – Marijuana has become the largest business in this remote Oregon community.

Its two retailers of recreational marijuana last year logged 370,000 transactions worth \$14 million, according to state regulators.

They will share that number in 2018. So far, sales have totaled \$12.6 million, with months to go.

That success is helping motivate cam-

The Malheur Enterprise made repeated visits to the community to assess what this green industry has done, and what might be ahead for Ontario.

In some ways, marijuana has been good to Huntington.

With taxes on marijuana, the city government has seen its budget soar. City officials are investing in new equipment. They plan to pay off city bonds early, cutting the tax bill for local residents.

The town is busier than it has been

In 2017, Huntington had
\$14.9 MILLION =
in MARIJUANA SALES



Usable MJ	Concentrate/Extract	Edible/Tincture
2,680 LBS or 231,422 SALES	132,766 UNITS or 103,818 SALES	48,975 UNITS or 35,528 SALES

As of JUNE, Huntington now has
\$12.7 MILLION =

Exhibit "H"

Ad Hoc Committee Ordinance Recommendations

Minority Report by Andrew C. Peterson MD and John D. Kirby

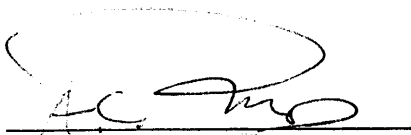
Peterson and Kirby were outnumbered on the committee 5 to 2. Members Bartolome, Cooke, Gibbs, Rodriguez and committee chair Meland all identify with the marijuana industry in one form or the other.

In regards to the recommendations by the committee there are three major areas of disagreement.

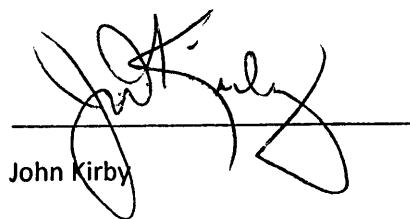
Time: The vote of the committee suggests that dispensaries be open 7 AM to 10 PM daily. Peterson and Kirby suggest their hours be in line with the Ontario Liquor Store. The hours posted on the local OLCC store is 11 AM to 7 PM Monday through Saturday and 12 PM to 5 PM on Sunday.

Parking: The vote of the committee suggests that one parking spot for every 300 sq. ft. of building be adequate parking for the dispensaries. Using the Huntington example of a 3,000 sq. ft. building housing a dispensary and having nine to ten employees during peak hours; acknowledges that there would be no parking for customers (i.e. 3,000 divided by 300 equals 10 parking spots). Recent photos in the Malheur Enterprise show customers standing outside a dispensary in Huntington. Not only are the customers unable to gain access to the building but there is an overflow of cars with no place to park. We suggest that the council and planning commission listen to staff for more reasonable answers.

Retail to Retail buffer zones: A buffer of 1000 feet between retail dispensaries was established with concurrence of most members, including Peterson and Kirby. However, when rumors arose concerning available properties within the zone; John Kirby sought a public records request from the city. Copies of the request and the information requested accompanies this report. In essence. The chair of the ad hoc committee, Steve Meland dba Hot Box Farms LLC, filed land use compatibility statements with the Oregon Liquor Control Commission for most of the available properties in the proposed zone. There were three other requests during that time of little significance. The old Dominos building had a similar request filed by Ontario Holdings LLC which is owned by another Holding Co. in Portland Oregon. Hot Box Farms LLC in filing has essentially tied up most available property within the zone. If they cannot operate a business at that location, then a prospective business would have to go through them to get a location. On most real property transactions, Mr. Meland has been represented by a member of Ontario City council. While we have no paper trail of this; two realtors in Ontario checked the multiple listings used by realtors to share leads, and have concurred that this is true.



Andrew Peterson



John Kirby

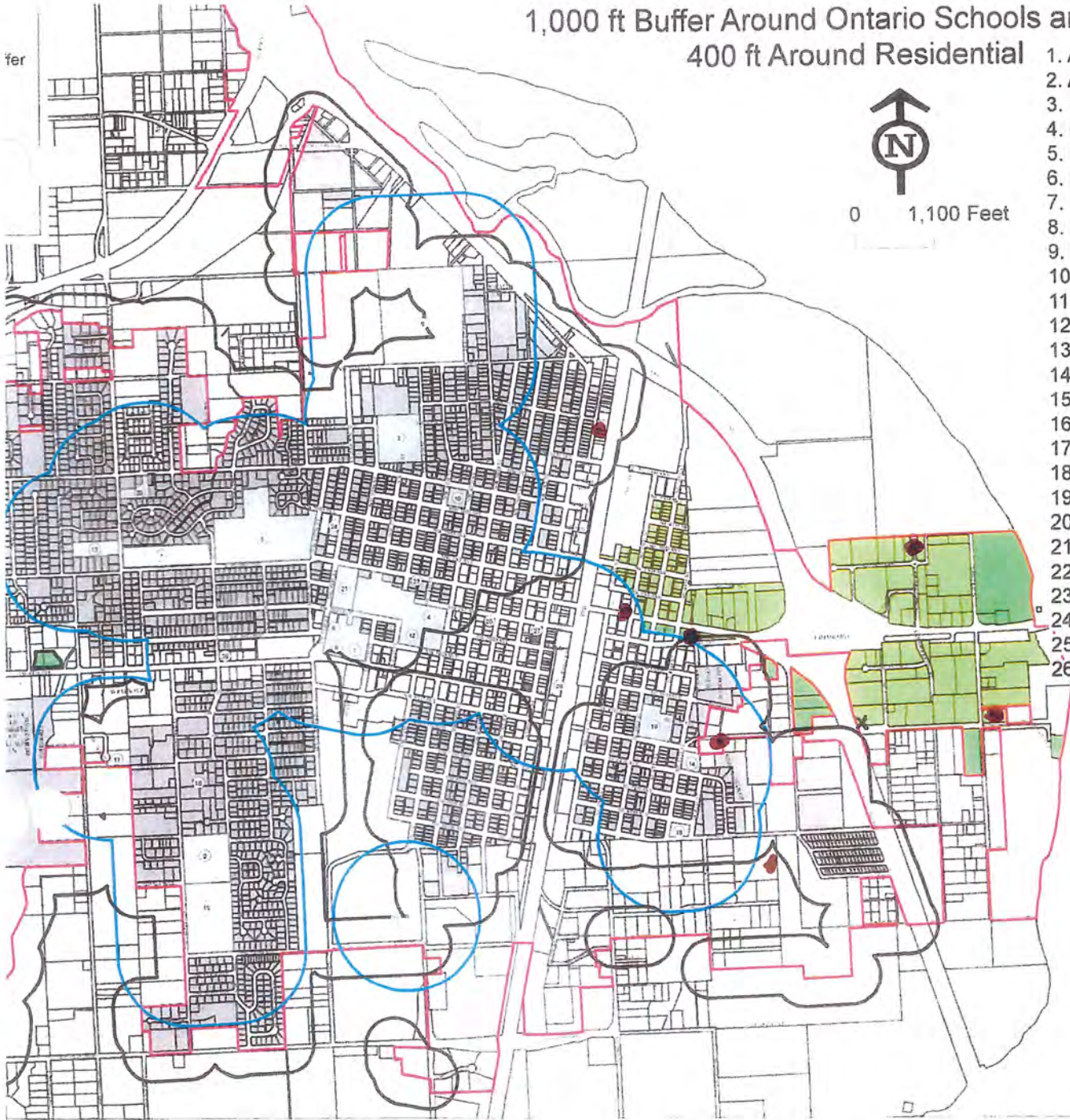
1,000 ft Buffer Around Ontario Schools and Parks 400 ft Around Residential

fer



0 1,100 Feet

1. Aiken Elementary
2. Alameda Elementary
3. May Roberts Elementary
4. Ontario Middle School
5. Ontario High School
6. Ontario Aquatic Center
7. Skate Park
8. Lion's Park
9. Beck Kiwanis Park
10. Laxson Rotary
11. Ore-Ida/Heinz
12. Boys and Girls
13. Optimist Park
14. Eastside Kiwanis
15. Alameda Park
16. Giggles and Grins
17. Malheur County
18. Ontario Head Start
19. Oregon Child Care
20. Treasure Valley
21. St. Peter's Church
22. Four River's Church
23. Treasure Valley
24. Ontario Alternative
25. Pilgrim Lutheran
26. Star Center



X - ONTARIO HOLDINGS

● - HOTBOX FARMS

All public record requests must be made in writing unless otherwise noted. To expedite your request, please fill out this form completely and specifically identify the type of records you are requesting. This form is NOT for Police Department records. For police records, please call 541-881-3237.



08/14/2018 RB

City of Ontario
Office of the City Recorder
444 SW 4th Street
Ontario, OR 97914
Voice (541)881-3232
Fax (541)889-7121
lori.barnett@ontariooregon.org

PUBLIC RECORDS REQUEST FORM (PLEASE PRINT CLEARLY)

Requester Name: John Kirby **Date Requested:** August 14, 2018

Complete Mailing Address: 460 SW 4th Avenue, Ontario Oregon 97914

Telephone/Fax: 541-889-7629 **E-mail:** JohnKirby@truevalue.net

Records/Documents Being Requested: (Please be as specific as possible)

Planning Department: Please provide all the Land Use Compatibility Statement (LUC) completed

by the planning department for the Year 2018 to date, completed for the Oregon Department of

Agriculture (ODA) and for the Oregon Liquor Control Commission by your Department.

I request these documents emailed to me at the above email address.

ORS 192.440(4) authorizes the City to charge fees associated with public records requests. The City of Ontario charges the following for copies:

8½ x 11 - 25¢ page
11x17 - 50¢ page
Video - \$10 per DVD

8½ x 14 - 25¢ page
Audio - \$5 per tape/DVD
Staff time: Actual hourly wage

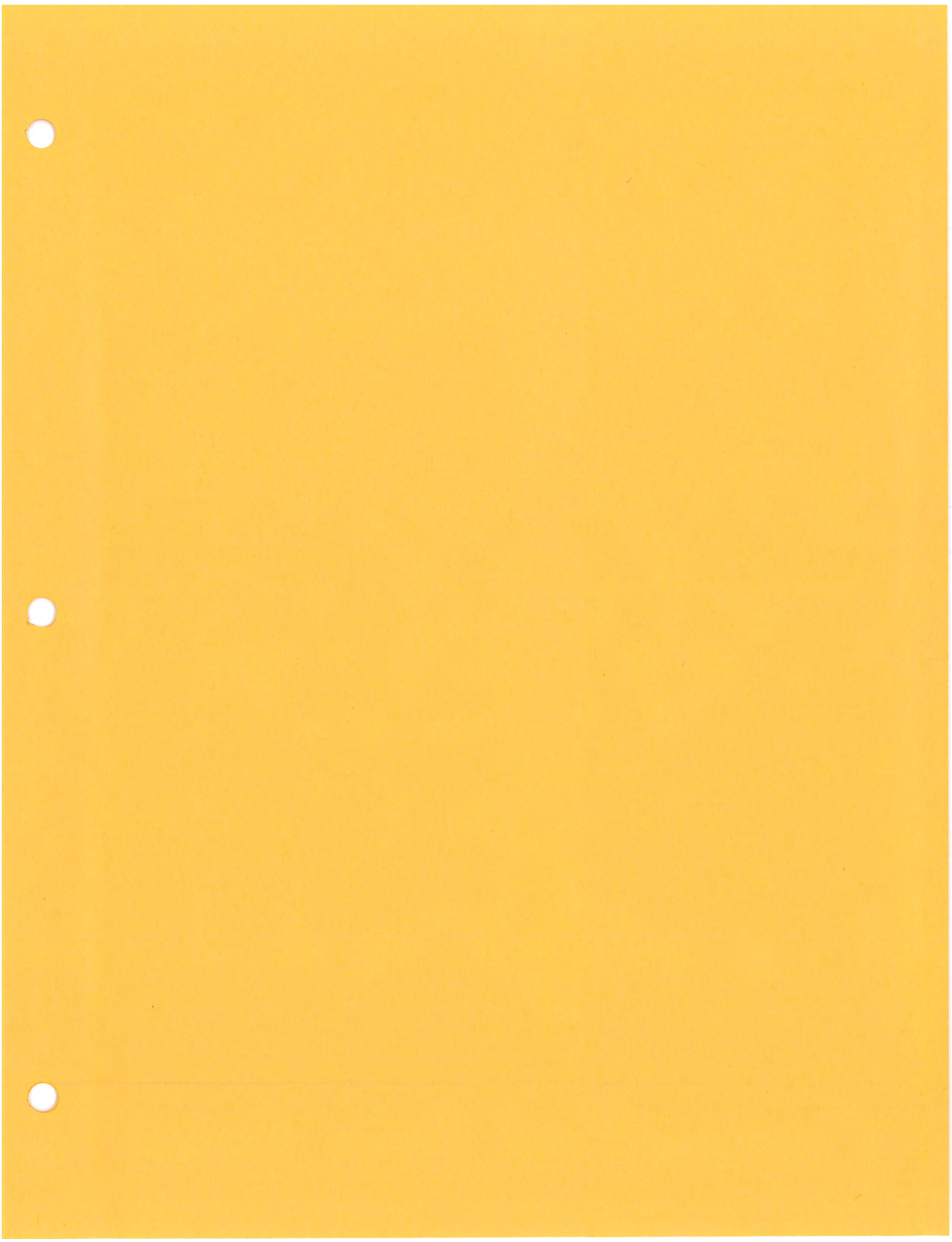
Every attempt will be made to provide the requested records in a timely manner. ORS 192.440 allows the public body a reasonable time to respond to a records request, as well as set costs. The amount of time that is reasonable will depend upon the volume of the records requested, the staff available to respond to the records request, and the difficulty in determining whether any of the records are exempt from disclosure.

Staff completing request

Dan Cummings

Date:

8/14/18





OREGON DEPARTMENT OF AGRICULTURE (ODA)
LAND USE COMPATIBILITY STATEMENT (LUCS)

WHAT IS A LUCS? The LUCS is the process ODA uses to determine that ODA registrations and other approvals that affect land use are consistent with the local government comprehensive plan.

WHY IS A LUCS REQUIRED? Oregon law requires that state agency activities related to land use be consistent with local comprehensive plans in accordance with ORS Chapter 197.

WHEN IS A LUCS REQUIRED? A LUCS is required for many ODA registrations, some General Registrations, and certain approvals for plans or related activities that affect land use. These activities are listed in this form. In cases where a source needs more than one ODA registration or approval, a single LUCS may be used.

A registration modification requires a LUCS when:

- there is a physical expansion on the property or the use of additional land is proposed;
- there is a significant increase in discharges to water;
- there is a relocation of an outfall outside of the source property; or
- emission rate increase as defined in OAR 340-28-110.

A registration renewal requires a LUCS if one has not previously been submitted, or if one of the above four registration modification factors apply.

HOW TO COMPLETE A LUCS:

- The LUCS form is included in the ODA registration application or approval packet.
- Applicant fills out Section 1 of the LUCS and then submits it to the city or county planning office.
- The local planning office determines if the business or facility meets all local planning requirements.
- The local planning office must attach written findings of fact for local reviews or other necessary planning approvals that are required of the applicant.
- The applicant includes the completed LUCS and attachments with the registration application or approval submittal.

WHERE TO GET HELP: Questions on the LUCS are to be directed to ODA, Market Access & Certification Programs, at (503) 986-4620.

THIS FORM MUST ACCOMPANY THE INDUSTRIAL HEMP HANDLERS APPLICATION.

SECTION 1 -- TO BE FILLED OUT BY APPLICANT

1. Business name Eastern Oregon Hemp Co. Contact person Bruce Erlebach
Telephone 541-823-8284 Cell 208-739-0101

Mailing address: Location address:
P.O. Box 824 149 NE 2nd St
Ontario, OR 97914 Ontario, OR 97914

Tax Acct. # 522 Tax Lot # 3200 Township 18 Range 47 Section 03
Latitude _____ Longitude _____ Property zoning commercial

Attach map of property

2. Describe type of business or facility and the services or products provided:
Facility to dry, store, package, retail, possible produce (grow)



OREGON DEPARTMENT OF AGRICULTURE (ODA)
LAND USE COMPATIBILITY STATEMENT (LUCS)

3. This application is for a:

(Check one) New registration ☒ Registration renewal ☐ Registration modification ☐

SECTION 2 – TO BE FILLED OUT BY CITY OR COUNTY PLANNING OFFICIAL

4. The facility proposal is located: inside city limits ☒ outside UGB ☐ inside UGB ☐

5. Name of city or county that has land use jurisdiction*: CITY OF ONTARIO
*jurisdiction means the legal entity that is responsible for land use decisions for the subject of property or land use.

6. The business or facility complies with all applicable local land use requirements: yes ☒ no ☐

6a. List all local reviews or approvals that were required of the applicant before the LUCS consistency was determined.
(This does not include past requirements that do not relate to the pending ODA registration request).

USE LISTED ARE AND ALLOWED USE.

6b. If no, identify reasons for noncompliance or list requirement(s) that the applicant must comply with before LUCS consistency can be determined.

N/A

6c. Is local government currently processing remaining requirements to attain LUCS consistency? yes ☐ no ☒

7. Planning official reviewer's telephone number: 541-881-3222

SIGNATURES

[Signature]
Planning Official

DAN K. CUMMINGS Title Planning Director Date 4/24/18
Print Planning Official's name

Planning Official Title _____ Date _____
(depending upon city/county agreement on jurisdiction outside city limits but within UGB)

ATTENTION: A LUCS approval cannot be accepted by ODA until all local requirements have been met. Written findings of fact for all local decisions addressed under 6 through 6b must be attached to the LUCS.

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:522 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703CD	3200	0	1	201 COM/COM/IMPROVE	O-C2H

OWNER:	TRUCE LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	542 SW 1ST ST
CITY/ST:	ONTARIO, OR ,97914

PROPERTY ADDRESS: 187 NE 1ST AVE ONTARIO

NOTES:
LIDDLE+MOELLER CONST.

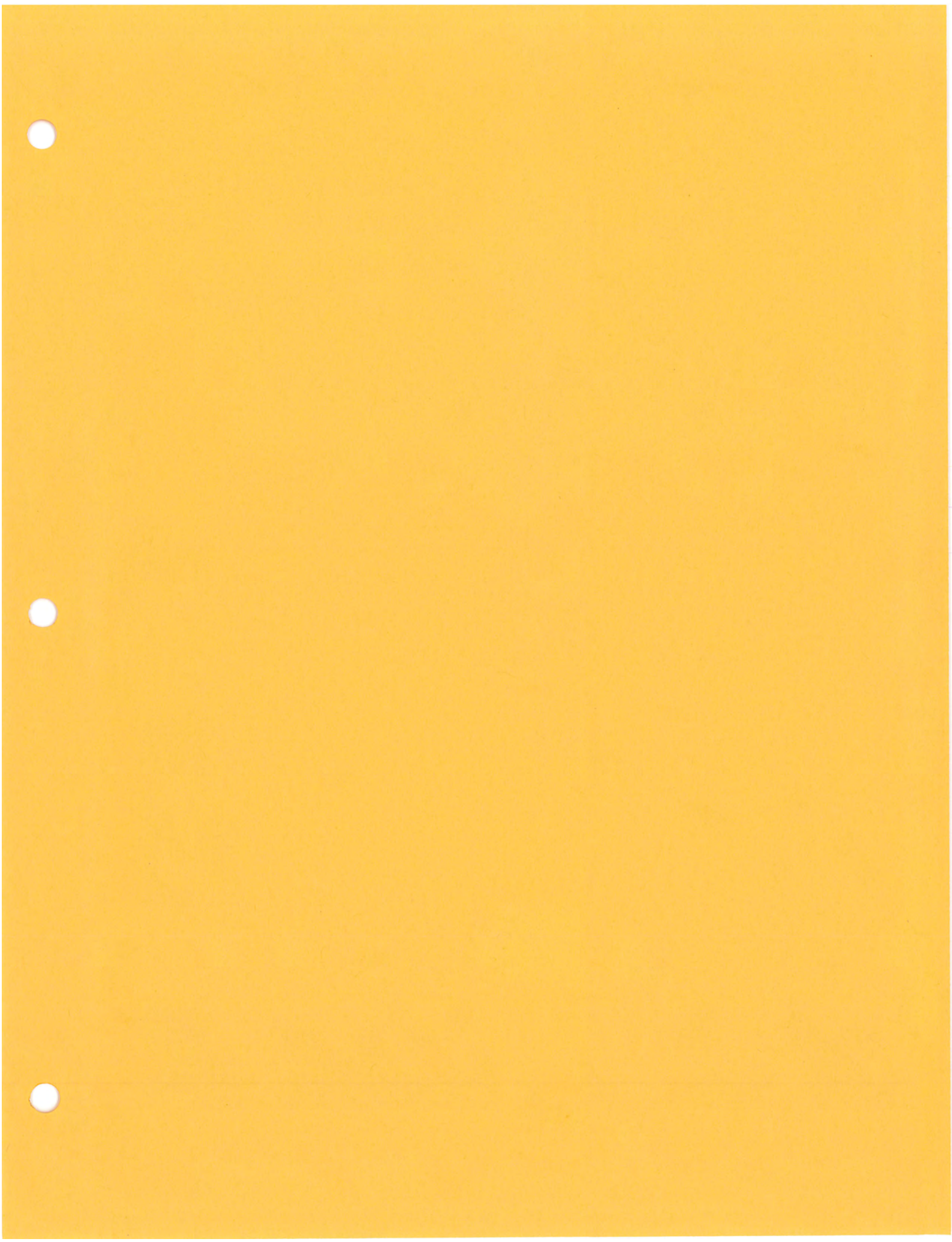
	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$62,030	
STRUCTURES	\$154,160	
SUBTOT	\$216,190	\$170,728
TOTAL	\$216,190	\$170,728

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$2,540.01
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$32.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$2,572.01

STRUCTURES





OREGON DEPARTMENT OF AGRICULTURE (ODA)
LAND USE COMPATIBILITY STATEMENT (LUCS)

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WHERE TO GET HELP: Questions on the LUCS are to be directed to ODA, Market Access & Certification Programs, at (503) 986-4620.

THIS FORM MUST ACCOMPANY THE INDUSTRIAL HEMP HANDLERS APPLICATION.

SECTION 1 - TO BE FILLED OUT BY APPLICANT

1.	Business name <u>Hemp USA</u>	Contact person <u>Jahmel Cooke</u>
	Telephone <u>541-819-0507</u>	Cell <u>503-720-7676</u>
	Mailing address:	Location address:
	<u>P.O. Box 386</u>	<u>727 N. Oregon St.</u>
	<u>Ontario, OR 97914</u>	<u>Ontario, OR 97914</u>
	Tax Acct. # <u>107</u>	Tax Lot # <u>1600</u>
	Latitude	Longitude
		Township <u>18S</u> Range <u>47E</u> Section <u>3</u>
		Property zoning <u>BM10</u>

Attach map of property

2. Describe type of business or facility and the services or products provided:
Home occupancy hemp business selling hemp products



**2018 INDUSTRIAL HEMP HANDLER / SEED
REGISTRATION APPLICATION**

HANDLER INFORMATION

Registrant Name Hemp USA dba Cydney Inc

Legal Status of Registrant: ☐ Individual/Sole Proprietor ☐ Limited Liability Company
(check one) ☒ Corporation ☐ Limited Partnership

Oregon Secretary of State Registration Number (if applicable): _____

If your business is registered with the Secretary of State provide the names of all members, managers, corporate officers, general/limited partners or other individuals/entities with authority to exercise control over the Registrant's business, incur debt or similar obligations on behalf of Registrant's business, or enter into a contract or similar obligations on behalf of Registrant's business:

Name Jahmel Cooke Title President / CEO

Name Cydney Cooke Title Vice President

Name _____ Title _____

Name _____ Title _____

Attach additional sheets as necessary. **Registrant must immediately notify the Department if there is any change in individuals authorized to control Registrant's business.**

Registrant Contact Person Cydney Cooke Telephone No. 503-807-7940

Mailing Address P.O. Box 386 Cell Phone No. 503-720-7076

City Ontario State OR Zip 97914

Email info@hempusa.store

OPERATION SITE INFORMATION:

Site 1:

Agriculture Hemp Seed? (check one) Yes ☐ No ☒

Street Address 727 N. Oregon St. County Malheur

City Ontario State OR Zip 97914

*****IMPORTANT INFORMATION*****

A completed copy of the ODA land use compatibility statement (LUCS) signed by the county or local government must be attached to this application. LUCS forms are available for downloading from our website.

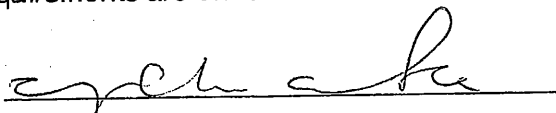
APPLICANT MUST LIST EACH HANDLING SITE AND SUBMIT A COMPLETED LAND USE COMPATIBILITY STATEMENT FOR EACH SITE * ATTACH ADDITIONAL SHEETS AS NECESSARY

Applicant for registration acknowledges and agrees that:

- Any information provided to the Department may be publicly disclosed and may be provided to law enforcement agencies without notice to the applicant;
- The Department may enter any field, facility or greenhouse used for the production or handling of industrial hemp or agricultural hemp seed and may take samples of industrial hemp or agricultural hemp seed as necessary for the administration of the industrial hemp laws;
- All fees lawfully due to the Department will be timely paid;
- The information provided is true and correct and that applicant's signature is an attestation of that fact.

I (print your name) Cydney Cooke agree to general conditions that in addition to meeting all laws and regulations pertaining to industrial hemp growers and handlers, ORS 571.300 to 571.315 as amended by Oregon Laws 2016, Chapter 71, and Oregon Laws 2017, Chapter 531, and OAR 603-048-0010 to 603-048-2480, all production, storing, processing, handling, packaging, labeling, marketing and selling of agricultural hemp seed must meet all applicable State seed laws, regulations as specified in ORS 633.500 through 633.996 and seed regulations OAR 603-056-0490.

By my signature below I attest that the information in this application is true, correct, and the above requirements are understood.

Signature  Date 7/26/18

Keep this application and all other records associated with your industrial Hemp business as required by Oregon Administrative Rule.
OAR 603-048-0500 Registrants must maintain records of all transfers of ownership or possession of industrial hemp for no less than three (3) years after the total disposition of each harvest lot.

FEE AND PAYMENT INFORMATION

ANNUAL FEE

FEE SUBMITTED

☒ Industrial Hemp Handler Registration

\$1300

\$ 1,300

☐ Agricultural Hemp Seed Registration

\$120

\$ _____

Registrations for Growing or Handling Industrial Hemp, or Registrations for Agricultural Hemp Seed are valid for a one-year term beginning on January 1, 2018 unless revoked. Fees are non-refundable.

Signature Cydney Cooke Title Vice President Date 07/26/18Print Owner's Name Cydney Cooke Date of Birth 01/31/1994

If new owner, print former owner's name _____

For Checks or Money Orders, mail to:

Oregon Department of Agriculture

PO Box 4395, Unit 17

Portland OR 97208-4395

For Credit Card Charges, mail or fax to:

Oregon Department of Agriculture

635 Capitol St. N.E.

Salem OR 97301-2532

Secure Fax

(503) 986-4746

Make checks payable to Oregon Department of Agriculture. All dishonored checks or electronic payments will incur a \$25 administrative fee per ORS 30.701.

For Discover, Visa or MasterCard Charges Complete the Following InformationName of Cardholder: Cydney Cooke Phone: 503-807-7940Address of Cardholder: 727 N. Oregon St. City: Ontario Zip: 97919Email or Fax receipt available for credit card payments ONLY. Print Email address or Fax# _____Signature: Cydney Cooke Total Charges: \$ 1,300Card Number: 4259 10880 10186 19267 Expiration Date: 05 122



OREGON DEPARTMENT OF AGRICULTURE (ODA)
LAND USE COMPATIBILITY STATEMENT (LUCS)

3. This application is for a:

(Check one) New registration ☒ Registration renewal ☐ Registration modification ☐

SECTION 2 – TO BE FILLED OUT BY CITY OR COUNTY PLANNING OFFICIAL

4. The facility proposal is located: inside city limits ☒ outside UGB ☐ inside UGB ☐
5. Name of city or county that has land use jurisdiction*: CITY OF ONTARIO
*jurisdiction means the legal entity that is responsible for land use decisions for the subject of property or land use.
6. The business or facility complies with all applicable local land use requirements: yes ☒ no ☐
- 6a. List all local reviews or approvals that were required of the applicant before the LUCS consistency was determined.
(This does not include past requirements that do not relate to the pending ODA registration request).
ALLOWED UNDER 10A-17-05(3)
- 6b. If no, identify reasons for noncompliance or list requirement(s) that the applicant must comply with before LUCS consistency can be determined.
- 6c. Is local government currently processing remaining requirements to attain LUCS consistency? yes ☐ no ☒
7. Planning official reviewer's telephone number: 541-881-3222

SIGNATURES

[Signature] DAN K. COMMINGS Title COMM. DEV. DIR Date 7-26-18
Planning Official Print Planning Official's name

Planning Official Print Planning Official's name
(depending upon city/county agreement on jurisdiction outside city limits but within UGB)

ATTENTION: A LUCS approval cannot be accepted by ODA until all local requirements have been met. Written findings of fact for all local decisions addressed under 6 through 6b must be attached to the LUCS.

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 7/26/2018

Value and tax information for tax year 2017

Ref#:107 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703BC	1600	0	1	101 RESIDENT/RES/IMPROVE	O-RM

OWNER:	NAVARRETE, RUBEN ETAL
CONTRACT:	
ETAL(s):	NAVARRETE, RACHAEL
	NAVARRETE, VINCENTE E
MAILING ADDRESS:	
	634 BUTLER BLVD
CITY/ST:	ONTARIO, OR ,97914

PROPERTY ADDRESS: 727 N OREGON ST ONTARIO

NOTES:
none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$20,500	
STRUCTURES	\$27,210	
SUBTOT	\$47,710	\$47,710
TOTAL	\$47,710	\$47,710

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$687.82
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$16.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$703.82





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY	
Date delivered by license applicant:	
Received by (print):	
Initial:	

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be Completed by Applicant

**Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.*

Applicant Name:	HOTBOX FARMS LLC	Phone:	208-954-1246
Mailing Address:	PO BOX 592	Rm/Ste:	
City:	ONTARIO	State:	OR
		ZIP:	97914

Site plan of the subject property and proposed development attached? (required)

Proposed Premises Address:	183 E IDAHO AVE	Rm/Ste:	
City:	ONTARIO	County:	MALHEUR
Tax Lot #*:	4400	Range/Section*:	
Township*:		Latitude:	
		Longitude:	

Proposed use/permit type sought (A separate LUCS may be necessary for each proposed use even if it is on the same property):

Producer	Wholesaler	Processor	Retailer	Laboratory	Research Certificate
Note indoor or outdoor below		List endorsements below			

Details of proposed use (note any attachments):
Processor: Endorsements; Edibles, Topicals, Concentrates, and Extracts
Retailer: Medical and Recreational
Wholesaler: Medical and Recreational

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of

Proposed Premises: C-2H GENERAL HEAVY COMMERCIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print): DAN K. CUMMINGS

Title: COMMUNITY DEVELOPMENT DIR.

Date: JUNE 29, 2018

Email: Dan.Cummings@Ontariooregon.org

Phone: (541) 881-3222

Signature: Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are NOT required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:535 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703CD	4400	0	1	201 COM/COM/IMPROVE	O-C2H

OWNER:	YEE, DENNY
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	C/O DALE YEE
	16605 ROGUE RIVER TERRACE
CITY/ST:	BEAVERTON, OR ,97006

PROPERTY ADDRESS: 183 E IDAHO AVE ONTARIO

NOTES:
none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$97,400	
STRUCTURES	\$49,730	
SUBTOT	\$147,130	\$109,092
TOTAL	\$147,130	\$109,092

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$1,623.02
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$32.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$1,655.02

STRUCTURES

#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	622	MECHANIC/LUBES	1,215	0	0	1954	2017	\$49,730	0
2	SSS	MULTIPLE COMPLEX ADDRESS	792	0	0	1954	2017	\$0	0

LAND DESCRIPTIONS

LINE #	SQUARE FEET	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	12,000	COM1	COMMERCIAL LAND	100.00x120.00	\$95,400
2	0	CSDO	COMM & IND SITE DEV	-	\$2,000
TOTAL	12,000				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	6/12/2014	\$130,000	1	WD	20141929
2	12/09/2013	\$144,302	1	TD	20135126
3	2/20/2007	\$225,000	1	WD	20071296

NEW SEARCH

SITE PLAN
183 E IDAHO AVE



PROPOSED DEVELOPMENT PLAN
183 E IDAHO AVE

- 1. General remodel of existing buildings**
- 2. Resurfacing of existing parking lot**
- 3. Install appropriate security and camera systems Per OLCC 845-25 Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY

Date delivered by license applicant:

Received by (print):

Initial:

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- **Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be Completed by Applicant

Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.

Applicant Name: HOTBOX FARMS LLC

Phone: 208-954-1246

Mailing Address: PO BOX 592

Rm/Ste:

City: ONTARIO

State: OR

ZIP: 97914

Site plan of the subject property and proposed development attached? (required)

Proposed Premises Address: 321 NE GOODFELLOW STREET

Rm/Ste:

City: ONTARIO

County: MALHEUR

ZIP: 97914

Tax Lot #: 501

Range/
Section*:

Latitude:

Township*:

Map*:

Longitude:

Proposed use/permit type sought (A separate LUCS may be necessary for each proposed use even if it is on the same property):

Producer
Note indoor or
outdoor below

Wholesaler

Processor
List endorse-
ments below

Retailer

Laboratory

Research Certificate

Details of proposed use (note any attachments):

Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of

Proposed Premises: C-2H GENERAL HEAVY COMMERCIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print):

Title: DAN K. CUMMINGS
COMMUNITY DEVELOPMENT DIR

Date: June 29, 2018

Email: Dan.Cummings@Ontariooregon.org

Phone: (541) 881-3222

Signature:

Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are NOT required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:18265 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4702CC	501	0	1	201 COM/COM/IMPROVE	O-C2H

OWNER:	EVERGREEN INVESTMENTS LLLP
CONTRACT:	SNJ ONLINE LLC
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 191
CITY/ST:	HUNTINGTON, OR ,97907

PROPERTY ADDRESS: 325 NE GOODFELLOW ST ONTARIO

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$369,330	
STRUCTURES	\$431,130	
SUBTOT	\$800,460	\$641,466
TOTAL	\$800,460	\$641,466

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$9,543.42
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$32.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$9,575.42

STRUCTURES

#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	455	OFFICES CLASS 5	7,691	0	0	1990	2017	\$431,130	0

LAND DESCRIPTIONS

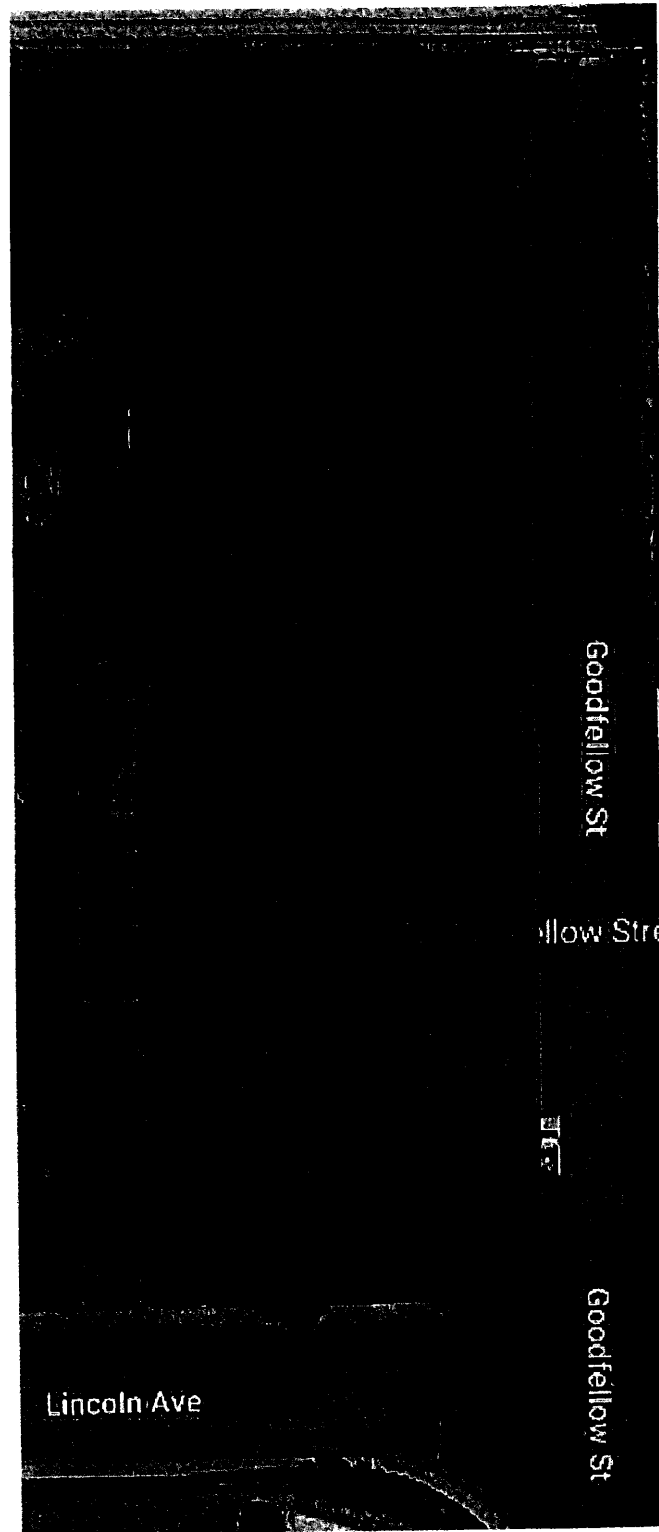
LINE #	SQUARE FEET	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	40,758	COM1	COMMERCIAL LAND	-	\$367,330
2	0	CSDO	COMMERCIAL SITE DEVELOPMENT	-	\$2,000
TOTAL	40,758				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	5/01/2017	\$0	1	MS	20171824
2	12/20/1991	\$50,000	1		9108035
3	6/01/1990	\$0	1		9003878

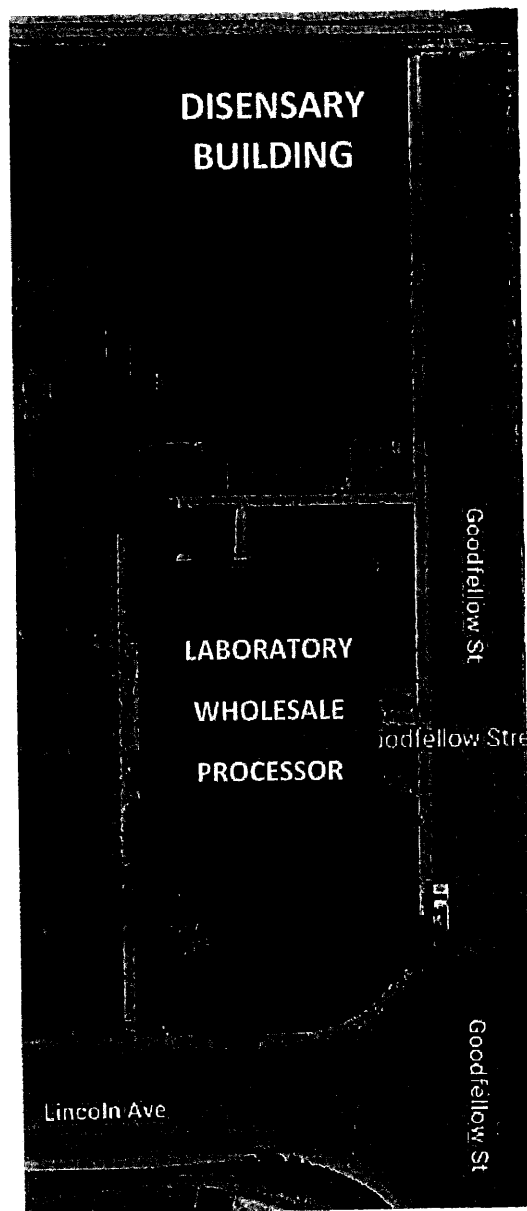
NEW SEARCH

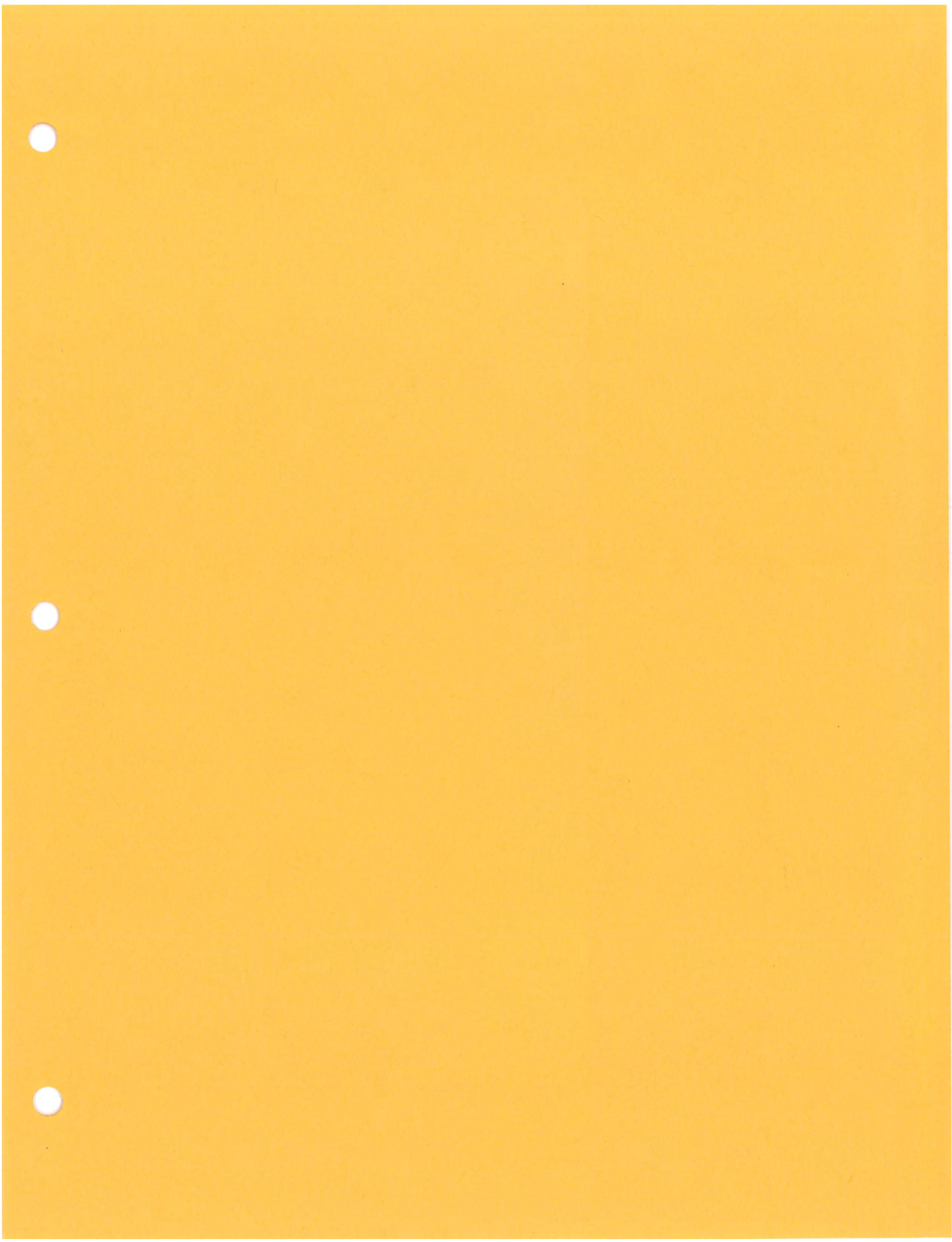
SITE PLAN
321 NW GOODFELLOW



PROPOSED DEVELOPMENT PLAN 321 NE GOODFELLOW

1. General remodel of existing buildings
2. Resurfacing of existing parking lot
3. Install appropriate security and camera systems Per OLCC 845-25 Specifications
4. Construct new building for Dispensary Space







OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1:** Applicant completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2:** Local Jurisdiction completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local Jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- **Step 3:** Applicant submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be completed by Applicant

Applicant Name: Jason Sutton Phone: (208) 337-8695
Mailing Address: 389 NW 11th Ave Rm/Ste:
City: Ontario State: OR ZIP: 97914

☒ Site plan of the subject property and proposed development attached? (required)

Proposed Premises Address: 389 NW 11th Ave Rm/Ste:
City: Ontario County: Malheur ZIP: 97914
Tax Lot #*: #500 Range/Section*: Latitude:
Township*: Map*: 18S4703BB Longitude:

Proposed use/permit type sought (A separate LUCS may be necessary for each proposed use even if it is on the same property):

☒ Producer ☐ Wholesaler ☐ Processor ☐ Retailer ☐ Laboratory ☐ Research Certificate
Note indoor or outdoor below List endorsements below

Details of proposed use (note any attachments):

Indoor and outdoor Medical Marijuana grow site.
"Non commercial"

Site Location:

☒ Inside city limits ☐ Inside UGB ☐ Outside UGB

Name of Jurisdiction:

City of Ontario, OR

Property Zoning of
Proposed Premises:

C1 - ~~General Com~~ Light Commercial

☐ The proposed land use has been reviewed and is prohibited.

☒ The proposed land use has been reviewed and is not prohibited. as per comment below

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

— Approved for agricultural use —

Name of Reviewing Local Official (print):

Marcy Siriwardene

Title:

P+Z Technician

Date:

1-19-18

Email:

marcy.siriwardene@ontarioregon.org

Phone:

(541) 881-3224

Signature:

M. Siri

Check this box if there are attachments to this form:

☒

REMINDER: Local jurisdictions are **NOT** required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

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Date Web Site was last updated 1/19/2018

Value and tax information for tax year 2017

Ref#:78 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703BB	500	0	1	121 RESIDENT/COMM/IMPRVD	O-C1

OWNER:	SUTTON, JASON BF
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	389 NW 11TH AVE
CITY/ST:	ONTARIO, OR, 97914

PROPERTY ADDRESS: 389 NW 11TH AVE ONTARIO

NOTES:
none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$46,000	
STRUCTURES	\$43,570	
SUBTOT	\$89,570	\$89,570
TOTAL	\$89,570	\$89,570

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$1,291.32
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$16.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$1,307.32

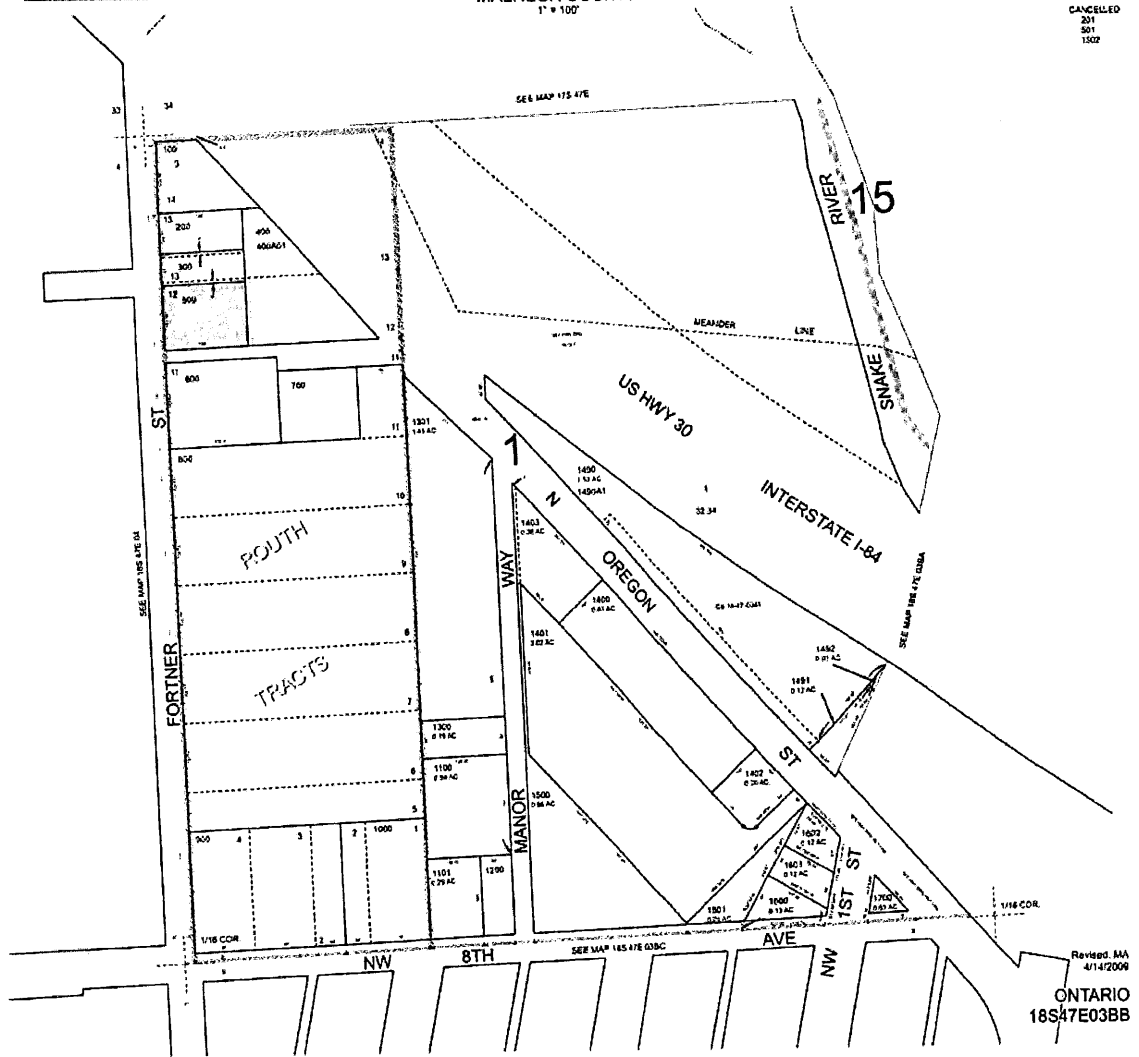
BUILDING DESCRIPTIONS

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 50 100 200 M

N.W. 1/4 N.W. 1/4 SEC. 3 T. 18S. R. 47E. W.M.
MALHEUR COUNTY
1" = 100'

18S47E03BB
ONTARIO
CANCELLED
201
501
1307



Revised: MA
4/14/2009

ONTARIO
18S47E03BB





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY

Date delivered by license applicant:

Received by (print):

Initial:

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be Completed by Applicant

**Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.*

Applicant Name: HOTBOX FARMS LLC

Phone: 208-954-1246

Mailing Address: PO BOX 592

Rm/Ste:

City: ONTARIO

State: OR

ZIP: 97914

Site plan of the subject property and proposed development attached? *(required)*

Proposed Premises Address: 490 EAST LANE

Rm/Ste:

City: ONTARIO

County: MALHEUR

ZIP: 97914

Tax Lot #*: 1203

Range/
Section*:

Latitude:

Township*:

Map*:

Longitude:

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if it is on the same property):*

Producer
Note indoor or
outdoor below

Wholesaler

Processor
List endorse-
ments below

Retailer

Laboratory

Research Certificate

Details of proposed use (note any attachments):

Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of

Proposed Premises: C-2H GENERAL HEAVY COMMERCIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print):

Title:

DAN K. CUMMINGS
COMMUNITY DEVELOPMENT DIR

Date:

June 29, 2018

Email:

Dan.Cummings@Ontariooregon.org

Phone:

(541) 881-3222

Signature:

Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are **NOT** required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid a application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:16460 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4711B	1203	0	1	204 COM/COM/PT EXEMPT	O-C2H

OWNER:	J J & C PROPERTIES LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	1575 W 1ST ST
CITY/ST:	FRUITLAND, ID ,83619

PROPERTY ADDRESS: 490 #1 EAST LN ONTARIO

NOTES:
EAST LANE PLAZA

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$456,860	
STRUCTURES	\$1,079,000	
SUBTOT	\$1,535,860	\$1,252,541
TOTAL	\$1,535,860	\$1,252,541

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$18,634.68
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$141.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$18,775.68

STRUCTURES

#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	SSS	MULTIPLE COMPLEX/EXEMPT	0	0	0	1998	2017	\$0	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	1.64	COM1	COMMERCIAL LAND	-	\$453,280
2	0.00	RP20	COMM & IND SITE DEV	-	\$3,580
TOTAL	1.64				

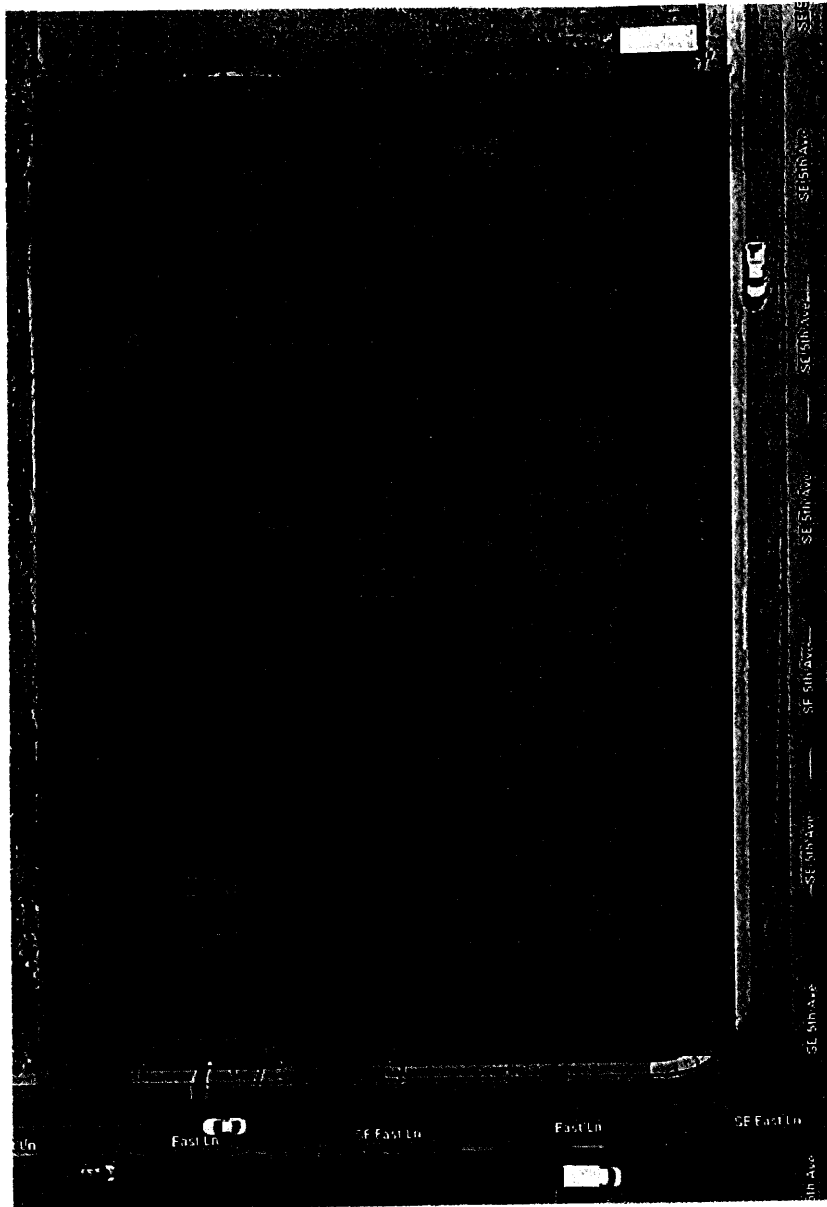
SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/29/1997	\$137,500	1		9708769
2	4/01/1996	\$45,000	1		9602270

NEW SEARCH

SITE PLAN

490 EAST LANE



PROPOSED DEVELOPMENT PLAN 490 EAST LANE

- 1. General remodel of existing buildings**
- 2. Resurfacing of existing parking lot**
- 3. Install appropriate security and camera systems Per OLCC 845-25
Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY

Date delivered by license applicant:

Received by (print):

Initial:

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- **Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be Completed by Applicant

Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.

Applicant Name: HOTBOX FARMS LLC

Phone: 208-954-1246

Mailing Address: PO BOX 592

Rm/Ste:

City: ONTARIO

State: OR

ZIP: 97914

Site plan of the subject property and proposed development attached? *(required)*

Proposed Premises Address: 532 E IDAHO AVE

Rm/Ste:

City: ONTARIO

County: MALHEUR

ZIP: 97914

Tax Lot #*: 3800

Range/
Section*:

Latitude:

Township*:

Map*:

Longitude:

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if it is on the same property):*

Producer
Note indoor or
outdoor below

Wholesaler

Processor
List endorse-
ments below

Retailer

Laboratory

Research Certificate

Details of proposed use (note any attachments):

Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts

Retailer: Medical and Recreational

Wholesaler: Medical and Recreational

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of
Proposed Premises: C-2 GENERAL COMMERCIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print): DAN K. CUMMINGS

Title: COMMUNITY DEVELOPMENT DIR

Date: June 29, 2018

Email: Dan.Cummings@Ontariooregon.org

Phone: (541) 881-3222

Signature: 

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are NOT required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:72 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703	3800	0	1	201 COM/COM/IMPROVE	O-C2

OWNER:	532EASTIDAHO LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	C/O FOUR STAR REAL ESTATE
	241 SW 3RD AVE
CITY/ST:	ONTARIO, OR ,97914

PROPERTY ADDRESS: 532 E IDAHO AVE ONTARIO

NOTES:
none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$110,440	
STRUCTURES	\$107,350	
SUBTOT	\$217,790	\$197,523
TOTAL	\$217,790	\$197,523

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$2,938.64
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$16.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$2,954.64

STRUCTURES

#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	445	STORES CLASS 5	5,126	0	0	1958	2017	\$107,350	1995

LAND DESCRIPTIONS

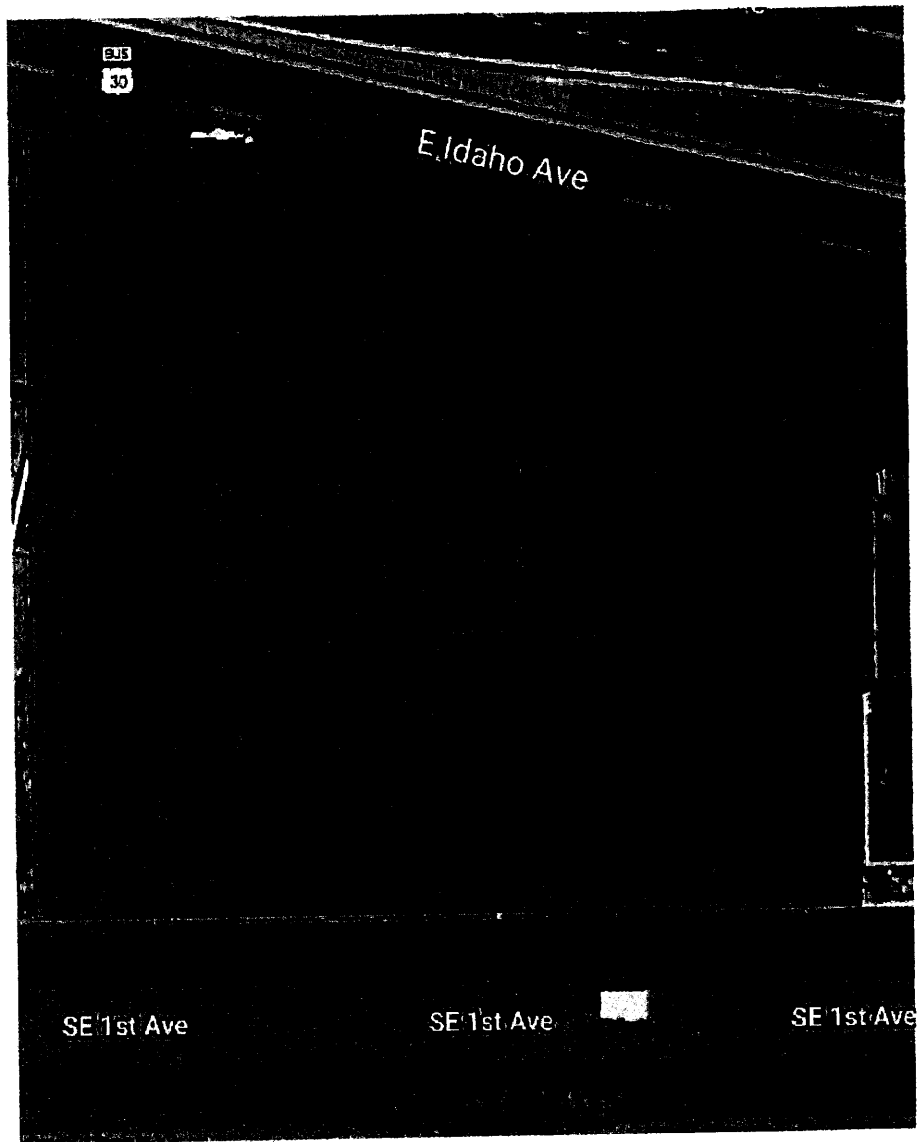
LINE #	SQUARE FEET	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0	COM1	COMMERCIAL LAND	-	\$108,440
2	0	CSDO	COMMERCIAL SITE DEVELOPMENT	-	\$2,000
TOTAL	0				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	2/27/2018	\$300,000	1	WD	2010734
2	11/01/1991	\$157,500	1		9107479

NEW SEARCH

SITE PLAN
532 E IDAHO AVE



PROPOSED DEVELOPMENT PLAN
532 E IDAHO AVE

- 1. General remodel of existing buildings**
- 2. Resurfacing of existing parking lot**
- 3. Install appropriate security and camera systems Per OLCC 845-25 Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY

Date delivered by license applicant:

Received by (print):

Initial:

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
- **Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 - To be Completed by Applicant

Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.

Applicant Name: HOTBOX FARMS LLC

Phone: 208-954-1246

Mailing Address: PO BOX 592

Rm/Ste:

City: ONTARIO

State: OR

ZIP: 97914

Site plan of the subject property and proposed development attached? (required)

Proposed Premises Address: 602 SE 9TH STREET

Rm/Ste:

City: ONTARIO

County: MALHEUR

ZIP: 97914

Tax Lot #*: 602

Range/
Section*:

Latitude:

Township*:

Map*:

Longitude:

Proposed use/permit type sought (A separate LUCS may be necessary for each proposed use even if it is on the same property):

Producer
Note indoor or
outdoor below

Wholesaler

Processor
List endorse-
ments below

Retailer

Laboratory

Research Certificate

Details of proposed use (note any attachments):

Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of

Proposed Premises: I-1 LIGHT INDUSTRIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print): DAN K. CUMMINGS

Title: COMMUNITY DEVELOPMENT DIR.

Date: JUNE 29, 2018

Email: DAN.CUMMINGS@ONTARIOCOREGON.ORG

Phone: (541) 881-3222

Signature: Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are **NOT** required to begin processing LUICS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

Date Web Site was last updated 6/26/2018

Ref#:15527 **Type of Property : REAL PROPERTY**

OWNER:	GASCHLER, SHIRLEY
CONTRACT:	SNJ ONLINE LLC
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 191
CITY/ST:	HUNTINGTON, OR ,97907

NOTES:
none.

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page Assessor/Tax Collector

LAND DESCRIPTIONS

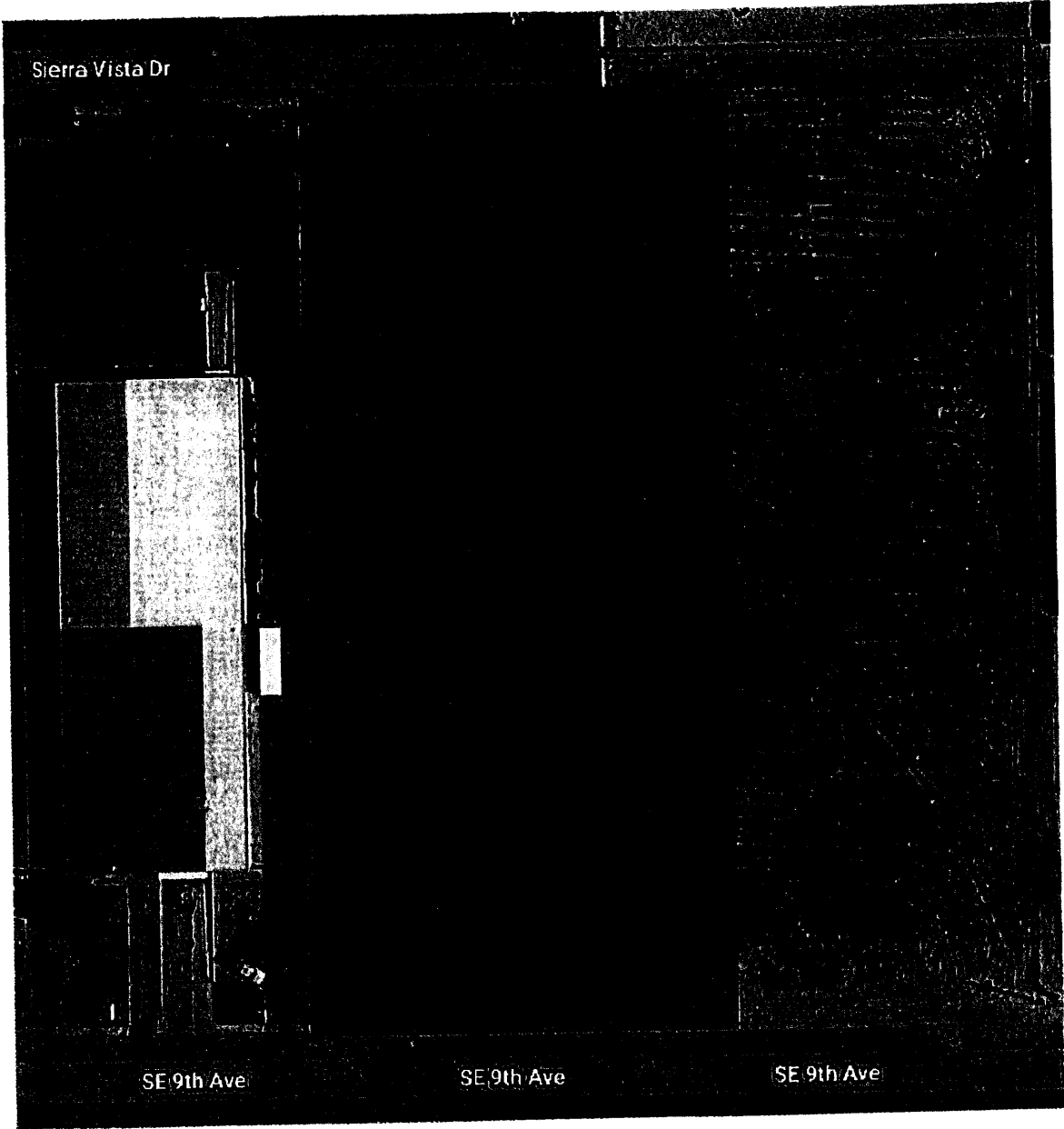
LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	1.14	IND1	INDUSTRIAL LAND	-	\$64,800
TOTAL	1.14				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/02/2017	\$98,000	2	MS	20173865

NEW SEARCH

SITE PLAN
602 SE 9TH STREET



PROPOSED DEVELOPMENT PLAN
602 SE 9TH STREET

- 1. Construction of large commercial space**
- 2. Paving of parking areas**
- 3. Install appropriate security and camera systems Per OLCC 845-25 Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

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Section 1 - To be Completed by Applicant

**Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.*

Applicant Name:	HOTBOX FARMS LLC	Phone:	208-954-1246
Mailing Address:	PO BOX 592	Rm/Ste:	
City:	ONTARIO	State:	OR
		ZIP:	97914

Site plan of the subject property and proposed development attached? *(required)*

Proposed Premises Address:	604 SE 9TH STREET	Rm/Ste:	
City:	ONTARIO	County:	MALHEUR
Tax Lot #*:	604	Range/Section*:	
Township*:		Latitude:	
		Longitude:	

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if it is on the same property):*

Producer
Note indoor or
outdoor below

Wholesaler

Processor
List endorse-
ments below

Retailer

Laboratory

Research Certificate

Details of proposed use (note any attachments):

Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of
Proposed Premises: I-1 LIGHT INDUSTRIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print): DAN K. CUMMINGS

Title: COMMUNITY DEVELOPMENT DIR

Date: JUNE 29, 2018

Email: DAN.CUMMINGS@ONTARIOOREGON.ORG

Phone: (541) 881-3222

Signature:

Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are NOT required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

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Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:15849 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4710AC	604	0	1	300 IND/IND VACANT	O-I1

OWNER:	GASCHLER, SHIRLEY
CONTRACT:	SNJ ONLINE LLC
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 191
CITY/ST:	HUNTINGTON, OR ,97907

PROPERTY ADDRESS: 0

NOTES:
none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$73,990	
STRUCTURES	\$0	
SUBTOT	\$73,990	\$45,273
TOTAL	\$73,990	\$45,273

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$673.54
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$673.54

LAND DESCRIPTIONS

--	--	--	--	--	--

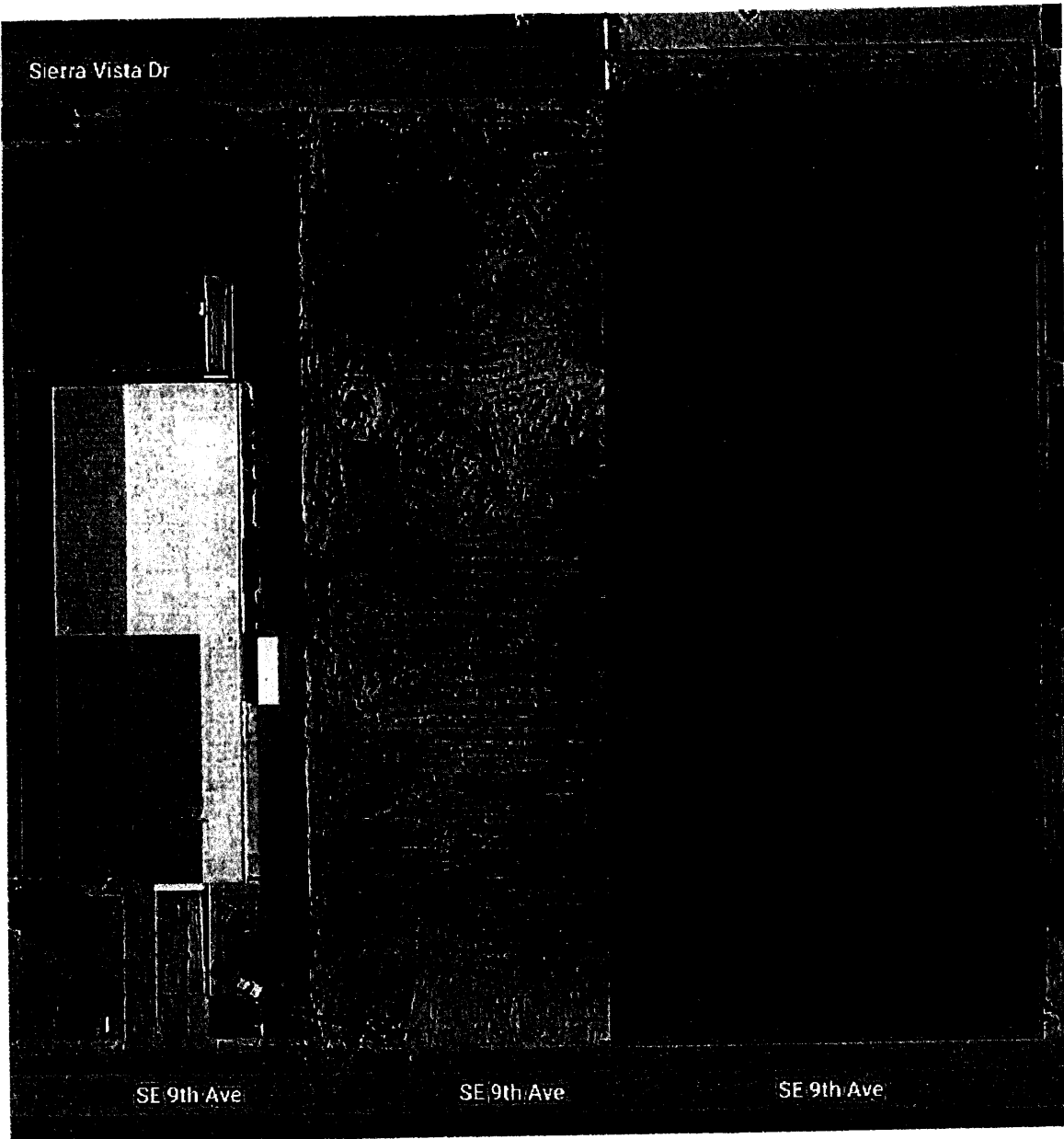
LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	1.52	IND1	INDUSTRIAL LAND	-	\$73,990
TOTAL	1.52				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/02/2017	\$98,000	2	MS	20173865

NEW SEARCH

SITE PLAN
604 SE 9TH STREET



PROPOSED DEVELOPMENT PLAN
604 SE 9TH STREET

- 1. Construction of large commercial space**
- 2. Paving of parking areas**
- 3. Install appropriate security and camera systems Per OLCC 845-25 Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY	
Date delivered by license applicant:	
Received by (print):	
Initial:	

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

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 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM**.
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Section 1 - To be Completed by Applicant

Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.

Applicant Name:	HOTBOX FARMS LLC	Phone:	208-954-1246
Mailing Address:	PO BOX 592	Rm/Ste:	
City:	ONTARIO	State:	OR
		ZIP:	97914

Site plan of the subject property and proposed development attached? *(required)*

Proposed Premises Address:	644 RIVER STREET	Rm/Ste:	
City:	ONTARIO	County:	MALHEUR
Tax Lot #*:	1800	Range/Section*:	
Township*:		Map*:	
		Latitude:	
		Longitude:	

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if it is on the same property):*

Producer	Wholesaler	Processor	Retailer	Laboratory	Research Certificate
Note indoor or outdoor below		List endorsements below			

Details of proposed use (note any attachments):
Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction: CITY OF ONTARIO

Property Zoning of
Proposed Premises: I-2 HEAVY INDUSTRIAL

The proposed land use has been reviewed and is prohibited.

The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

PROHIBITED UNDER TITLE 3, CHAPTER 23

Name of Reviewing Local Official (print): DAN K. CUMMINGS

Title: COMMUNITY DEVELOPMENT DIR

Date: JUNE 29, 2018

Email: Dan.Cummings@Ontariooregon.org

Phone: (541) 881-3222

Signature: Dan Cummings

Check this box if there are attachments to this form:

REMINDER: Local jurisdictions are NOT required to begin processing
LUICS forms until January 4, 2016 at 8:30 AM

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid a application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:273 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4703BD	1800	0	1	301 IND/IND/IMPROVE	O-I2

OWNER:	DUNCAN, BARBARA A
CONTRACT:	SNJ ONLINE LLC
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 191
CITY/ST:	HUNTINGTON, OR ,97907

PROPERTY ADDRESS: 644 RIVER ST ONTARIO

NOTES:

OLD PETERSON FURNITURE WRHSE

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$26,750	
STRUCTURES	\$71,190	
SUBTOT	\$97,940	\$35,729
TOTAL	\$97,940	\$35,729

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$531.55
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$531.55

STRUCTURES

#	BLDG	DESCRIPTION	MAIN	UPPR	BSMT	YEAR	YEAR	MKT	RE-
---	------	-------------	------	------	------	------	------	-----	-----

CLASS	SQ FT	SQ FT	SQ FT	BLT	APPR	VALUE	MDL
1 494 MISC COMM BLDG CL 4	4,180	0	0	1948	2017	\$71,190	0

LAND DESCRIPTIONS

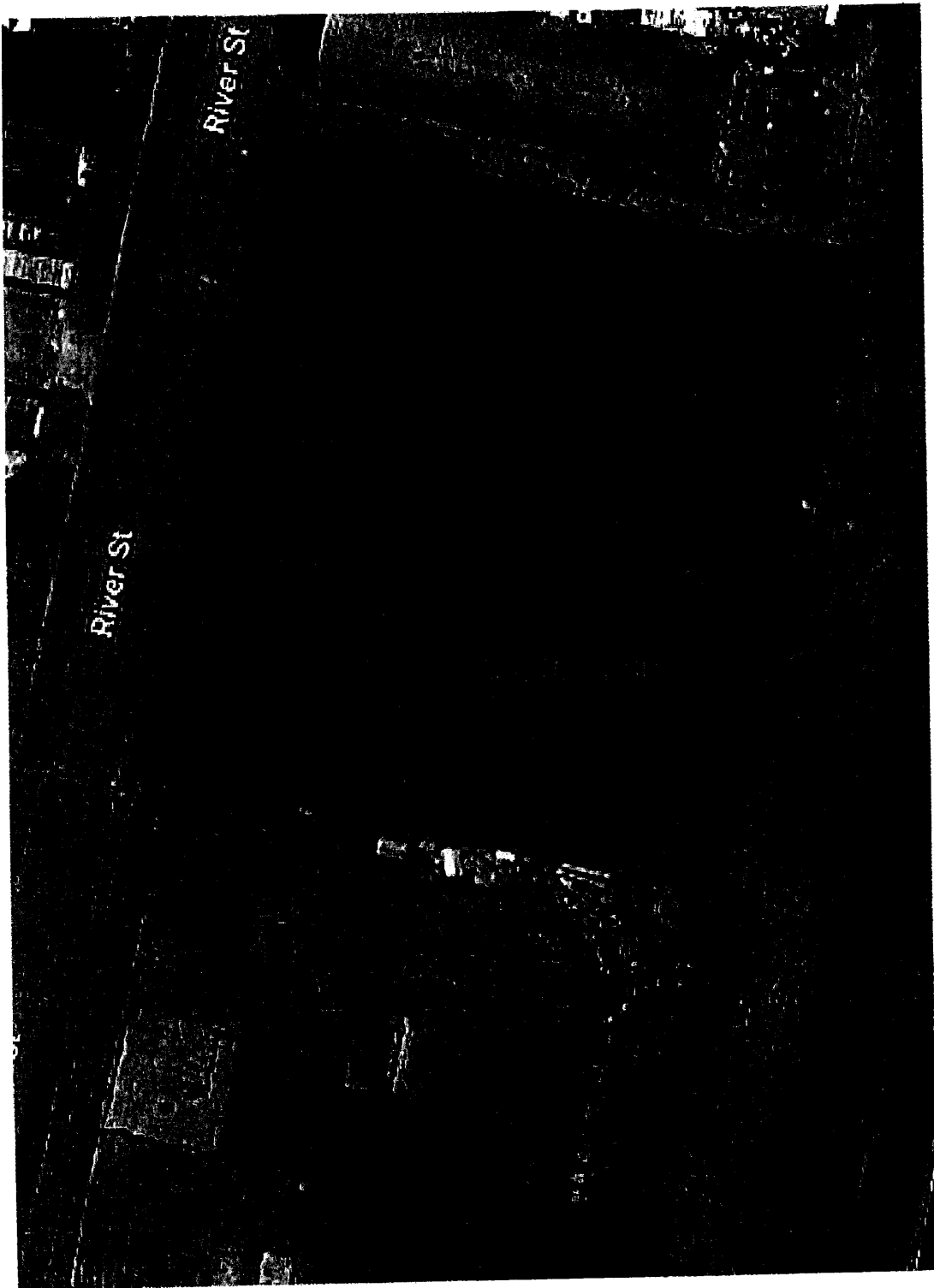
LINE #	SQUARE FEET	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	7,500	IND1	INDUSTIAL LAND	50.00x150.00	\$24,750
2	0	CSDO	INDUSTRIAL SITE DEVELOPMENT	-	\$2,000
TOTAL	7,500				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	8/31/2017	\$75,000	4	MS	20173483
2	3/20/1992	\$32,000	4		9202092

NEW SEARCH

SITE PLAN
644 RIVER STREET



PROPOSED DEVELOPMENT PLAN
604 SE 9TH STREET

- 1. General remodel of existing buildings**
- 2. Resurfacing of existing parking lot**
- 3. Install appropriate security and camera systems Per OLCC 845-25 Specifications**





OREGON LIQUOR CONTROL COMMISSION REQUEST

Land Use Compatibility Statement

CITY/COUNTY USE ONLY	
Date delivered by license applicant:	
Received by (print):	
Initial:	

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- Step 1: Applicant** completes Section 1 of this form and submits it to the local jurisdiction to verify with local jurisdiction whether additional forms, applications, or fees are required.
- Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is consistent with the local comprehensive plan and land use regulations and returns signed form to the applicant.
- Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

In UGA
COUNTY DOES
THIS ONE.

Section 1 - To be Completed by Applicant			
<i>*Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.</i>			
Applicant Name:	HOTBOX FARMS LLC	Phone:	208-954-1246
Mailing Address:	PO BOX 592	Rm/Ste:	
City:	ONTARIO	State:	OR
		ZIP:	97914

Site plan of the subject property and proposed development attached? (required)

Proposed Premises Address:	970 SE 5TH STREET	Rm/Ste:	
City:	ONTARIO	County:	MALHEUR
Tax Lot #*:	100	Range/Section*:	
Township*:		Map*:	
		Latitude:	
		Longitude:	

Proposed use/permit type sought (A separate LUCS may be necessary for each proposed use even if it is on the same property):

Producer	Wholesaler	Processor	Retailer	Laboratory	Research Certificate
Note indoor or outdoor below		List endorsements below			

Details of proposed use (note any attachments):
Processor: Endorsements: Edibles, Topicals, Concentrates, and Extracts | Retailer: Medical and Recreational |
Wholesaler: Medical and Recreational | Producer: Tier II Indoor/Outdoor Grow

Section 2 - To be Completed by Local Jurisdiction

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction:

Property Zoning of
Proposed Premises:

The proposed land use has been reviewed and **is prohibited.**

The proposed land use has been reviewed and **is not prohibited.**

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

Name of Reviewing Local Official (print):

Title:

Date:

Email:

Phone:

Signature:

Check this box if there are attachments to this form:

REMINDER: Local Jurisdictions are NOT required to begin processing
RUCS forms until January 4, 2016 at 10 AM.

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

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Date Web Site was last updated 6/26/2018

Value and tax information for tax year 2017

Ref#:8360 **Type of Property : REAL PROPERTY**

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4710AC	100	0	15	421 TRACT/COM/IMP	O-C2+

OWNER:	3 D Y LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	16605 ROGUE RIVER TERRACE
CITY/ST:	BEAVERTON, OR ,97006

PROPERTY ADDRESS: 970 SE 5TH AVE ONTARIO

NOTES:
+ ZONE UGA

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$61,530	
STRUCTURES	\$59,090	
SUBTOT	\$120,620	\$118,869
TOTAL	\$120,620	\$118,869

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$1,547.02
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$16.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$1,563.02

BUILDING DESCRIPTIONS**ROOM COUNT (For Structure #1 below)**

NO OF FLOORS	LIV RM	KIT	DIN RM	FAM RM	BED RM	BATH	1/2 BATH	UTIL	OTHER	FP/WS
2	1	1	1	1	3	3	0	1	0	1

STRUCTURES

#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE-MDL
1	131	CLASS 3 SINGLE FAMILY DWELLING	1,360	0	952	1920	2012	\$55,200	0
2	999	RESIDENTIAL MISC IMPROVEMENTS	0	0	0	0	2012	\$3,390	0
3	300	DRC BUILDING	0	0	0	0	2012	\$500	0

LAND DESCRIPTIONS

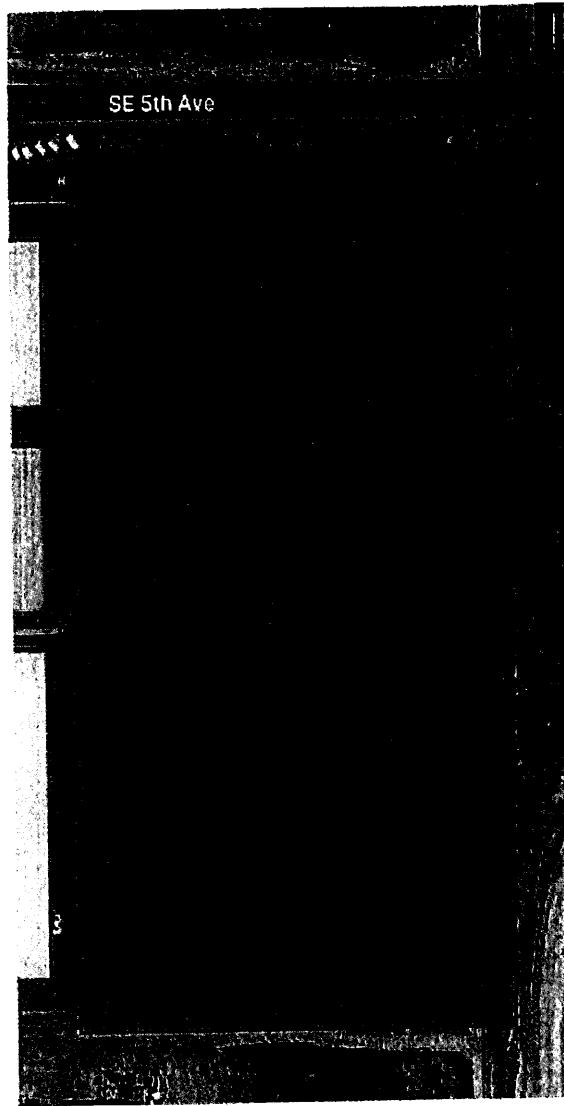
LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.00	OSD3	TRACT OSD	-	\$10,310
2	4.73	TR01	TRACT VALUE	-	\$51,220
TOTAL	4.73				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	7/09/1999	\$160,000	3		9905285

[NEW SEARCH](#)

SITE PLAN
970 SE 5TH STREET



PROPOSED DEVELOPMENT PLAN
970 SE 5TH STREET

- 1. General remodel of existing buildings**
- 2. Construction of large commercial space**
- 3. Construction of parking lot**
- 4. Install appropriate security and camera systems Per OLCC 845-25 Specifications**
- 5. Construct new building for Dispensary Space**

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Date Web Site was last updated 8/15/2018

Value and tax information for tax year 2017

Ref#:19900 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4711B	1001	0	1	201 COM/COM/IMPROVE	O-C2H

OWNER:	ONTARIO HOLDINGS LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	605 E FRANCIS AVE
CITY/ST:	SPOKANE, WA ,99208

PROPERTY ADDRESS: 402 SE 13TH ST ONTARIO

NOTES:

DOMINO'S PIZZA

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$126,480	
STRUCTURES	\$181,870	
SUBTOT	\$308,350	\$308,350
TOTAL	\$308,350	\$308,350

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.

Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$4,445.48
SPECIAL ASSESSMENTS	
AMBULNCE FEE	\$22.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$4,467.48

STRUCTURES

ARTICLES OF ORGANIZATION



Corporation Division
www.filinginoregon.com

E-FILED
May 11, 2018
OREGON SECRETARY OF STATE

REGISTRY NUMBER

143941797

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

ONTARIO HOLDINGS LLC

2. MAILING ADDRESS

511 SE 11TH AVE SUITE 201
PORTLAND OR 97214 USA

3. PRINCIPAL PLACE OF BUSINESS

402 SE 13TH ST
ONTARIO OR 97914 USA

4. NAME & ADDRESS OF REGISTERED AGENT

139563795 - HBMS SERVICES LLC

511 SE 11TH AVE SUITE 201
PORTLAND OR 97214 USA

5. ORGANIZERS

139563795 - HBMS SERVICES LLC

511 SE 11TH AVE SUITE 201
PORTLAND OR 97214 USA

6. INDIVIDUALS WITH DIRECT KNOWLEDGE

BRANDON ST GERMAIN

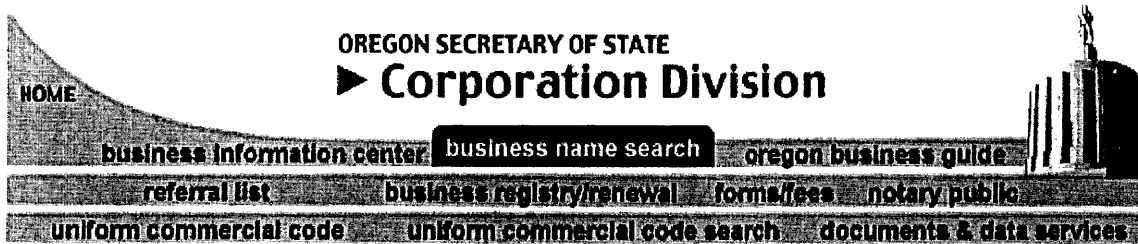
402 SE 13TH ST
ONTARIO OR 97914 USA

7. DURATION

PERPETUAL

8. MANAGEMENT

This Limited Liability Company will be member-managed by one or more members



Business Name Search

[New Search](#) [Printer Friendly](#)

Business Entity Data

08-15-2018
10:12

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1439417-97	DLLC	ACT	OREGON	05-11-2018	05-11-2019	
Entity Name	ONTARIO HOLDINGS LLC					
Foreign Name						

[New Search](#) [Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	402 SE 13TH ST			
Addr 2				
CSZ	ONTARIO	OR	97914	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	05-11-2018	Resign Date	
Of Record	1395637-95	HBMS SERVICES LLC				
Addr 1	511 SE 11TH AVE SUITE 201					
Addr 2						
CSZ	PORTLAND	OR	97214	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	511 SE 11TH AVE SUITE 201			
Addr 2				
CSZ	PORTLAND	OR	97214	Country UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
----------------------	-----------	-------------	------------	----------

received
9-26-18

Ontario Planning Commission
444 SW 4th St.,
Ontario, OR 97914

September 24, 2018

We are Marvin & Nancy Newell & we have been and are thankful for the 15 good years we have lived in Ontario. We love and appreciate all about it and we are comfortable and confident no matter where we go in the city for any and all purposes. It is family oriented and we appreciate that atmosphere.

We are residents with no commercial business but have very strong and educated beliefs that allowing any Marijuana operations or activities anywhere in the city will substantially decrease the family-friendly atmosphere. We will not be comfortable anywhere near any such operations, sales, or activities. We would choose not to shop or do business near any such sales, use or activities. We would do our best to find other Marijuana-free stores or eating places.

We are sure many families would also choose to take their business, shopping needs or restaurant use elsewhere to avoid Marijuana activity.

Just want to voice our feelings and beliefs.

Sincerely,
Marvin & Nancy Newell

1879 NW 5th Ave.
Ontario, OR 97914-1312

Phone 541-889-3661

Marvin Newell
Nancy Newell

received
9-26-18

September 24, 2018

Planning Commission
City Hall
444 SW 4th Street
Ontario, OR 97914

Dear Planning Commission & Dan Cummings,

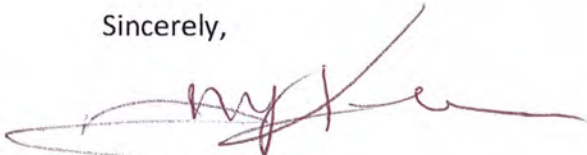
I'm writing in regards to the letter sent out to the Property Owners of Ontario about amending the city substantive regulation for land development code, to be able to place Marijuana related operations and activities.

My husband and I strongly object to these types of businesses being able to purchase or rent throughout our city, we are very hopeful that the citizens of Ontario vote NO on bringing these businesses into our city, but if they do, they need to be limited as to where they can put them.

Since marijuana became legal in Oregon, there has been a notable change in Ontario and it's not for the good of our community. There seems to be more homelessness and young adults that should be working aren't..... they can't get a job because they can't pass a drug test, they can't keep a job, because they are high and lazy.

Please keep Ontario free of these pot shops on every corner.

Sincerely,



Amy Kee

1665 PENNINGTON DR
ONTARIO, OR 97914

Sept 20, 2018



Planning and Zoning Administrator

I recently received your notification of your plans to rezone "certain areas" in Ontario,

I am **VERY much against** this plan. The residents of Ontario, **do NOT** want our **properties devalued**. We have lived here for 40 years and seen growth and now in the last 2 or 3 years, the city of Ontario is now a city of welfare and run by people that have let it decline.

Let the greed of a few people take their marijuana elsewhere. Ontario, needs to be a city again where its residents feel safe and enjoy living here. Also a city where **new businesses** would want to come to start a new business and be welcomed.

Marge Alvarado
676 SW 2nd Ave.
Ontario, OR. 97914

541-889-9059

received
9-19-18

David G. Uchida
345 SW 4th St.
Ontario, OR 97914
541-889-8363

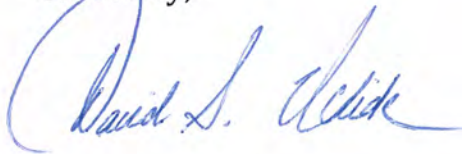
September 17, 2018

To Whom It May Concern:

As a property owner and business owner, I am AGAINST any legislative action for the code change titled 2018-08-15ZCA.

My business is within one block of the middle school and I do not want any marijuana related business in the proximity of my office and near the young students that walk past it on a daily basis. I am against having marijuana in the city of Ontario and will vote against it in the coming election in November 2018.

Sincerely,



David G. Uchida

WESLEY B PROUTY
PO BOX 136
DURKEE, OR 97905-0136

received
9-19-18
AK

Planning Division
Ontario Community Development Center
458 SW 3rd Street
Ontario, Or 97914

Sep, 17, 2018

Dear Planning Division

As a property owner in Ontario, Oregon, I am opposed to any,
and all marijuana operations and activities in, or near
the city of Ontario.

Wesley B Prouty

Wesley B Prouty

received
10-03-2018

To: The Planning Commission for the City of Ontario and
Mr. Dan Cummings, Community Development Director
From: The Rev. James D. Mosier
Re: Planning for the Cannabis (marijuana) distribution centers

Monday, October 8, 2018

It is my desire to express my most sincere appreciation and gratitude for the time and effort you are taking to address this planning need in advance of the election to take place on the 6th of November. By doing so, we as a community have an opportunity to engage the realities of the use of this product in a manner that can best meet the needs we all have for quality of life in our community.

It is clear that we are not all of the same mind on this issue. I am of the opinion that having dispensaries within our city limits will be a healthier option than the "underground" market that has been in place in our community for many years. The distribution of cannabis in our community has increased dramatically since the state of Oregon has allowed for retail distribution sites throughout the state. We were allowed to opt out because we as a county had not supported it. It has led us to a false sense of security. It really makes little difference how we vote on the 6th of November if we do not have a plan in place to regulate distribution. If we vote not to allow distribution within the City of Ontario, we would at least have a plan in place when that eventuality comes to us. Our prior decision to not allow marijuana to be distributed within our community has not curtailed its distribution and use.

I am aware that many who support the retail sale of cannabis for medical and recreational use see it as a cash cow. While the city may see some revenue, failure to engage a responsible plan will likely cost us more in the long run than we can recover with sales.

This plan can go a long way to ease the fear many of our citizens have feeling their way of life is being overwhelmed. For those who wish to have commercial distribution of cannabis this is a way that can be accomplished. For those who oppose commercial distribution of cannabis this is a way to keep the issue before us rather than behind us.

The differences between those that are opposed and those that support the proposal are real and valid. However we vote on November 6, let us remember that we are neighbors and we must plan together. The issues that divide us are not going to be resolved by a vote.

Sincerely,

The Rev. James D. Mosier

received
10/3/18

September 25, 2018

City of Ontario

Planning and Zoning Dept.

458 SW 3rd St.

Ontario, OR 97914

Re: Action 2018-08-15zca

As Property owners potentially affected by this proposed action, we would like to go on record **opposed** to allowing "Certain Marijuana related operations and activities" in certain zones under a Conditional Use Permit.

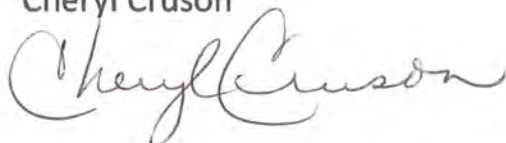
We are scheduled to be out of the country during the month of October when the two Public Hearings for this land use action are scheduled. Please accept this letter as written opposition. Holding public hearings for code change previous to the election that will determine if the ban of marijuana operations and activities will be lifted is presumptuous. We are in hopes the vote will soundly defeat marijuana operations and activities **once again!**

Thank you

Dale E. Cruson



Cheryl Cruson



Planning Division

City Hall

444 SW 4th St.

Ontario, OR 97914

received
10/3/18

Dear Planners,

I am a life long resident of this community and I do NOT nor will I ever support the sale of recreational Marijuana in this town. Therefore I do not support any action associated with the sale of the drug.

I understand that IF sale of the drug is approved, you are trying to get more \$ for property where it is sold. I get it. I don't like it. There has to be a better way to pay the bills.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sarabelle Young", with a long horizontal flourish extending to the right.

Sarabelle Young

received
10/2/18

Dan Cummings,

In regards to your notice of a code change. I will be out of town on Oct. 8, 2018 and will not be able to attend the meeting.

I am writing this letter to voice my opinion on this matter. I am very much against the idea of having marijuana businesses, where it can be so easily obtained. This business needs to be stopped NOW!!

These shops are NOT run by local people living in Ontario, but by people from other cities and states. They are the ones who will benefit from the sale of the marijuana. We have people who are from OUT the area going door to door harrassing people. I have been one of the residents of Ontario who have had them at my door. I told them "to get lost."

With all that has been said and done, I am voting for you to ACCEPT the ADHOCK and the MINORITY recommendations.

Anona Shupe

Anona Shupe. 197 NW 16th St. Ontario, OR.

COPY

October 1, 2018

Andrew C. Peterson
1099 NW 2nd Avenue
Ontario, OR 97914
541.889.8136

received
10/2/18

Planning Commission
City Hall
444 SW 4th Street
Ontario, OR 97914

Dear Commissioners,

I strongly urge you to consider the recommendations of the marijuana ad hoc committee and to carefully review the minority report. As a member of the committee and co-writer of the minority report, I believe the recommendations best reflect the views of our citizens. In conversation with fellow Ontario residents, I learned that many, even some favoring retail marijuana stores, are concerned about preserving the cultural integrity and character of the city. I believe that buffers, especially residential, are crucial to that goal.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.C. Peterson', with a large, loopy flourish extending from the end.

Andrew C. Peterson, MD

received
10/8/18
12:09pm

Ontario Planning Commission
444 SW 4th St
Ontario, Oregon

Attention: Dan Cummings

Subject: Hearing for the Regulation of Certain Marijuana Facilities and Dispensaries

For the well-being of our community I urge you and your committee to adopt the suggestions of the Ad Hoc Committee, and especially the Minority Report.



Bill Williams
271 SW 9th Ave
Ontario, OR 97914
(541) 823-0022

received
10/8/18
12:09pm

Ontario Planning Commission
444 SW 4th St
Ontario, Oregon

Attention: Dan Cummings

Subject: Hearing for the Regulation of Certain Marijuana Facilities and Dispensaries

For the well-being of our community I urge you and your committee to adopt the suggestions of the Ad Hoc Committee, and especially the Minority Report.

Pam Williams

Pam Williams
271 SW 9th Ave
Ontario, OR 97914
(541) 823-0022

received
10/8/18

October 8, 2018

To: Ontario Planning Commission:

As a resident of Ontario, Oregon I am requesting that the Ontario Planning Commission adhere to the recommendations of the Ad Hoc Committee and Minority Report and city staff when considering amendments to the existing Ontario Municipal Code, specifically Title 10A of that code. It is my understanding that some amendments seek to shrink the size and distance of buffer zones near some residential zones and change other zone districts to conditional use for Marijuana operations and activities. Please reject such amendments. My present quality of life and current property values will be greatly diminished if these changes are allowed.

Thank you.

Judith A. Sherwood
768 SE 7th St.
Ontario, OR 97914

Judith A. Sherwood

received
10/8/18
12:00pm

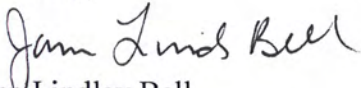
October 5, 2018

Ontario City Planning and Zoning
458 SW 3rd Street
Ontario, OR 97914

Chairman Ralph Poole:

As a home owner and a resident of Ontario, I want to assert my right under Senate Bill 100 Land Use Rules to have my opinion regarding zoning for Marijuana retail shops enter into public record. I am stating my preference that the Ontario City Planning and Zoning Commission adopt the Ad Hoc committee and Minority Report recommendations regarding regulations for Marijuana retail shops.

Sincerely,



Jann Lindley Bell
596 NW 14th Street
Ontario, OR 97914

received
10/8/18
12:00 pm

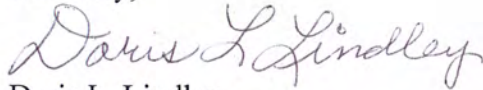
October 5, 2018

Ontario City Planning and Zoning
458 SW 3rd Street
Ontario, OR 97914

Chairman Ralph Poole:

As a home owner and a resident of Ontario, I want to assert my right under Senate Bill 100 Land Use Rules to have my opinion regarding zoning for Marijuana retail shops enter into public record. I am stating my preference that the Ontario City Planning and Zoning Commission adopt the Ad Hoc committee and Minority Report recommendations regarding regulations for Marijuana retail shops.

Sincerely,



Doris L. Lindley
2382 SW 2nd Ave
Ontario, OR 97914

received
10/8/18
PRINTED

From: Dayna Plummer <dayna.r.plummer@gmail.com>
To: <Dan.Cummings@ontariooregon.org>
Date: 10/6/2018 10:10 AM
Subject: Community Planning Meeting

October 6, 2018

To The Ontario City Council,

On behalf of my employer I am writing to discuss the proposed buffer zones and the future economic development of the city of Ontario.

Adhering to the laws, and regulations regarding the placement of Marijuana related businesses and processing facilities in the State of Oregon, I would like to ask for the councils consideration for all local businesses when deciding on the buffer zones.

Learning from nearby towns and their successes and mistakes, there is untapped potential for increasing sales of businesses located nearby any dispensary.

My employer would likely use a pager or text alert system to avoid long lines. There are several zones that are on the edge of public parking. I think dispensary placement near these parking lots in your commercial zones will be a benefit. This parking access and the pager system will improve customer service and allow our patrons to explore and potentially drive up sales of all surrounding businesses.

Why not work toward making Ontario a travelers destination instead of a pit stop?

It is our hope that our dispensary will add value to the city. There is still a lot of stigma surrounding Marijuana and those who consume it. It is also our hope to educate our customers on the medicinal benefits as an alternative to prescription medicines and pain relievers.

My employer is a former pharmacist and runs his business with the same kind of integrity and class as a pharmacy, giving strict attention to following all the State and City ordinances.

We look forward to living and working in Ontario, and becoming familiar with community. Thank you for your time and consideration.

Respectfully,

Dayna Plummer
Sales Representative

Dan Thach
Dispensary Owner

received
10/8/18
10:07am

October 6, 2018

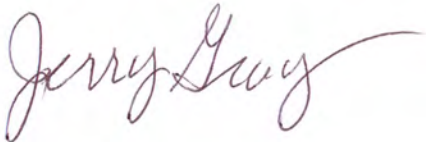
Ontario Planning Commission
444 SW 4th St.
Ontario, OR 97914

To the Ontario Planning Commission,

I am encouraging the committee to accept the ad-hoc committee's recommendation as well as the minority report.

I feel that if dispensaries are allowed in Ontario they need to be away from residential areas and downtown businesses. Any close proximity to areas where there may be children present is not in the best interest of those children.

Respectfully,

A handwritten signature in dark ink, appearing to read "Jerry Gray", with a stylized, flowing script.

Jerry Gray

received

10/8/18

12:41 pm

Oct. 8, 2018

To: Members of the Ontario Planning Commission

I respectfully request the planning Commission adopt the recommendations of the ad hoc committee and the minority report.

Adopting these recommendations will maximize the buffer zones and eliminate dispensaries from residential areas and protect downtown Ontario.

Pita M. Shaw

473 NW. 11th St.

Ontario, OR 97914

541-889-4396

received
10/8/18

October 8, 2018

Ontario City Planning Commission
Ontario City Council
444 SW 4th Street
Ontario, OR 97914

RE: *2018 General File*
Our File No.: 446018.0

Dear Council Members:

We respectfully submit this letter for consideration by the Planning Commission and City Council as efforts move forward to regulate the time, place, and manner of marijuana sales in Ontario if the current ban is lifted. We have a direct interest in this matter because the recommendation of City staff would permit marijuana dispensaries in the vicinity of our downtown law office.

Attached for your reference is a letter we submitted when the subject of the ban came before the City Council. The concerns raised in that letter remain legitimate concerns today, but are now magnified by our observation of downtown Huntington. At 9 am on a Friday morning in Huntington, there were already 14 cars parked at a local dispensary. Lines outside the dispensaries reportedly average between 25 to 60 people. Lines of people waiting for their turn in a dispensary, serviced by portable toilets, leaving behind trash, and creating parking and other logistical logjams are not in harmony with a thriving downtown or conducive to our business. Effective management of these inevitable complications in the heart of our City will unduly burden our law and code enforcement personnel, rendering it unmanageable. In fact, with no buffers between dispensaries as suggested by City staff, it would be nearly impossible to determine which businesses are not in compliance with the terms of their licenses or use permits, let alone to enforce those terms.

While the zoning plan promoted by City staff appears to be designed to promote free market principles, it must be noted that the free market cannot and will not address these concerns. That is up to you and must be achieved by reasonable regulation.

Additionally, the recommendation of City staff fails to recognize two downtown parks, Downtown Park (more commonly called "Moore Park") and the Railroad Depot Park. Those sites have been parks for over twenty years and currently function as parks, complete with open green space, signage, and picnic tables. The City staff's proposed

zoning ordinance contains a 1000 foot buffer between dispensaries and parks, similar to the buffer set forth by state law as to schools. Curiously, as drafted, the City staff recommendation would only apply to parks zoned as Public Facility (PF). This narrow definition was perhaps an oversight, as it leaves out parks that might be owned and operated in private-public partnership, but which are undeniably parks. Indeed, Moore Park and Railroad Depot Park were included in the City's 2018 Parks Master Plan, completed just months ago, which includes development plans for those two parks. The current use and common treatment of these landmarks should control and appropriate language should be incorporated into the ordinance to consistently include all parks.

Thank you for your consideration.

Sincerely,

Shawna D. Peterson

Tim J. Helfrich

Bruno J. Jagelski

J.D. Sater



YTURRI ROSE LLP
ATTORNEYS AT LAW

Cliff Bentz*
Tim J. Helfrich*
Bruno J. Jagelski*
Brian D. DiFonzo*
Shawna D. Peterson*
Ryan H. Holden*
R. Jeremy Hindman*

Of Counsel
Carl Burnham, Jr.
Scott K. Warner
Andrew G. Martin*

received
10/8/18

July 15, 2015

* Licensed in Oregon and Idaho
° Licensed in Oregon, Idaho and Washington (LL.M. in Taxation)

Hand Delivered

Ontario City Council
Ontario City Hall
444 SW 4th Street
Ontario, OR 97914

RE: 2015 General File
Our File No. 104015.0

Dear Council Members:

Yturri Rose LLP urges you to reject both medical and recreational marijuana in our city. The fact that the vast majority of the Ontario city electorate, your constituents, oppose medical marijuana dispensaries and the sale of recreational marijuana within the city is a compelling reason for you to do the same. If that is not reason enough, broader and equally important reasons also call for a ban.

Our office is located across the street from a new medical marijuana facility. Over the past couple of months, we have witnessed the customers this establishment lures into our community. While some may be considered "patients", the label is inappropriate for most of the customers. The average patron is young, vibrant and healthy. They line up outside of the business on the sidewalk and wait their turn to get their prescription. While doing so, they engage in a wide variety of behaviors such as playing hacky sack, throwing objects up on the roof of the building, jumping and playing catch. We see them litter. We have witnessed them cast furtive looks and then sneak into the alleyway where they cannot be viewed. Some bring their children with them. The children lay on the sidewalk while their parents socialize and smoke cigarettes with their fellow patrons. At least one pit bull spends time in the building. Most of the patrons of the marijuana facility are dressed like kids headed to a concert. They are not working families in need of medication to treat illness. Needless to say, this type of activity outside of a professional office is harmful to our business.

The City of Ontario is faced with a quality of life choice. Do we wish to encourage upwardly mobile productive members of society to join us in Ontario? Or, do we wish to be known as a border drug town that offers marijuana? While the recreational marijuana statute may prohibit sales to out-of-state residents, the majority of the people in line across the street arrive in vehicles with license plates from Idaho.

LAKEVIEW
628 NORTH FIRST STREET, SUITE B
LAKEVIEW, OREGON 97630
TELEPHONE: (541) 947-9797

FRUITLAND
PO BOX 450
FRUITLAND, IDAHO 83619
TELEPHONE: (208) 452-3209

PRIMARY OFFICE:
ONTARIO
P.O. Box 'S'
89 S.W. 3RD AVENUE
ONTARIO, OREGON 97914
TELEPHONE: (541) 889-5368
FACSIMILE: (541) 889-2432
LAW@YTURRIROSE.COM

BEND
65 NW GREELEY AVE.
BEND, OREGON 97701
TELEPHONE: (541) 585-2943

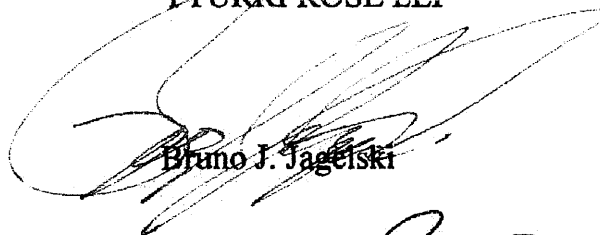
BAKER CITY OFFICE
2021 COURT STREET
BAKER CITY, OREGON 97814
TELEPHONE: (541) 523-5050

We encourage you to confer with the leaders of our neighboring cities, Malheur County and our neighboring counties. Will Ontario become the only city within hundreds of miles to offer narcotics for sale? The voters of Malheur County and the City of Ontario have answered with a resounding "no". We urge you to adhere to the will of the people. The sale of marijuana remains a violation of federal law. Selling marijuana jeopardizes federal funding in our area.

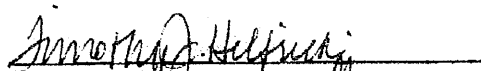
Finally, we believe it is wise to consider the recommendations of experts when evaluating any challenging issue. In this instance, the Ontario Chief of Police serves as your expert on issues involving law enforcement. We understand Chief Alexander is opposed to the sale of marijuana within the Ontario city limits. Malheur County Sheriff Brian Wolfe and the Nyssa Chief of Police Raymond Rau have made clear their positions in opposition to marijuana sales within their jurisdictions. We urge you to give these experts due deference as you weigh our options.

Sincerely,

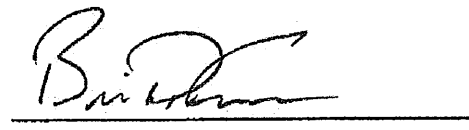
YFURRI ROSE LLP



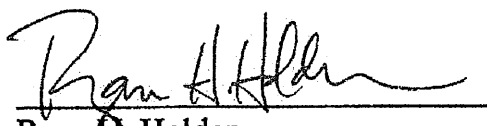
Bruno J. Jagelski



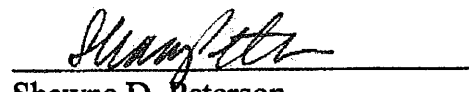
Timothy J. Helfrich



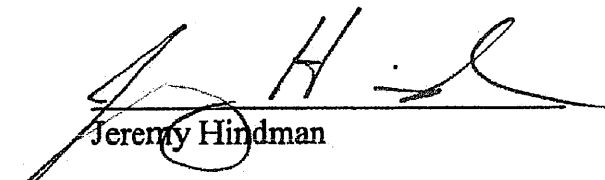
Brian D. DiFonzo



Ryan H. Holden



Shawna D. Peterson



Jeremy Hindman

BJJ/ti

ORDINANCE NO. 2748-2018

**AN ORDINANCE AMENDING TITLE 10A (“THE ZONING TITLE”) OF
THE ONTARIO CITY CODE TO ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES IN
CERTAIN ZONES UNDER A CONDITIONAL USE PERMIT
AND TO PROHIBIT THEM IN ALL OTHER ZONES NOT SPECIFICALLY NOTED AS BEING ALLOWED AS A
CONDITIONAL USE.**

- WHEREAS,** State law authorizes the operation of medical and recreational marijuana businesses and provides those businesses with immunity from state criminal prosecution; and
- WHEREAS,** Although the State of Oregon has passed legislation authorizing marijuana businesses and providing criminal immunity under state law, the operation of those businesses remains illegal under federal law; and
- 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,** 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,** Whether a certain business should operate within a local jurisdiction is a local government decision, and local governments may enforce that decision through the general and police powers of that jurisdiction; 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 marijuana businesses 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 ordinance is intended to impose restrictions, not provide authorizations; and
- WHEREAS,** Upon approval of city voters, the city shall impose a local sales tax of 3 % on the sales of recreational marijuana by marijuana retailers in order to recover its costs incurred in connection with the city’s recreational marijuana licensing program; and
- WHEREAS,** The operation of a marijuana business without proper authority from either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) is prohibited within the city; and
- WHEREAS,** The City’s zoning 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 of Ontario substantive zoning regulations and administrative requirements are contained in Titles 10A and 10B of the Ontario City Code; and

- WHEREAS,** Amendments to Title 10A have been initiated by the City Council in accord with Section 10B-15, Ontario City Code; and
- WHEREAS,** Amendment actions are first referred to the Ontario Planning Commission for a public hearing and recommendation to the City Council; and
- WHEREAS,** A public hearing was held before the Planning Commission on Planning Action 2018-08-15ZCA on October 8, 2018, and before the City Council on October 16, 2018; and
- WHEREAS,** The appropriate legal notices were provided to the Oregon Department of Land Conservation and Development and to the public in accordance with Oregon law and the Ontario City Code prior to the public hearings; and
- WHEREAS,** Having duly considered the information provided at the public hearings and the recommendations of the Planning Commission, the City Council finds that it is in the public interest to enact reasonable restrictions on the time, place and manner of operation of medical marijuana facilities through amendments and additions to Title 10A (“the Zoning Title”) of the Ontario City Code; and
- WHEREAS,** Notwithstanding the passage of this ordinance with an effective date 30 days after passage, the City Council intends that Ordinance 2704-2015, which became effective on August 30, 2015, effectively prohibits marijuana operations and activities from commencing business operations until the ban is lifted by the City Council or by a vote of the Citizens of Ontario; and
- WHEREAS,** An Initiative is on the ballot for the November 6, 2018, general election in which the voters shall approve or disapprove a proposed Ontario City Code amendment overturning the ban imposed by Ordinance 2704-2015 and imposing a 3% tax on retail marijuana sales; and
- WHEREAS,** If a majority of Ontario voters in the November 6, 2018, election disapprove the initiative, the ban imposed by Ordinance 2704-2015 shall remain in effect and this Ordinance 2748-2018 shall not authorize any activities that are subject to the ban; and
- WHEREAS,** If a majority of Ontario voters in the November 6, 2018, election approve the initiative, it shall become effective 30 days after the passage or upon the repealing effective date of any ballot measure or ordinance that has the effect of repealing City Code Section 3-23-1 whichever occurs later; and
- WHEREAS,** It is the intention of the Ontario City Council that if the Initiative is approved by the voters, and if any of the provisions of this Ordinance 2748-2018 conflict with the provisions of the Initiative, Ordinance 2748-2018 shall become effective immediately after the Initiative goes into effect, and Ordinance 2748-2018 shall replace and supersede any provisions of the Initiative in which there is a conflict.

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

Section 1. Ontario City Code Sections 10A-03-134.1 through 10A-03-134.11 are hereby added to Chapter 10A-03 (“Definitions”) of Title 10A of the Ontario City Code:

10A-03-134.1 MARIJUANA

Marijuana means all parts of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae, 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. “Marijuana” does not include industrial hemp, as defined in ORS 571.300.

10A-03-134.1.1 MARIJUANA BUSINESS

Marijuana Business means an establishment operated by any person or entity who is or will be appropriately licensed by the Oregon Health Authority or the Oregon Liquor Control Commission which sells, produces, cultivates, grows, wholesales, processes, researches, develops or tests medical marijuana or recreational adult use marijuana within the City of Ontario.

10A-03-134.1.2 MARIJUANA GROW SITES MEDICAL

Marijuana Grow Sites means a specific location registered by the Oregon Health Authority (OHA) or other Oregon regulatory agency and used by the grower to produce marijuana for medical use by a specific patient. Medical grow sites are currently regulated by State law as follows: 12 mature plants are allowed per grow site in residential zones; 48 mature plants per grow site in all other zones. If all grows at the site had registered with the State of Oregon by January 2, 2015, the grow site is limited to the number of plants at the grow site as of December 31, 2015, not to exceed 24 mature plants per grow site in residential zones and 96 mature plants per grow site in other zones. Owners or possessors of real property used for Marijuana Grow Sites shall not allow said Sites to exceed the maximum number of plants authorized under State law.

10A-03-134.1.3 MARIJUANA ITEMS

Marijuana items means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts.

10A-03-134.1.4 MARIJUANA PROCESSING SITE

Marijuana processing site means a property/site registered with the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana for the preparing, compounding or conversion of marijuana into cannabinoid products, cannabinoid concentrates, and cannabinoid extracts for medical or recreational purposes.

10A-03-134.1.5 MARIJUANA PROCESSOR FLAMMABLE

Marijuana processor means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana using a process that uses a flammable gas or substance.

10A-03-134.1.6 MARIJUANA PROCESSOR NON-FLAMMABLE

Marijuana processor means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to process marijuana using a process that uses a non-flammable substance, such as but not limited to CO2.

10A-03-134.1.7 MARIJUANA PRODUCER RECREATIONAL

Marijuana producer means an entity licensed by the Oregon Liquor Commission to manufacture, plant, cultivate, grow or harvest marijuana for recreational purposes.

10A-03-134.1.8 MARIJUANA RECREATIONAL FACILITY

A facility designed, intended, or used for purposes of production, processing, testing, wholesaling, or retailing of marijuana, in any form, to any other OLCC licensee or consumer in this state.

10A-03-134.1.9 MARIJUANA RETAILER

Marijuana retailer means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to sell marijuana items to a legal consumer in this State.

10A-03-134.1.10 MARIJUANA TESTING LABORATORY

Marijuana testing laboratory means a laboratory licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) that tests marijuana items for producer, processor, wholesaler or retail licensees.

10A-03-134.1.11 MARIJUANA WHOLESALER

Marijuana wholesaler means an entity licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) to purchase marijuana items in this state for resale to a person other than a consumer.

Section 2. Section 10A-27-10 is hereby amended by adding that portion that is underlined:

10A-27-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-1 Zone:

1. Dry-cleaning and laundry establishments which do not exceed 2,000 square feet in floor area and have no more than two delivery vehicles operating from the location
2. Any permitted or permissible non-residential use that operates later than 11:00 p.m. or earlier than 7:00 a.m.;
3. Mortuaries or funeral homes;
4. Nursing home;
5. Residential care facility housing more than eight clients;
6. Utility facilities, other than distribution lines, at specific location necessary for the functioning of that utility;
7. Marijuana Retailer as provided in Chapter 10A-59;
8. Marijuana Laboratory as provided in Chapter 10A-59;
9. Marijuana Wholesaler as provided in Chapter 10A-59;
10. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
11. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 3. Section 10A-29-10 is hereby amended by adding that portion that is underlined:

10A-29-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-2 Zone:

1. Utility facilities, other than distribution lines, at a specific location necessary for the functioning of that utility;
2. Fair, rodeo, stadium, race track or similar facility on site of more than three acres;
3. Mini-warehouses or storage buildings;
4. Congregate housing facility;
5. Marijuana Retailer as provided in Chapter 10A-59;
6. Marijuana Laboratory as provided in Chapter 10A-59;
7. Marijuana Wholesaler as provided in Chapter 10A-59;
8. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
9. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 4. Section 10A-31-10 is hereby amended by adding that portion that is underlined and deleting the portion lined out:

10A-31-10 - CONDITIONAL USES.

The following uses and structures common to all zones as listed in Chapter 10A-53 are allowed are permitted conditionally in the C-2-H Zone:

1. Utility facilities, other than distribution lines, necessary for the functioning of that utility;
- ~~2. Medical marijuana facility as provided in Chapter 10A-59;~~
2. Accessory uses and structures common to all zones as listed in Chapter 10A-53;
3. Marijuana Retailer as provided in Chapter 10A-59;
4. Marijuana Laboratory as provided in Chapter 10A-59;
5. Marijuana Wholesaler as provided in Chapter 10A-59; and
6. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
7. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 5. Section 10A-33-10 is hereby amended by adding those portions that are underlined and deleting those portions that are lined out:

10A-33-10 - CONDITIONAL USES.

The following uses are permitted conditionally in the C-3 Zone:

1. Light manufacturing involving noiseless and award fabrication and minimal truck traffic;
2. Utility facilities, other than distribution lines, necessary for the functioning of a utility; and
3. Congregate housing facility-;
4. Marijuana Retailer as provided in Chapter 10A-59;
5. Marijuana Laboratory as provided in Chapter 10A-59;
6. Marijuana Wholesaler as provided in Chapter 10A-59; and
7. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and
8. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 6. Section 10A-52-205 is hereby amended by adding that portion that is underlined:

10A-52-205 - CONDITIONAL USES.

The following uses are permitted conditionally in the UGA E-2 Zone:

1. Commercial recreation facilities or RV Park;
2. Schools and college;
3. Churches;
4. Bars, taverns, cocktail lounges;
5. Dry cleaning, laundry;
6. Bed and breakfast;
7. Dwelling, multi-family mixed use [when accessory to a commercial development];
8. Public buildings, facilities and services;
9. Distribution centers;
10. Amusement center;
11. Utility facility necessary for the function of the utility in the area;
12. Any use which is demonstrated to be of similar character and impact to that of the listed principal commercial uses or principal light industrial uses;
13. Marijuana Retailer as provided in Chapter 10A-59;
14. Marijuana Laboratory as provided in Chapter 10A-59;
15. Marijuana Wholesaler as provided in Chapter 10A-59;
16. Marijuana Processor Non-Flammable as provided in Chapter 10A-59; and

17. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 7. Section 10A-39-10 is hereby amended by adding that portion that is underlined:

10A-39-10 - CONDITIONAL USES, COMMERCIAL.

The conditional commercial uses listed below may be permitted in the I-1 Zone upon application of the standards for all conditional uses and the following additional ~~standards:~~ standard: the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.

~~The proposed use will primarily serve those who work or do business with industries in the industrial zones; and there is a need for such use to provide service or goods to those who work in or do business with industries in the industrial zones; and the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.~~

1. Automatic or self service care or truck washes.
2. Gasoline service stations.
3. Retail food stores not to exceed 2,000 square feet of gross floor area;
4. Bars, taverns, cocktail lounges, restaurants or combinations thereof not to exceed 3,000 square feet gross floor area.
5. Job printing and duplication.
6. Motel catering to general travelers when located on a developed truck stop;
7. Radio or television towers and related facilities, subject to a structure height variance approval.
8. Outdoor advertising signs providing such sign is compatible with surrounding existing or planned land uses. Such a sign may not be compatible with an industrial park.
9. Marijuana Retailer as provided in Chapter 10A-59;
10. Marijuana Laboratory as provided in Chapter 10A-59;
11. Marijuana Wholesaler as provided in Chapter 10A-59;
12. Marijuana Producer as provided in Chapter 10A-59;
13. Marijuana Processor Non-Flammable as provided in Chapter 10A-59;
14. Marijuana Processor Flammable as provided in Chapter 10A-59; and
15. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 8. Section 10A-41-10 is hereby amended by adding that portion that is underlined:

10A-41-10 - CONDITIONAL USES, COMMERCIAL.

The conditional commercial uses listed below may be permitted in the I-2 Zone upon application of the standards for all conditional uses and the following additional ~~standards:~~ standard: the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.

~~The proposed use will primarily serve those who work or do business with industries in the industrial zones; and there is a need for such use to provide service or goods to those who work in or do business with industries in the industrial zones; and the proposed location and size of the proposed commercial use will not substantially interfere with the development of the industrial zones for industrial uses.~~

1. Automatic or self service care or truck washes.
2. Gasoline service stations.
3. Retail food stores not to exceed 2,000 square feet of gross floor area.
4. Bars, taverns, cocktail lounges, restaurants or combinations thereof not to exceed 3,000 square feet gross floor area.
5. Job printing and duplication.
6. Radio or television towers and related facilities, subject to a structure height

- limitation in the AH, Airport Hazard Overlay Zone.
- 7. Automobile service establishments as defined herein.
- 8. Marijuana Retailer as provided in Chapter 10A-59;
- 9. Marijuana Laboratory as provided in Chapter 10A-59;
- 10. Marijuana Wholesaler as provided in Chapter 10A-59;
- 11. Marijuana Producer as provided in Chapter 10A-59;
- 12. Marijuana Processor Non-Flammable as provided in Chapter 10A-59;
- 13. Marijuana Processor Flammable as provided in Chapter 10A-59; and
- 14. Marijuana Grow Site Medical as provided by State regulations and as provided in Chapter 10A-59.

Section 9. Section 10A-57-137 is hereby amended by deleting the portion lined out:

10A-57-137 Advertises activities that are illegal under any State or Federal law applicable at the location of the sign or of the activities.

Section 10. The Chapter 10A-58 of Title 10 entitled “Medical Marijuana Facilities” is hereby repealed in its entirety and replaced with the following Chapter 10A-59 of Title 10A of the Ontario City Code and is entitled “Marijuana Related Operations and Activities”:

CHAPTER 10A-59 MARIJUANA RELATED OPERATIONS AND ACTIVITIES

10A-59-05 MARIJUANA GROW SITE MEDICAL, MARIJUANA PROCESSING SITES, MARIJUANA PROCESSOR FLAMMABLE, MARIJUANA PROCESSOR NON-FLAMMABLE, MARIJUANA PRODUCER RECREATIONAL, MARIJUANA RECREATIONAL FACILITY, MARIJUANA RETAILER, MARIJUANA LABORATORY AND WHOLESALER AS PROHIBITED USE IN CERTAIN ZONES.

The following uses are prohibited in all zones other than those zones in which they are specifically designated as conditional uses: Marijuana Grow Site Medical defined in Section 10A-03-134.1.2, a Marijuana Processing Site defined in Section 10A-03-134.1.4, a Marijuana Processor Flammable defined in Section 10A-03-134.1.5, a Marijuana Processor Non-Flammable defined in Section 10A-03-134.1.6, a Marijuana Producer Recreational defined in Section 10A-03-134.1.7, a Marijuana Recreational Facility defined in Section 10A-03-134.1.8, a Marijuana Retailer defined in Section 10A-03-134.1.9, a Marijuana Testing Laboratory defined in Section 10A-03-134.1.10 a Marijuana Wholesaler defined in Section 10A-03-134.1.11, and a Medical Marijuana Facility defined in Section 10A-03-134.5. The zones in which those uses are prohibited include but not limited to the following zones in Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones:

- Chapter 11 (RS-50);
- Chapter 13 (RD-40);
- Chapter 17 (RM-10);
- Chapter 19 (R-MH);
- Chapter 37 (IBP);
- Chapter 45 (AD);
- Chapter 49 (PD);
- Chapter 51 (PF); and
- All urban growth area zones, including the following zones in Chapter 52: UGA I-1, UGA I-2, UGA E-2, UGA E-5, UGA-C and UGA-R.

10A-59-10 MARIJUANA RELATED OPERATIONS AND ACTIVITIES AS CONDITIONAL USE IN C-1, C-2 AND C-3 ZONES

Unless lawfully prohibited by Section 3-23-1 and any amendments thereto imposing a ban on marijuana within the jurisdiction of the City of Ontario, the following uses are conditional uses in the C-1, C-2 and C-3 zones, as provided in Chapters 27, 29 and 33 of Title 10A: Marijuana Business defined in Section 10A-03-134.1.1; Marijuana Grow Site Medical defined in Section 10A-03-134.1.2; Marijuana Processors (non-flammable) defined in Section

10A-03-134.1.6; Marijuana Recreational Facility defined in Section 10A-03-134.1.8; Marijuana Retailers defined in Section 10A-03-134.1.9; Marijuana Laboratory defined in Section 10A-03-134.1.10; Marijuana Wholesalers defined in Section 10A-03-134.1.11; and Medical Marijuana Facilities defined in Section 10A-03-134.5.

10A-59-15 MARIJUANA RELATED OPERATIONS AND ACTIVITIES GENERAL AND SPECIAL CONDITIONS IN THE C-1, C-2 AND C-3 ZONES.

All marijuana operations and activities located in the C-1, C-2, and C-3 zone are subject to Chapter 10B-25 ("Conditional Use Permits") of Title 10B, and to the conditions generally imposed upon conditional uses in these zones and to the application fee set by most recent fee resolution. The following special conditions shall also apply to all marijuana operations and activities:

(A) Location Restrictions. Marijuana operations and activities are prohibited in the following locations, 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 attended primarily by minors, including but not limited to:
 - a) All Ontario 8C Schools
 - b) St. Peter's Christian School
 - c) Treasure Valley Christian School
 - d) Four River's Charter School;
2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors existing at the time of this ordinance which are:
 - a) Ontario Head Start Center
 - b) Oregon Child Development Coalition (OCDC)
 - c) Malheur County Child Development Center
 - d) Treasure Valley Relief Nursery
 - e) Ontario Boys and Girls Club;
3. within 1,000 feet of a property zoned as PF Public Facility or UGA-PF Public Facility UGA, excepting therefrom the Oregon Department of Transportation lands adjacent to East Idaho Avenue and the City of Ontario Water Treatment Plant lands East of East Lane and the Ontario Public Works Department lands located at 1551 NW 9th Street;
4. within 1,000 feet of property leased by the City of Ontario and designated as a Public Park as long as that property remains leased by and designated by the City as a Public Park;
5. within 1,000 feet of another Medical Marijuana Retail Facility;
6. within 350 feet of another Marijuana Recreational Retail Facility;
7. within 500 feet of residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), and Chapter 52 (UGA-R) of Title 10A;
8. on the same tax lot as a smoking club; or
9. any combination of the above.

(B) Other Restrictions. Marijuana operations and activities are subject to the following

additional restrictions:

1. A facility shall be designed so that all transactions 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.
2. Any and All marijuana operations and activities are considered a change of use and any existing and new structures used for such operations shall be brought up to and or constructed to current building codes and standards, including but not limited to the American Disability Act (ADA), parking standards and providing for public bathrooms for the business customer use including persons waiting to be serviced.
3. All Medical and Recreational Marijuana Retail Facilities shall be required to provide parking as per 10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area. Parking for all marijuana operations and activities shall comply with Off-Street Parking and Loading requirements 10A-57-60 through 10A-57-100.
4. 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.
5. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified by the State of Oregon.
6. The exterior of the facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.
7. All marijuana operations, activities and or facilities must install and maintain all security devices required by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).
8. All Medical and Recreational Marijuana Retail Facilities within the C-3 zone shall have a large enough indoor waiting area as to not allow large customer lines outdoors along the public sidewalks and rights of ways or blocking any entrances to other adjacent businesses.
9. Prior to commencing business operations, a facility must have a current business license issued by the City of Ontario under Chapter 22 of Title 3 of the Ontario City Code and the licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) for the type of operation allowed.
10. All Marijuana operations and activities shall be on a Conditional Use application prescribed by the Ontario Planning Director and shall include all the items and attachments noted and required in the application along with all fees required by code and current resolution. The application will be date and time stamped as received by the Planning Department only, to set the order of review. The application will be reviewed by the Planning Director for completeness and compliance to established buffers before it is accepted for

Comment [LAS1]:

consideration. Any incomplete application or one not meeting the established buffers shall be returned to the applicant for corrections and/or additional required information and once returned will be time stamped and dated again. Once the application is accepted as complete by the Planning Director the date accepted as complete shall be the priority dated for establishing the buffer between marijuana retailers if the application is approved and all licensing and development requirements are met.

11. The conditional use permit is governed by 10B-25-40 and the Marijuana Conditional use permit shall have a time limit of 12 months and become void if conditions are not met, unless an extension is granted for good cause under 10B-25-40(3).

12. The Conditional Use Permit (CUP) must be approved by the Ontario Planning Department before any Land Use Compatibility Statement (LUCS) will be signed by the Ontario Planning Department for any of the Marijuana State Business License or Registration required by the State of Oregon and/or City of Ontario.

10A-59-20 MARIJUANA RELATED OPERATIONS AND ACTIVITIES AS CONDITIONAL USE IN C-2H, E-2, I-1 AND I-2 ZONES

Unless lawfully prohibited by Section 3-23-1 and any amendments thereto imposing a ban on marijuana within the jurisdiction of the City of Ontario, the following uses are conditional uses in the C-2H, E-2, I-1 and I-2 zones, as provided in Chapters 27, 29 and 33 of Title 10A: Marijuana Businesses defined in Section 10A-03-134.1.1; Marijuana Grow Sites Medical defined in Section 10A-03-134.1.2; Marijuana processing sites defined in Section 10A-03-134.1.4; Marijuana Processor Flammable defined in Section 10A-03-134.1.5; Marijuana Processors Non-Flammable defined in Section 10A-03-134.1.6; a Marijuana Producer Recreational defined in Section 10A-03-134.1.7; Marijuana Recreational Facility defined in Section 10A-03-134.1.8; Marijuana Retailers defined in Section 10A-03-134.1.9; Marijuana Testing Laboratory defined in Section 10A-03-134.1.10; Marijuana Wholesalers defined in Section 10A-03-134.1.11; and Medical Marijuana Facilities defined in Section 10A-03-134.5.

10A-59-25 MARIJUANA RELATED OPERATIONS AND ACTIVITIES GENERAL AND SPECIAL CONDITIONS IN THE C-2H, E-2, I-1 AND I-2 ZONES.

All marijuana operations and activities located in the C-2H, E-2, I-1, and I-2 zone are subject to Chapter 10B-25 ("Conditional Use Permits") of Title 10B, and to the conditions generally imposed upon conditional uses in these zones and to the application fee set by most recent fee resolution. The following special conditions shall also apply to all marijuana operations and activities:

(A) Location Restrictions. A marijuana operations and activities are prohibited in the following locations, 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 attended primarily by minors, including but not limited to:
 - a) All Ontario 8C Schools
 - b) St. Peter's Christian School
 - c) Treasure Valley Christian School
 - d) Four River's Charter School;
2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors existing at the time of this ordinance which are:

- a) Ontario Head Start Center
 - b) Oregon Child Development Coalition (OCDC)
 - c) Malheur County Child Development Center
 - d) Treasure Valley Relief Nursery
 - e) Ontario Boys and Girls Club;
3. within 1,000 feet of a property zoned as PF Public Facility or UGA-PF Public Facility UGA, excepting therefrom the Oregon Department of Transportation lands adjacent to East Idaho Avenue and the City of Ontario Water Treatment Plant lands East of East Lane and the Ontario Public Works Department lands located at 1551 NW 9th Street;
 4. within 1,000 feet of property leased by the City of Ontario and designated as a Public Park as long as that property remains leased by and designated by the City as a Public Park;
 5. within 1,000 feet of another medical marijuana retail facility;
 6. within zero feet of another marijuana recreational retail facility;
 7. within 500 feet of residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), and Chapter 52 (UGA-R) of Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones;
 8. on the same tax lot as a smoking club; or
 9. any combination of the above.

(B) Other Restrictions. A marijuana operations and activities are subject to the following additional restrictions:

1. A facility shall be designed so that all transactions 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.
2. Any and All marijuana operations and activities are considered a change of use and any existing and new structures used for such operations shall be brought up to and or constructed to current building codes and standards, including but not limited to the American Disability Act (ADA), parking standards and providing for public bathrooms for the business customer use including persons waiting to be serviced.
3. All Medical and Recreational Marijuana Retail Facility shall be required to provide parking as per 10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area. Parking for all marijuana operations and activities shall comply with Off-Street Parking and Loading requirements 10A-57-60 through 10A-57-100.
4. 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.

5. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified by the State of Oregon.

6. The exterior of the facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.

7. All marijuana operations, activities and or facilities must install and maintain all security devices required by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).

8. All outdoor grows authorized in the I-1 and I-2 zone shall be secured by a sight restricting security fence (as in a cyclone fence with slates) and follow all other State of Oregon security requirements by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).

9. Prior to commencing business operations, a facility must have a current business license issued by the City of Ontario under Chapter 22 of Title 3 of the Ontario City Code and the licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) for the type of operation allowed.

10. All Marijuana operations and activities shall be on a Conditional Use application prescribed by the Ontario Planning Director and shall include all the items and attachments noted and required in the application along with all fees required by code and current resolution. The application will be date and time stamped as received by the Planning Department only, to set the order of review. The application will be reviewed by the Planning Director for completeness and compliance to established buffers before it is accepted for consideration. Any incomplete application or one not meeting the established buffers shall be returned to the applicant for corrections and/or additional required information and once returned will be time stamped and dated again. Once the application is accepted as complete by the Planning Director the date accepted as complete shall be the priority dated for establishing the buffer between marijuana retailers if the application is approved and all licensing and development requirements are met.

11. The conditional use permit is governed by 10B-25-40 and the Marijuana Conditional use permit shall have a time limit of 12 months and become void if conditions are not met, unless an extension is granted for good cause under 10B-25-40(3).

12. The Conditional Use Permit (CUP) must be approved by the Ontario Planning Department before any Land Use Compatibility Statement (LUCS) will be signed by the Ontario Planning Department for any of the Marijuana State Business License or Registration required by the State of Oregon and/or City of Ontario.

Section 11. 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 12. This ordinance shall become effective 30 days after passage or upon the effective date of any ballot measure or ordinance that has the effect of repealing Section 3-23-1, whichever is later.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of

_____, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this ____ day of _____, 2018.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



City of Ontario
Community
Development
Public Hearing
City Council
LUA 2018-08-15 ZCA

Presentation by
Dan K. Cummings
Oct 16, 2018

Land Use Action 2018-08-15 ZCA

Public Hearing City Council



Action tonight

- ✎ **ACTION 2018-08-15 ZCA:** A request by the City of Ontario to amend the city zoning and development code, Title 10A Ontario Municipal Code to establish appropriate standards and locations for the establishment of marijuana operations and activities.
- ✎ The State of Oregon by legislative enactment has established a process for the licensing and registration of certain marijuana facilities and dispensaries. Currently, the city zoning regulations do not address or allow these uses. An Initiative has been put on the November 6, 2018 ballot in an effort to remove the current marijuana ban within the city limits. The City Council has directed the drafting of appropriate regulations and standards governing the time, manner and place where marijuana facilities and dispensaries may be allowed within the Ontario city limits should the ban be overturned by a vote of the people.

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Public Hearing City Council



The Proposed Amendment includes:

- ❧ Amend Title 10A by repealing Title 10A-58 entitled “Medical Marijuana Facilities” and adding a new Title 10A-59 entitled “Marijuana Related Operations and Activities” and providing general and specific conditions for the establishment of these uses under a conditional use permit.
- ❧ Amend Chapter 10A-03 by adding a new section 10A-03-134.1 through 10A-03-134.11 providing definitions for marijuana operations and activities.
- ❧ Amend Title 10A by prohibiting marijuana operation and activities in all zone districts unless explicitly designated as a conditional use in specific zone districts.

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Public Hearing City Council



The Proposed Amendment includes:

- ✎ Amend the following Chapters 10A-27-10, 10A-29-10, 10A-31-10, 10A-33-10, 10A-39-10, 10A-41-10 and 10A-52-205 to designate certain marijuana operations and activities as conditional use in the C-1 (Neighborhood Commercial), C-2 (General Commercial), C-2-H (Heavy General Commercial), C-3 (Central Commercial), I-1 (Light Industrial), I-2 (Heavy Industrial) and UGA-E-2 (Urban Growth Area Employment 2 - upon annexation) zone districts.
- ✎ Amend Chapter 10A-57-137 sign advertising.

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Exhibit “A” in the Packet has the text for the specific amendments based on the following:

- ✎ The Ontario City Council established a Marijuana Ad Hoc Committee to review the effects and impacts to the City of Ontario due to the legalization of marijuana in the State of Oregon.
- ✎ When a local initiative and referendum to remove the ban that the City of Ontario placed on the operations and activities of marijuana, the Council asked the committee for recommendation on regulations and standards governing the time, manner and place of marijuana operations and activities within the city limits.

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Exhibit “A” in the Packet has the text for the specific amendments based on the following:

- ❧ The committee, comprising of 5 members who are Pro marijuana and two members who are anti-marijuana, met in several public meetings and formulated their recommendation summarized in the attached Exhibit “B” and those recommendation for buffer setbacks are shown in Exhibit “A” in **Blue**. It is noted some of the recommendations are not addressed in these planning codes and will be addressed in the business licensing codes when and if the ban is lifted.
- ❧ The existing buffer setbacks established under Title 10A-58 under the Medical Marijuana codes are shown in **Purple**.

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Exhibit "A" in the Packet has the text for the specific amendments based on the following:

- ✎ Staff recommended buffer setbacks are shown in **Red**.
- ✎ Planning Commission 10/8/2018 recommendations are shown in **BLACK BOLD & UNDERLINED**.
- ✎ All other buffers shown in **black** are being recommended by both the Ad Hoc Committee and City Staff and established under Chapter 10A-58 previously.
- ✎ The legal findings of facts and conclusions are in the staff report but this presentation will cover the main amendments being presented for recommendations to the City Council by the Planning Commission.

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Proposed Amendments:

- ✧ Ontario City Code Sections 10A-03-134.1 through 10A-03-134.11 are being added to Chapter 10A-03 (“Definitions”) of Title 10A of the Ontario City Code. These definitions are being added to clarify the different type of uses. See Exhibit “A” **Section 1** for details. (Page A1)
- ✧ Ontario City Code Sections 10A-27-10 Conditional Use in **C-1 Zone**, is being amended to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Processor Non-Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 2** for details. (Page A2-A-3).
- ✧ Ontario City Code Sections 10A-29-10 Conditional Use in **C-2 Zone**, is being amended to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Processor Non-Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 3** for details. (page A3).

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Proposed Amendments:

- ✧ Ontario City Code Sections 10A-31-10 Conditional Use in **C-2H Zone**, is being amended for general house keeping and to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Processor Non-Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 4** for details. (Page A3).
- ✧ Ontario City Code Sections 10A-33-10 Conditional Use in C-3 Zone, is being amended to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Processor Non-Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 5** for details. (Page A3-A4).
- ✧ Ontario City Code Sections 10A-52-205 Conditional Use in **E-2 Zone**, is being amended to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Processor Non-Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 6** for details. (page A4).

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Proposed Amendments:

- ✎ Ontario City Code Sections 10A-39-10 Conditional Use in **I-1 Zone**, is being amended for general house keeping and to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Producer (Recreational Grow etc...), Marijuana Processor Non-Flammable, Marijuana Processor Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 7** for details. (Page A4-A5).
- ✎ Ontario City Code Sections 10A-41-10 Conditional Use in **I-2 Zone**, is being amended for general house keeping and to add the uses Marijuana Retailer, Marijuana Laboratory, Marijuana Wholesaler, Marijuana Producer (Recreational Grow etc...), Marijuana Processor Non-Flammable, Marijuana Processor Flammable and Marijuana Grow Site **Medical**. See Exhibit “A” **Section 8** for details. (Page A5).
- ✎ Ontario City Code Sections 10A-57-2137 Advertising activities being amended to remove the Federal. See Exhibit “A” **Section 9** for details. (page A5).

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Proposed Amendments:

- ✧ **Section 10.** The Chapter 10A-58 of Title 10 entitled “Medical Marijuana Facilities” is hereby repealed in its entirety and replaced with the following Chapter 10A-59 of Title 10A of the Ontario City Code and is entitled “Marijuana Related Operations and Activities (See Exhibit “A” for details) (Page A5):
- ✧ 10A-59-05 states all Recreational Marijuana operations and activities are prohibit in the following zones (See Exhibit “A” for details) (Page A6) :
 - Chapter 11 (RS-50);
 - Chapter 13 (RD-40);
 - Chapter 17 (RM-10);
 - Chapter 19 (R-MH);
 - Chapter 37 (IBP);
 - Chapter 45 (AD);
 - Chapter 49 (PD);
 - Chapter 51 (PF); and
 - All urban growth area zones, including the following zones in Chapter 52:
UGA I-1, UGA I-2, UGA E-2, UGA E-5, UGA-C and UGA-R.

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Proposed Amendments:

- ✎ Ontario City Code Sections 10A-59-10 allows under a Conditional Use in the C-1, C-2 and C-3 Zones, the following uses: Marijuana Business; Marijuana Grow Site Medical ; Marijuana Processors (non-flammable); Marijuana Recreational Facility; Marijuana Retailers; Marijuana Laboratory; Marijuana Wholesalers; and Medical Marijuana Facilities (See Exhibit “A” for details) (Page A6)
- ✎ Ontario City Code Sections 10A-59-15 set special conditions in the C-1, C-2 and C-3 Zones as following uses:

(A) Location Restrictions. Marijuana operations and activities are prohibited in the following locations, with distances measured from the closest points of the respective lot lines (Page A6):

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Location Restrictions (Page A7):

1. within 1,000 feet of a public or private elementary or secondary school, or a career school attended primarily by minors, including but not limited to:

- a) All Ontario 8C Schools
- b) St. Peter's Christian School
- c) Treasure Valley Christian School
- d) Four River's Charter School;

2. within 1,000 feet of a non-commercial facility used primarily for the care, education or recreation of minors existing at the time of this ordinance which are:

- a) Ontario Head Start Center
- b) Oregon Child Development Coalition (OCDC)
- c) Malheur County Child Development Center
- d) Treasure Valley Relief Nursery
- e) Ontario Boys and Girls Club;

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Location Restrictions (Page A7):

3. within 1,000 feet of a property zoned as PF Public Facility or UGA-PF Public Facility UGA, excepting therefrom the Oregon Department of Transportation lands adjacent to East Idaho Avenue and the City of Ontario Water Treatment Plant lands East of East Lane and the Ontario Public Works Department lands located at 1551 NW 9th Street;

1. 4. within 1,000 feet of property leased by the City of Ontario and ~~designated as a Public Park as long as that property remains leased by and designated by the City as a Public Park,~~

5. within 1,000 feet of another Medical Marijuana Retail Facility;

6. within ~~(350)~~ (0') ~~(350')~~ (1000') feet of another Marijuana Recreational Retail Facility;

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Location Restrictions (Page A7):

7. within **(500)** **(200')** **(350')** **(500')** feet of residential zones, including those designated in Chapter 11 (RS-50), Chapter 13 (RD-40), Chapter 17 (RM-10), Chapter 19 (R-MH), and Chapter 52 (UGA- R) of Title 10A, but not including TRO zones in Chapter 23 that are located in C-2-H zones;

8. on the same tax lot as a smoking club; or

9. any combination of the above.

(B) Other Restrictions. Marijuana operations and activities are subject to the following additional restrictions:

1. A facility shall be designed so that all transactions 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.

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Other Restrictions continued Page A7-A8):

2. Any and All marijuana operations and activities are considered a change of use and any existing and new structures used for such operations shall be brought up to and or constructed to current building codes and standards, including but not limited to the American Disability Act (ADA), parking standards and providing for public bathrooms for the business customer use including persons waiting to be serviced.

3. All Medical and Recreational Marijuana Retail Facilities shall be required to provide parking as per **(10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area)** ~~(10A-57-75(4) as follows: One space for each employee, full or part time on the largest shift, plus one space for each 300 square feet of gross floor area)~~ **(10A-57-75(6) 300 square feet gross floor area only)**. Parking for all marijuana operations and activities shall comply with Off-Street Parking and Loading requirements 10A-57-60 through 10A-57-100.

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Other Restrictions continued (Page A8):

4. 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.
5. The facility shall be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified by the State of Oregon.
6. The exterior of the facility shall have an exterior consistent with other buildings on abutting lots in the neighborhood so as not to cause blight.

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Other Restrictions continued (Page A8):

7. All marijuana operations, activities and or facilities must install and maintain all security devices required by the licensing body either the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).
8. All Medical and Recreational Marijuana Retail Facilities within the C-3 zone shall have a large enough indoor waiting area as to not allow large customer lines outdoors along the public sidewalks and rights of ways or blocking any entrances to other adjacent businesses.
9. Prior to commencing business operations, a facility must have a current business license issued by the City of Ontario under Chapter 22 of Title 3 of the Ontario City Code and the licensed by the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC) for the type of operation allowed.

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Other Restrictions continued (Page A8):

10. All Marijuana operations and activities shall be on a Conditional Use application prescribed by the Ontario Planning Director and shall include all the items and attachments noted and required in the application along with all fees required by code and current resolution. The application will be date and time stamped as received by the Planning Department only, to set the order of review. The application will be reviewed by the Planning Director for completeness and compliance to established buffers before it is accepted for consideration. Any incomplete application or one not meeting the established buffers shall be returned to the applicant for corrections and/or additional required information and once returned will be time stamped and dated again. Once the application is accepted as complete by the Planning Director the date accepted as complete shall be the priority dated for establishing the buffer between marijuana retailers if the application is approved and all licensing and development requirements are met.

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Public Hearing City Council



Other Restrictions continued Page A8-A9):

11. The conditional use permit is governed by 10B-25-40 and the Marijuana Conditional use permit shall have a time limit of 12 months and become void if conditions are not meet, unless an extension is granted for good cause under 10B-25-40(3).

12. The Conditional Use Permit (CUP) must be approved by the Ontario Planning Department before any Land Use Compatibility Statement (LUCS) will be signed by the Ontario Planning Department for any of the Marijuana State Business License or Registration required by the State of Oregon and/or City of Ontario.

Land Use Action 2018-08-15 ZCA

Public Hearing City Council



Proposed Amendments:

- ✎ Ontario City Code Sections 10A-59-20 allows under a Conditional Use in the C-2H, E-2, I-1 and I-2 Zones, the following uses: Marijuana Business; Marijuana Grow Site Medical ; Marijuana Processing sites; Marijuana Processors (flammable); Marijuana Processors (non-flammable); Marijuana Producer Recreation; Marijuana Recreational Facility; Marijuana Retailers; Marijuana Laboratory; Marijuana Wholesalers; and Medical Marijuana Facilities (See Exhibit “A” for details) (Page A9)
- ✎ Ontario City Code Sections 10A-59-25 set special conditions in the C-2H, E-2, I-1 and I-2 Zones as following uses:

(A) Location Restrictions. Marijuana operations and activities are prohibited in the following locations, with distances measured from the closest points of the respective lot lines (Page A9):

Land Use Action 2018-08-15 ZCA

Public Hearing City Council



Location Restrictions (Page A10):

The restrictions for the C2-H, E-2, I-1 and I-2 are the same as under 10A-59-15 for C-1, C-2 and C-3 zones with the exception to the buffer between Marijuana Recreational Retail Facility which is zero as shown below:

6. within **(zero)** (0') (350') (1000') feet of another Marijuana Recreational Retail Facility;

Staff is recommending to the City Council that they adopt the recommendation sent for to the City Council at the Planning Commission Public Hear on October 8, 2018.

The attached Exhibit J Ordinance 2747-2018 reflect these recommendations.

Land Use Action 2018-08-15 ZCA

Public Hearing City Council

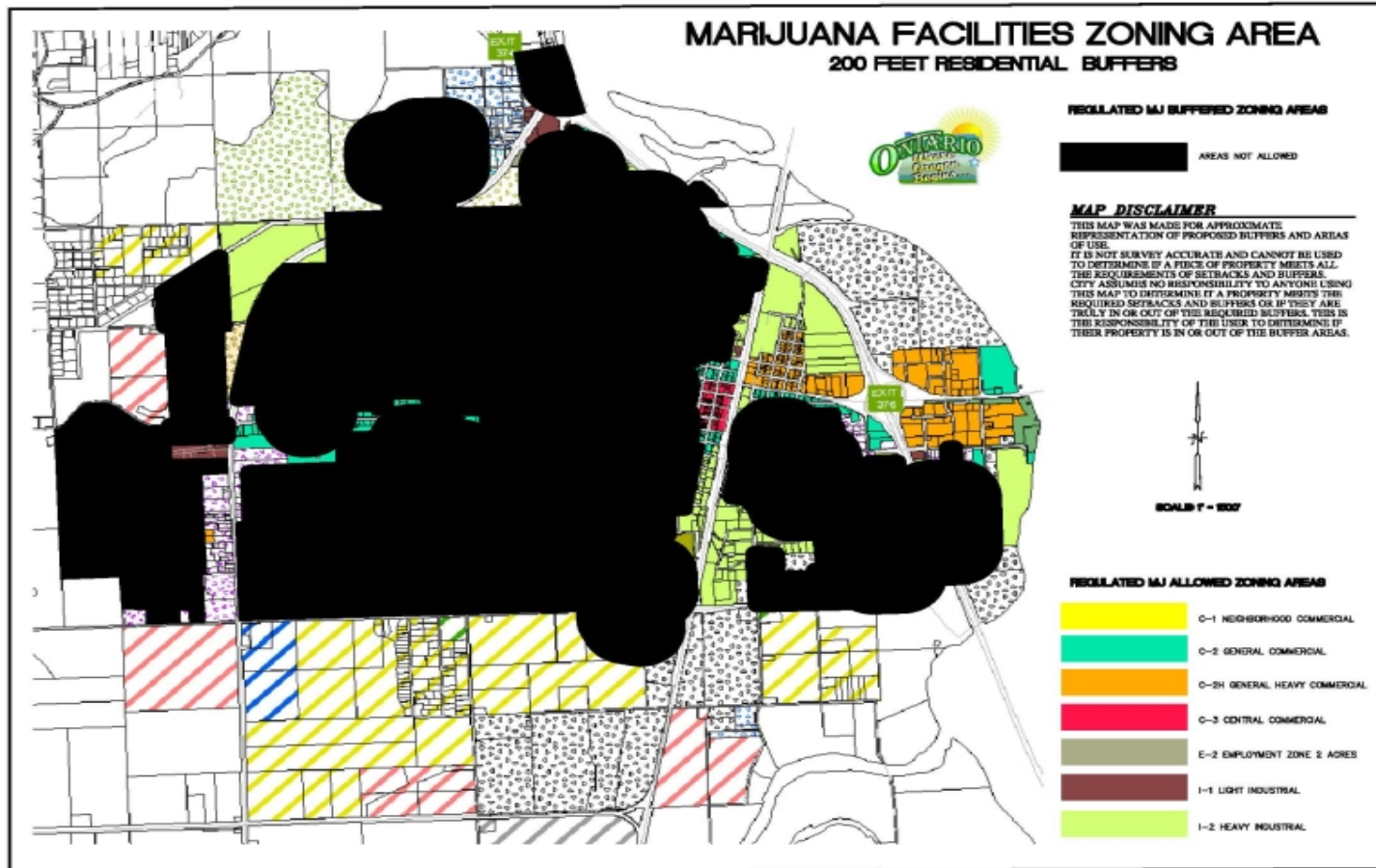


Exhibit "C-2"

Land Use Action 2018-08-15 ZCA

Public Hearing City Council
Planning Commission
Recommended Buffers

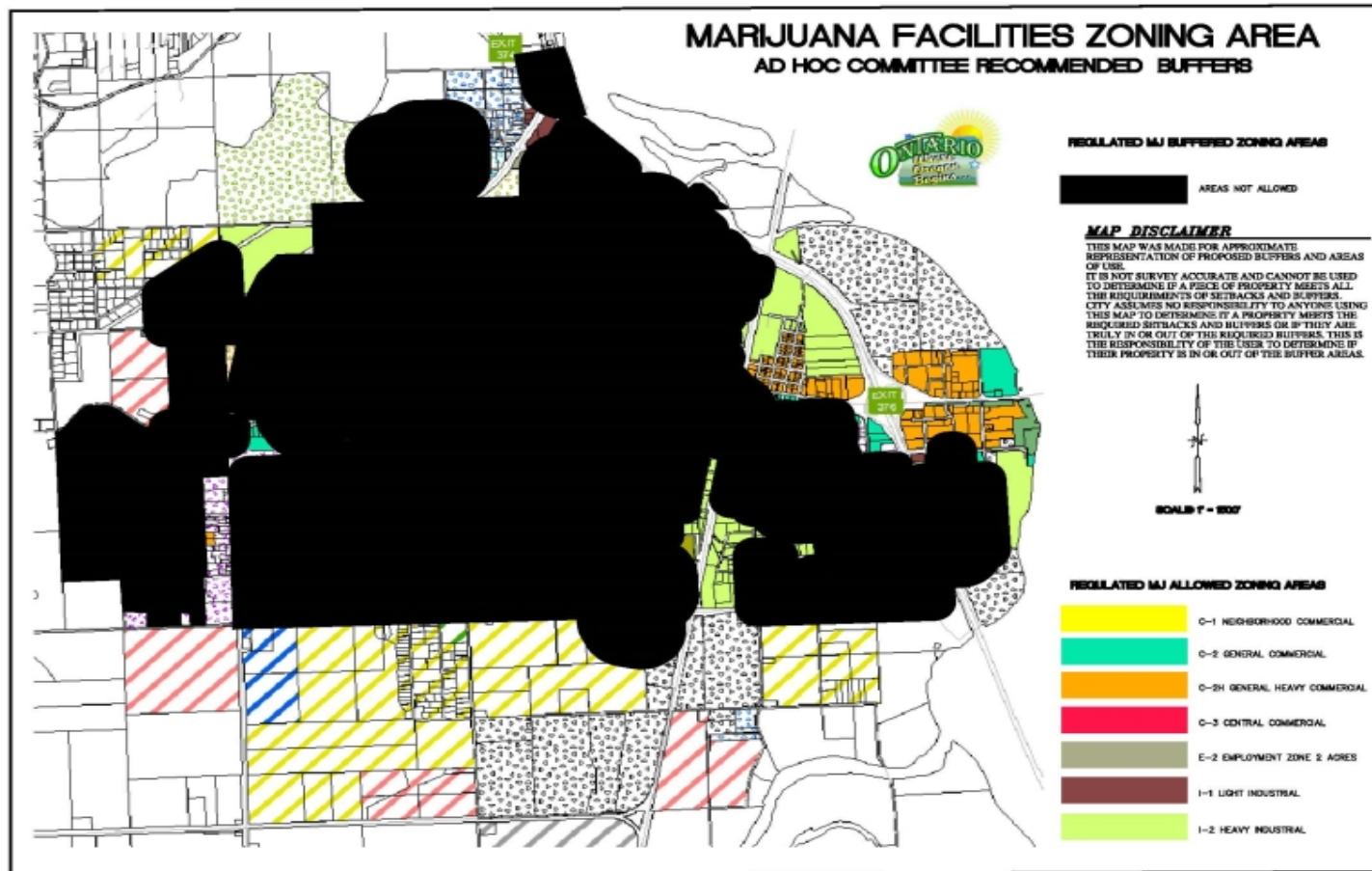


Exhibit "D-2"

Land Use Action 2018-08-15 ZCA

Public Hearing City Council

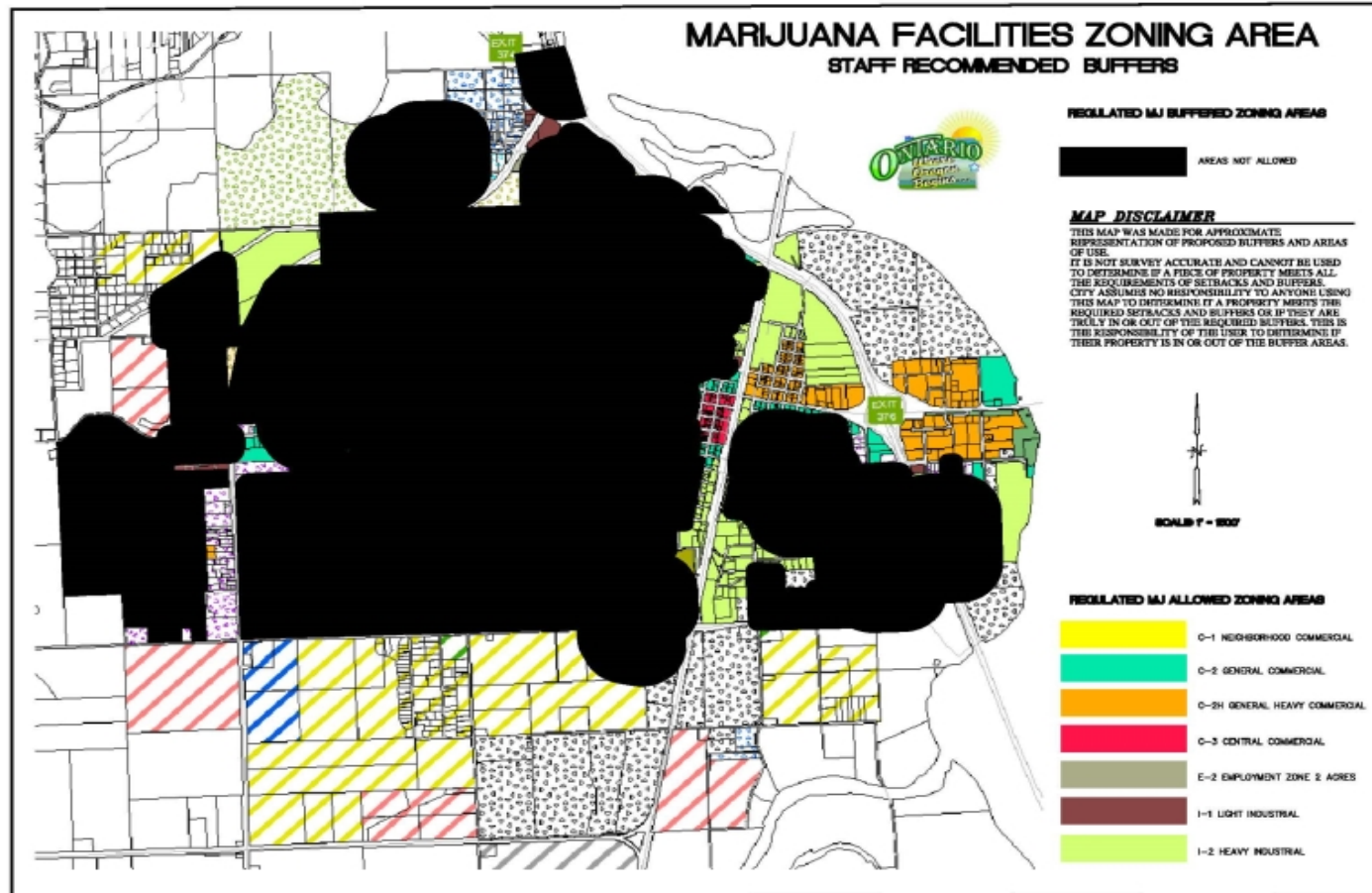


Exhibit "E-2"

CIVIL PENALTY SUMMARY

- On March 1, 2018 the 1st civil penalty was issued.
- Currently, staff has billed \$35,500 and collected \$3,100.
- There have been seven liens placed on property and there are about 10 additional accounts that staff will be placing a lien on in the near future.

DERELICT STRUCTURES

- Currently, there are three derelict structures being billed.
- Staff has collected \$1,000.

Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 10/11/2018 6:17 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
123473	&260	Four Rivers Cultural Center	08/03/2018	25,332.59
123474	539200	Ontario Area Chamber of Commerce	08/03/2018	20,448.39
123475	408200	J-U-B Engineers, Inc.	08/03/2018	22,520.88
123476	&525	American Staffing, Inc.	08/03/2018	2,253.29
123477	003079	AVG Technologies USA, Inc.	08/03/2018	2,967.99
123478	626400	Campo & Poole Distributing, LLC	08/03/2018	5,265.96
123479	637828	Century Link Communications, LLC	08/03/2018	101.99
123480	879243	Clear Creek K9	08/03/2018	800.00
123481	216000	D & B Supply Company	08/03/2018	192.65
123482	333852	Graphic Impressions	08/03/2018	325.00
123483	&162	USABlueBook	08/03/2018	6,995.01
123484	376000	Idaho Power	08/03/2018	50.99
123485	073400	Deborah L. Jeffries	08/03/2018	18.53
123486	879163	Ontario Auto Ranch	08/03/2018	885.20
123487	572000	Ontario Sanitary Service, Inc.	08/03/2018	306.94
123488	702008	Staples Business Credit	08/03/2018	66.05
123489	738001	James Swank	08/03/2018	114.88
123490	774001	Wtechlink	08/03/2018	300.00
Total for 8/3/2018:				88,946.34
123491	173000	Chief Supply Corporation, Inc.	08/10/2018	641.85
123492	240100	State of Oregon Dept of Consumer & Busir	08/10/2018	4,077.14
123493	879130	Ani-Care Animal Shelter, Inc.	08/10/2018	1,370.08
123494	879192	Annas Consultants, Inc.	08/10/2018	431.72
123495	032180	Anytime Septic Service, LLC	08/10/2018	85.00
123496	130950	Cable One	08/10/2018	298.94
123497	364000	Clarion Inn	08/10/2018	34.00
123498	206557	Creative Product Source, Inc.	08/10/2018	165.33
123499	634311	Frazier Aviation, LLC	08/10/2018	425.00
123500	UB*11484	EMILIO GALLEGOS	08/10/2018	26.72
123501	360015	Home Depot Credit Services	08/10/2018	3.26
123502	UB*11486	HOTBOX FARMS	08/10/2018	73.91
123503	368200	Hughes Fire Equipment, Inc.	08/10/2018	1,695.63
123504	396000	Iseri Travel Agency	08/10/2018	1,041.10
123505	879191	Kristy's Custom Sewing	08/10/2018	118.00
123506	440000	L.N. Curtis and Sons	08/10/2018	135.00
123507	436000	Lindsay Eco Water	08/10/2018	12.00
123508	879314	Micro Focus Software, Inc.	08/10/2018	2,444.80
123509	500400	Norco, Inc.	08/10/2018	100.15
123510	572000	Ontario Sanitary Service, Inc.	08/10/2018	137.44
123511	879149	ProForce Law Enforcement	08/10/2018	822.22
123512	UB*11485	CHRISTIE REEVES	08/10/2018	57.82
123513	879176	Seder Architecture & Urban Design, LLC	08/10/2018	3,777.63
123514	686822	Sprint	08/10/2018	51.92
123515	&357	Larry A. Sullivan	08/10/2018	2,992.50
123516	879146	Toshiba Financial Services	08/10/2018	1,694.39

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123517	788402	TransUnion Risk & Alternative Data Soluti	08/10/2018	140.00
123518	878957	Valli Information Systems, Inc.	08/10/2018	2,164.04
123519	832697	Virtual Graffiti, Inc.	08/10/2018	1,271.90
123520	879151	Waste-Pro	08/10/2018	30.00
123521	863995	White Cloud Communications-Boise, Inc.	08/10/2018	711.00
Total for 8/10/2018:				27,030.49
ACH	PRFED	PAYROLL TAXES	08/15/2018	294.28
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	08/15/2018	1.81
ACH	PRPERS	OREGON PERS	08/15/2018	663.35
Total for 8/15/2018:				959.44
123522	642080	Petty Cash	08/17/2018	48.83
123523	832852	Wells Fargo Business Elite Card	08/17/2018	550.50
123524	UB*11493	"C" INVESTMENT CO, LLC &	08/17/2018	41.02
123525	UB*11488	ACE REALTY	08/17/2018	72.82
123526	007140	Liz Amason	08/17/2018	206.50
123527	COOPJ	Jason Cooper	08/17/2018	50.55
123528	UB*11487	LISA DEL RE	08/17/2018	50.16
123529	UB*11490	MIKE ERLEBACH &	08/17/2018	39.45
123530	879318	Peter Hall	08/17/2018	166.87
123531	UB*11492	KENT HEITZ	08/17/2018	80.96
123532	UB*11460	MIKE JARAMILLO	08/17/2018	73.13
123533	287000	Malheur County Title Company, Inc.	08/17/2018	150.00
123534	UB*11404	OREGON PARTNERS LLC	08/17/2018	100.37
123535	UB*11440	OREGON PARTNERS LLC	08/17/2018	100.37
123536	642080	Petty Cash	08/17/2018	194.53
123537	UB*11489	PINE VALLEY PROPERTY	08/17/2018	54.08
123538	UB*11494	PVPM &	08/17/2018	5.03
123539	UB*11491	LOUIS/GLENDA SATHER	08/17/2018	85.77
123540	UB*11454	CAROL TEGLAND	08/17/2018	86.13
123541	832852	Wells Fargo Business Elite Card	08/17/2018	4,347.20
Total for 8/17/2018:				6,504.27
123542	879315	State of Idaho Unclaimed Property	08/21/2018	457.32
123543	879316	State of Michigan Department of Treasury	08/21/2018	39.93
123544	583450	State of Oregon Dept of Corrections	08/21/2018	2,950.00
123545	879138	Stantec Consulting Services, Inc.	08/21/2018	807.50
123546	879319	State of Texas Comptroller of Public Accou	08/21/2018	32.41
123547	005800	Action Medical, Inc.	08/21/2018	103.30
123548	&525	American Staffing, Inc.	08/21/2018	4,675.02
123549	032180	Anytime Septic Service, LLC	08/21/2018	140.00
123550	037600	AT&T	08/21/2018	20.75
123551	816597	Bank of Eastern Oregon	08/21/2018	29,642.36
123552	879317	BME Fire Fighter Supply, LLC	08/21/2018	155.00
123553	130950	Cable One	08/21/2018	63.75
123554	626400	Campo & Poole Distributing, LLC	08/21/2018	4,157.37
123555	144000	Cascade Natural Gas Corporation	08/21/2018	13.05
123556	637830	Century Link	08/21/2018	515.24
123557	247940	Dooley Enterprises, Inc.	08/21/2018	2,620.00
123558	520400	Dorman's, Inc.	08/21/2018	7.95
123559	344128	City of Fruitland	08/21/2018	450.45
123560	336784	G.W., Inc.	08/21/2018	968.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123561	412500	Keller Associates, Inc.	08/21/2018	2,760.00
123562	413204	Kenworth Sales Company, Inc.	08/21/2018	704.88
123563	879191	Kristy's Custom Sewing	08/21/2018	39.00
123564	440000	L.N. Curtis and Sons	08/21/2018	58.00
123565	428200	League of Oregon Cities	08/21/2018	1,485.00
123566	441140	Looks Nu, Inc.	08/21/2018	129.00
123567	456402	Malheur County Clerk	08/21/2018	209.00
123568	879301	Net Assets	08/21/2018	96.00
123569	539200	Ontario Area Chamber of Commerce	08/21/2018	400.00
123570	583401	State of Oregon Department of Environmen	08/21/2018	574.00
123571	242083	State of Oregon Driver and Motor Vehicle S	08/21/2018	3.00
123572	333809	State of Oregon Government Ethics Commi	08/21/2018	665.16
123573	528405	Oster Professional Group, LLC	08/21/2018	23,812.00
123574	879149	ProForce Law Enforcement	08/21/2018	782.91
123575	642093	Red's Automotive Repair, Inc.	08/21/2018	143.50
123576	879138	Stantec Consulting Services, Inc.	08/21/2018	722.50
123577	738002	Symbol Arts, LLC	08/21/2018	50.00
123578	738993	Tangent Computer	08/21/2018	1,495.00
123579	878931	Tire Factory of Ontario	08/21/2018	838.50
123580	288897	Verizon	08/21/2018	1,341.47
123581	863995	White Cloud Communications-Boise, Inc.	08/21/2018	625.00
123582	879320	Paul Melody	08/21/2018	75.00
123584	879321	Dan Quick	08/21/2018	95.12
Total for 8/21/2018:				84,923.44
123585	&260	Four Rivers Cultural Center	08/23/2018	100.00
Total for 8/23/2018:				100.00
123586	684622	Marcy Siriwardene	08/28/2018	94.25
Total for 8/28/2018:				94.25
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	08/31/2018	2,190.61
ACH	PRAMERF	AMERICAN FUNDS GROUP	08/31/2018	500.00
ACH	PRCCIS	E B S TRUST	08/31/2018	61,900.18
ACH	PRFED	PAYROLL TAXES	08/31/2018	65,091.04
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	08/31/2018	250.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	08/31/2018	435.00
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	08/31/2018	17,398.30
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	08/31/2018	2,200.00
ACH	PRPERS	OREGON PERS	08/31/2018	80,219.04
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	08/31/2018	2,146.28
ACH	PRAMERF	AMERICAN FUNDS GROUP	08/31/2018	400.00
ACH	PRCCIS	E B S TRUST	08/31/2018	62,023.92
ACH	PRFED	PAYROLL TAXES	08/31/2018	60,075.79
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	08/31/2018	250.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	08/31/2018	947.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	08/31/2018	236.83
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	08/31/2018	16,664.38
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	08/31/2018	2,100.00
ACH	PRPERS	OREGON PERS	08/31/2018	73,405.84
123587	PRICMA	I C M A RETIREMENT TRUST 457	08/31/2018	150.00
123588	PRIDCHIL	IDAHO CHILD SUPPORT RECEIPTING	08/31/2018	411.00
123589	PRLINC	LINCOLN NATIONAL LIFE INS CO	08/31/2018	350.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123590	PRSFIRE	UMPQUA BANK	08/31/2018	360.00
123591	PRUTCH	UTAH, OFFICE OF RECOVERY SERVIC	08/31/2018	716.00
123592	UB*11496	AARON ALFARO	08/31/2018	672.22
123593	UB*11252	Erika & Aaron Alfaro	08/31/2018	260.04
123594	&260	Four Rivers Cultural Center	08/31/2018	25,991.91
123595	UB*11495	ZACH MILLS	08/31/2018	16.61
123596	539200	Ontario Area Chamber of Commerce	08/31/2018	21,046.61
123597	130624	B & W Car Wash	08/31/2018	3.00
123598	878915	CH2M Hill OMI	08/31/2018	6,938.40
123599	184000	Claire Bowers Claire's Automotive	08/31/2018	403.33
123600	879322	Eduardo Mendoza	08/31/2018	55.79
123601	879130	Ani-Care Animal Shelter, Inc.	08/31/2018	1,370.08
123602	738800	Axon Enterprise, Inc.	08/31/2018	1,550.00
123603	130624	B & W Car Wash	08/31/2018	27.00
123604	144000	Cascade Natural Gas Corporation	08/31/2018	13.05
123605	637830	Century Link	08/31/2018	717.06
123606	364000	Clarion Inn	08/31/2018	429.16
123607	206557	Creative Product Source, Inc.	08/31/2018	194.33
123608	256603	Eastern Oregon Youth Football League	08/31/2018	525.00
123609	333890	Graphix Wear	08/31/2018	28.00
123610	376000	Idaho Power	08/31/2018	4,349.40
123611	376002	Idaho Power - Payette Operations Center	08/31/2018	7,202.00
123612	420000	John Deere Financial	08/31/2018	325.42
123613	408200	J-U-B Engineers, Inc.	08/31/2018	7,637.83
123614	879300	Kussmaul Electronics	08/31/2018	337.55
123615	457799	Malheur Drainage District	08/31/2018	3,075.34
123616	454410	Malheur Enterprise	08/31/2018	40.00
123617	572000	Ontario Sanitary Service, Inc.	08/31/2018	444.38
123618	583352	State of Oregon Department of Consumer a	08/31/2018	44.80
123619	686822	Sprint	08/31/2018	51.92
123620	702100	Staples Credit Plan	08/31/2018	75.99
123621	774300	T-N-T Signs & Graphics	08/31/2018	45.00
123622	785001	Treasure Valley Custom Upholstery	08/31/2018	75.00
123623	288897	Verizon	08/31/2018	1,385.38
Total for 8/31/2018:				535,752.81
123624	&525	American Staffing, Inc.	09/07/2018	1,704.01
123625	032180	Anytime Septic Service, LLC	09/07/2018	255.00
123626	037600	AT&T	09/07/2018	20.94
123627	010500	Tori Barnett	09/07/2018	261.00
123628	879304	Beaver Equipment Specialty Company, Inc	09/07/2018	48,708.00
123629	626400	Campo & Poole Distributing, LLC	09/07/2018	4,330.89
123630	637828	Century Link Communications, LLC	09/07/2018	94.31
123631	878915	CH2M Hill OMI	09/07/2018	855,902.35
123632	184000	Claire Bowers Claire's Automotive	09/07/2018	1,986.96
123633	436000	Lindsay Eco Water	09/07/2018	7.00
123634	516440	City of Nyssa	09/07/2018	4,950.00
123635	583450	State of Oregon Dept of Corrections	09/07/2018	2,360.00
123636	684622	Marcy Siriwardene	09/07/2018	229.50
123637	879146	Toshiba Financial Services	09/07/2018	1,694.39
123638	788402	TransUnion Risk & Alternative Data Soluti	09/07/2018	140.00
123639	879151	Waste-Pro	09/07/2018	30.00
123640	774001	Wtechlink	09/07/2018	300.00
Total for 9/7/2018:				922,974.35

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123641	&525	American Staffing, Inc.	09/12/2018	612.83
123642	032180	Anytime Septic Service, LLC	09/12/2018	140.00
123643	033300	Argus Observer	09/12/2018	163.26
123644	UB*11501	CINDY BUCHANAN*	09/12/2018	5.87
123645	130950	Cable One	09/12/2018	298.94
123646	637830	Century Link	09/12/2018	513.11
123647	UB*11500	NORMA CHAVEZ *	09/12/2018	55.54
123648	Rec19003	The Parents of Eric Contreras	09/12/2018	47.00
123649	Rec19004	The Parents of Diego Cruz	09/12/2018	25.00
123650	256603	Eastern Oregon Youth Football League	09/12/2018	335.00
123651	Rec19006	The Parents of Ridly Folden	09/12/2018	55.00
123652	879257	Four Star Real Estate PC	09/12/2018	700.00
123653	634311	Frazier Aviation, LLC	09/12/2018	425.00
123654	333852	Graphic Impressions	09/12/2018	85.00
123655	UB*11498	LORI GREENE	09/12/2018	70.94
123656	Rec19005	The Parents of Humberto Guijarro	09/12/2018	25.00
123657	360015	Home Depot Credit Services	09/12/2018	76.04
123658	UB*11497	SUSAN JARVIS	09/12/2018	42.71
123659	441140	Looks Nu, Inc.	09/12/2018	10.00
123660	UB*11502	MARC MCMURRY	09/12/2018	83.16
123661	879301	Net Assets	09/12/2018	168.00
123662	532000	Ontario Bearing & Hydraulic, Inc.	09/12/2018	31.48
123663	516494	State of Oregon Department of Transportati	09/12/2018	874.30
123664	528405	Oster Professional Group, LLC	09/12/2018	23,812.00
123665	614087	Peace Officers Research Association of Cal	09/12/2018	324.00
123666	UB*11499	RAUL / MAYRA PELAYO	09/12/2018	38.44
123667	879166	Pitney Bowes Global Financial Services, LI	09/12/2018	953.25
123668	&357	Larry A. Sullivan	09/12/2018	3,971.00
123669	863995	White Cloud Communications-Boise, Inc.	09/12/2018	4,023.25
Total for 9/12/2018:				37,965.12
123670	012397	Agile Design Company	09/19/2018	10,000.00
123671	&525	American Staffing, Inc.	09/19/2018	838.87
123672	Rec19007	The Parents of Gage Broughman	09/19/2018	55.00
123673	879087	Adam Brown	09/19/2018	490.00
123674	130950	Cable One	09/19/2018	63.75
123675	144000	Cascade Natural Gas Corporation	09/19/2018	17.50
123676	879247	Idaho Communications, LLC Day Wireless	09/19/2018	470.00
123677	270285	Enhanced Telecommunications & Data, Inc	09/19/2018	378.00
123678	405947	Ben Esplin	09/19/2018	221.25
123679	284000	Farmers Supply Co-Op	09/19/2018	1,261.52
123680	645195	Fire Rescue Equipment NW, LLC	09/19/2018	1,376.00
123681	&260	Four Rivers Cultural Center	09/19/2018	16,234.65
123682	879324	Merri Gammage	09/19/2018	154.21
123683	333890	Graphix Wear	09/19/2018	594.00
123684	879318	Peter Hall	09/19/2018	262.50
123685	879218	Richard Kerfoot	09/19/2018	300.00
123686	879155	Chief Cal Kunz	09/19/2018	206.50
123687	Rec19008	The Parents of Kyle McWherter	09/19/2018	47.00
123688	501200	Norm's Auto Electric	09/19/2018	55.95
123689	539200	Ontario Area Chamber of Commerce	09/19/2018	12,206.91
123690	Rec19009	The Parents of Alejandro Ruvalcaba	09/19/2018	47.00
123691	666192	Savvy Software, Inc.	09/19/2018	1,020.00
123692	879138	Stantec Consulting Services, Inc.	09/19/2018	1,383.75
123693	879256	Steve's Hometown	09/19/2018	609.02
123694	738002	Symbol Arts, LLC	09/19/2018	268.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123695	878957	Valli Information Systems, Inc.	09/19/2018	2,127.94
Total for 9/19/2018:				50,689.32
123696	832852	Wells Fargo Business Elite Card	09/21/2018	11,068.62
123697	UB*11504	LUAY AZEEZ	09/21/2018	80.58
123698	879323	Betsol, LLC	09/21/2018	2,784.00
123699	879326	The Biz Zone	09/21/2018	1,700.04
123700	626400	Campo & Poole Distributing, LLC	09/21/2018	2,930.39
123701	144000	Cascade Natural Gas Corporation	09/21/2018	13.05
123702	376000	Idaho Power	09/21/2018	1,819.89
123703	UB*11188	TERI JOHNSON	09/21/2018	316.94
123704	412500	Keller Associates, Inc.	09/21/2018	1,380.00
123705	879191	Kristy's Custom Sewing	09/21/2018	48.00
123706	441140	Looks Nu, Inc.	09/21/2018	90.00
123707	UB*11503	ANTONIO & X MARIA MENDOZA	09/21/2018	114.89
123708	594388	Oregon Fire Chiefs Association	09/21/2018	85.00
123709	879325	Ralph & Nancy Poole	09/21/2018	4,000.00
123710	UB*11505	JOSHUA RHYMES	09/21/2018	121.36
123711	646085	Rodda Paint	09/21/2018	40.04
123712	702008	Staples Business Credit	09/21/2018	131.46
123713	842030	Warrington Construction	09/21/2018	296,259.31
123714	879007	Weidner Fire	09/21/2018	600.00
Total for 9/21/2018:				323,583.57
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	09/28/2018	2,146.28
ACH	PRAMERF	AMERICAN FUNDS GROUP	09/28/2018	400.00
ACH	PRCCIS	E B S TRUST	09/28/2018	60,652.29
ACH	PRFED	PAYROLL TAXES	09/28/2018	61,941.45
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	09/28/2018	250.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	09/28/2018	947.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	09/28/2018	249.58
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	09/28/2018	17,180.61
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	09/28/2018	2,100.00
ACH	PRPERS	OREGON PERS	09/28/2018	75,618.45
123715	PRICMA	I C M A RETIREMENT TRUST 457	09/28/2018	150.00
123716	PRIDCHIL	IDAHO CHILD SUPPORT RECEIPTING	09/28/2018	411.00
123717	PRLINC	LINCOLN NATIONAL LIFE INS CO	09/28/2018	350.00
123718	PRSFIRE	UMPQUA BANK	09/28/2018	360.00
123719	PRUTCH	UTAH, OFFICE OF RECOVERY SERVIC	09/28/2018	716.00
123720	&525	American Staffing, Inc.	09/28/2018	1,155.88
123721	879130	Ani-Care Animal Shelter, Inc.	09/28/2018	1,370.08
123722	130624	B & W Car Wash	09/28/2018	9.00
123723	637830	Century Link	09/28/2018	717.06
123724	364000	Clarion Inn	09/28/2018	51.00
123725	336725	Core & Main	09/28/2018	38,794.00
123726	879247	Idaho Communications, LLC Day Wireless	09/28/2018	470.00
123727	520400	Dorman's, Inc.	09/28/2018	7.95
123728	344128	City of Fruitland	09/28/2018	1,707.74
123729	376000	Idaho Power	09/28/2018	1,564.26
123730	420000	John Deere Financial	09/28/2018	69.39
123731	413204	Kenworth Sales Company, Inc.	09/28/2018	2,409.99
123732	477523	Municipal Code Corporation	09/28/2018	1,466.26
123733	572000	Ontario Sanitary Service, Inc.	09/28/2018	306.94
123734	686822	Sprint	09/28/2018	51.92
123735	879212	Uniforms 2 Gear	09/28/2018	191.16

Check No	Vendor No	Vendor Name	Check Date	Check Amount
123736	879233	Utopic Software	09/28/2018	1,295.00
123737	288897	Verizon	09/28/2018	1,434.66
Total for 9/28/2018:				276,544.95
123738	&525	American Staffing, Inc.	10/05/2018	1,527.84
123739	626400	Campo & Poole Distributing, LLC	10/05/2018	3,744.31
123740	637828	Century Link Communications, LLC	10/05/2018	81.25
123741	408200	J-U-B Engineers, Inc.	10/05/2018	1,436.99
123742	879225	Malheur Media, LLC	10/05/2018	74.70
123743	602320	NAPA Auto Parts	10/05/2018	229.22
123744	879301	Net Assets	10/05/2018	168.00
123745	232058	State of Oregon Dept of Administrative Ser	10/05/2018	1,000.00
123746	879145	Silver Signet, LLC	10/05/2018	200.85
123747	878931	Tire Factory of Ontario	10/05/2018	636.00
123748	788402	TransUnion Risk & Alternative Data Soluti	10/05/2018	140.50
123749	879151	Waste-Pro	10/05/2018	30.00
123750	774001	Wtechlink	10/05/2018	300.00
123751	879324	Merri Gammage	10/05/2018	118.72
123752	879236	Ramon Palomo	10/05/2018	116.91
123753	879213	Cameron Saito	10/05/2018	175.17
123754	878944	Treasure Valley Community College	10/05/2018	2,000.00
123755	879167	David Worth	10/05/2018	89.40
Total for 10/5/2018:				12,069.86
123756	376002	Idaho Power - Payette Operations Center	10/09/2018	1,634.00
Total for 10/9/2018:				1,634.00
Report Total (315 checks):				2,369,772.21