



CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540
Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

GENERAL LAND USE APPLICATION

Project Description:
Property Owner: Peter Patrick & Deborah Pollard
Mailing Address: P.O. Box 938, Talent, OR 97540
Phone: 541-944-6412
Street Address: 630 S. Pacific Hwy.
Email Address:
Applicant/Consultant: Brent Kenyon
Mailing Address: 630 S. Pacific Hwy., Talent, OR 97540

Table with 4 columns: Assessor's Map Number, Tax Lot Number, Acres, Zone. Row 1: 38-1W- 25B, 2801, .20, C4. Row 2: 38-1W-

Subzone (if applicable) N/A

Pre-Application Meeting Completed? [] Yes [] No [] N/A Date Completed: _____

Type of Application (check all boxes that apply)

Grid of checkboxes for application types: Site Development Plan Review, Variance, Conditions Modification, Annexation, Accessory Dwelling Unit, Appeal (flat fee), Conditional Use Permit, Home Occupation, Code Interpretation, Comprehensive Plan Amendment (text), Comprehensive Plan Map/Zoning Map Change, Development Code Amendment.

APPLICATION DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

Applicant's Signature: [Handwritten Signature]
Property Owner's Signature (required): [Handwritten Signature]

Date: 6-23-16
Date: 6-23-16


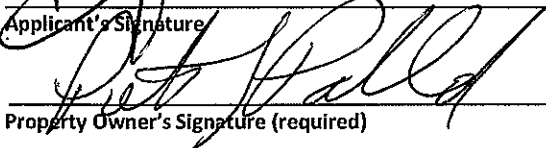
APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

 _____ Applicant's Signature	6-23-16 _____ Date
 _____ Property Owner's Signature (required)	6-23-16 _____ Date

I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.

_____ Applicant's Signature	_____ Date
_____ Property Owner's Signature (required)	_____ Date

FOR OFFICE USE ONLY			
Deposit Paid (Amount):	Date:	Received By:	File Number:
\$592.00	6/23/16	JW	CWP 2016-004

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

EXHIBIT A

City of Talent

Community Development Department - Planning



STAFF REPORT

Type II Land Use Application — Administrative Review

Date: September 30, 2014
Item: SPR 2014-004, Pete Pollard
Site: 630 S. Pacific Hwy.

Applicant:	Richard Stevens & Associates, INC. PO Box 4368 Medford, Oregon 97501
Property Owner:	Pete Pollard PO Box 938 Talent, Oregon 97540
Requested Action:	Approval of a Site Development Plan to change the use of an existing auto repair shop to a retail medical marijuana dispensary.
Assessor's Map Number:	38-1W-25B, Tax Lot 2801
Site Location:	630 S. Pacific Hwy.
Zoning:	CH -- Highway Commercial
Deemed Complete:	August 14, 2014
Notice Mailed:	September 5, 2014
120-Day Limit:	December 12, 2014

PROPOSAL

The applicant is proposing to change the use of an existing structure. No exterior structural improvements are considered at this time, other than possibly painting the building. The existing structure, established in 1991, is a single-story 1,800 square foot building to be used as a Medicinal Marijuana Dispensary. The proposal will require modifications to parking configurations as well as changes to the on-site circulation, accommodate for pedestrian traffic and the removal of and addition of new landscaping.

BACKGROUND

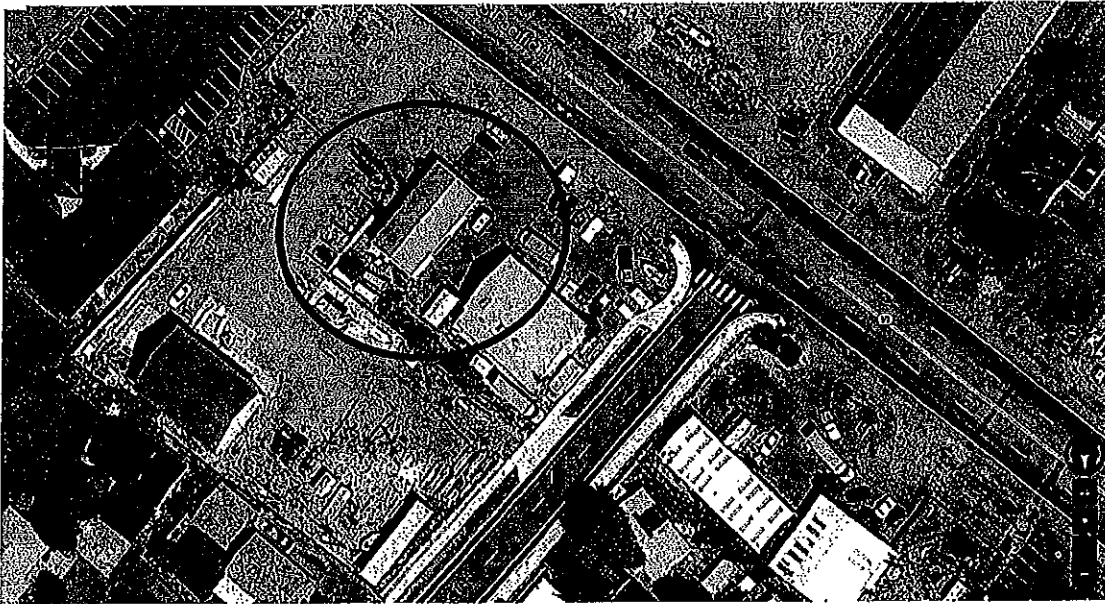
The subject property has been historically used as an automotive repair shop known as "Pollards Automotive". The shop recently closed and the structure has not changed since it was established in 1991.

APPROVAL CRITERIA

Talent Zoning Code, 8-3J.1, 8-3J.3-7, and 8-3L.1,

PROPERTY CHARACTERISTICS

The subject property is located at 660 Highway 99 one parcel north of Arnos Street. The property is relatively flat. The property is surrounded by commercial businesses in the CH zoning designation. The property contains one structure, a temporary carport and a paved parking lot and some landscaping (in need of maintenance) in the backyard area and along the north side of the property and on either side of the road approach. There is one access to the property off of Highway 99. The building, established in 1991, is approximately 1,800 square feet in size and was previously used for an auto repair business approved through a site development plan review in 1991 (SPR-91-1).



ANALYSIS

Tentative administrative approval is subject to compliance with the approval criteria above, and the underlying zoning district (8-3D.4, Highway Commercial). Text from the code appears in *italics*.

AGENCY COMMENTS

Other than the Talent Police Department, no other comments agency comments were received. The Talent Police Department opposes any retail business that is not allowed under State and Federal law.

PROPERTY OWNER COMMENTS

One property owner commented in opposition of the proposed application on the basis that two other dispensaries already existing in town and that there could be a negative effect on our community as a whole while staff shares the same concerns, the property use is retail and it is allowed in the zone. The property owner was contacted via email and explained that the use of the building for residential uses is allowed in the Highway Commercial zone. Staff address all other applicable concerns throughout the findings below.

ANALYSIS

Tentative administrative approval is subject to compliance with the approval criteria above, and the underlying zoning district (8-3D.4, Highway Commercial). Text from the code appears in *italics*.

8-3D.430 BUILDINGS AND USES SUBJECT TO TYPE-2 SITE DEVELOPMENT PLAN REVIEW

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, none of which shall include "drive-in," "drive-up" or "drive-through" facilities. Further, the following uses are permitted subject to the provisions of Article 8-3L.1.

- (F) *Retail and wholesale business and service establishments providing home furnishings; nursery supplies; retail lumber, paint and wall paper; plumbing, heating and electrical sales and service; drapery, floor covering and tile sales.*

Finding: The subject parcel is zoned Highway Commercial (CH) (as seen on the attached zoning map) and allows for retail sales subject to a Type-II Site Development Plan Review.

The proposed use for this site is for retail sales for a Medical Marijuana Dispensary. The applicant, Brent Kenyon, was one of three individuals that the City Council agreed to not place a moratorium on and allowing them to establish a dispensary in the city. The City Council determined that a dispensary would fall under retail sales. The applicant stated that it would strictly be for sale of Medical Marijuana and does not plan on manufacturing it on site. As a general condition of approval, the applicant shall not engage in any manufacturing activities on site.

Retail Sales are a permitted use in the CH zone. A site plan review application is required for a change in use in a commercial building. The purpose of the site plan is to show the proposed use meets the City's minimum standards for parking, landscaping, setbacks, and buffering from nearby lands. A site plan map is attached to these findings, which shows compliance

with the applicable Articles of 8-3L of the 'Zoning Code. The provisions of this section have been met.

8-3D.460 YARD REGULATIONS

- A. Front yard. The front yard shall have a depth of not less than ten (10) feet, including parking lots and internal access drives. [amended by Ord. 782; 7/6/2005]
- B. Side yard.
- 1) No side yard is required between commercially zoned properties.
 - 2) When abutting a lot in a residential zone, there shall be minimum side yard of ten (10) feet.
 - 3) A side yard abutting a street and/or alley shall have a depth of not less than ten (10) feet.
- C. Rear yard. No rear yard is required between commercially zoned properties; when abutting a lot in a residential zone, there shall be a rear yard of not less than ten (10) feet. No structural improvements except road surfacing shall be allowed within ten (10) feet of the centerline of an alley.
- D. Existing residential uses. For existing residential uses or structures, setbacks in conformance with the RS-7 residential zone shall apply.
- E. Exceptions to setback provisions shall be made and shall be required on corner lots where vision clearance for automobiles would be impaired by strict observance of the provisions. [amended by Ord. 782; 7/6/2005]

8-3D.462 LOT AREA AND DIMENSIONS

In the CH zone, the minimum lot area shall be six thousand (6,000) square feet. The minimum lot width shall be sixty (60) feet and the minimum lot depth shall be one hundred (100) feet.

8-3D.464 LOT COVERAGE RESTRICTION

In the CH zone there shall be no lot coverage restrictions except as provided in the yard setback and off-street parking regulations.

8-3D.470 PARKING AND ACCESS REQUIREMENTS

Off-street parking and loading spaces and access shall be provided as prescribed in Articles 8-3J.5 and 8-3J.6.

8-3D.475 LANDSCAPING, FENCES, WALLS AND SIGNS

All areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific uses shall be landscaped and maintained. Fences, walls, hedges and screen plantings shall be permitted in conformance with Article 8-3J.3, and may be required in conformance with Section

480, below. All fences, walls, hedges and screen plantings shall be properly maintained. Signs shall be permitted and in conformance with Article 8-3J.7.

8-3D.480 BUFFERING

When a development or use is proposed on property within the CH zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer sufficient to protect the intent of the adjacent zone or the integrity of the incompatible use. In many cases a fence, wall, hedge or screen planting along the property line closest to the conflicting use or zone will be sufficient. However, the type of buffer shall be considered in relation to existing and future land use, the degree of conflict between adjacent uses, and the amount of permanence desired. Buffers may consist of spatial separation, physical barriers, landscaping, natural topography or other features. The greatest amount of buffering shall be required where necessary to protect an agricultural resource. Proposed buffers shall be subject to the approval of the planning commission, who shall review the buffering for adequacy and appropriateness as part of the site development plan review.

8-3D.490 OTHER

For uses specifically not permitted and requirements regarding building or structural height limitations, parking, trees, solar access, street improvements, home occupations, etc., see the General Provisions, Article 8-3J.1, and Divisions J and L of this Chapter.

Finding: The structure on the property exists and has been there since 1991. The attached Site Plan Map demonstrates that the Front yard setback is met since the distance from the property line to the structure is 35 feet. The property is surrounded by the CH zone, therefore, no side yard or rear yard setbacks are required. There are no residential uses on the property and no exceptions to setback provisions will be necessary.

The subject parcel is 70 feet by 125.31 feet (2,170 sq/ft.). The lot meets the zoning area and dimensions.

All of the applicable provisions in Articles 8-3J.1 – J.7 can be seen to be met in the attached site plan map to show compliance with these requirements.

Buffering is not required for this proposal because the subject parcel is surrounded by the CH zone. Therefore, no conflicting uses exist.

The property is in compliance with the area and yard regulations and all other applicable standards regarding design are addressed in the Site Plan Map and in these findings. Buffering is not required due to the surrounding zoning being compatible with the proposed retail use. **The provisions of these sections have been met subject to conditions of approval.**

8-3L.150 REQUIRED FINDINGS FOR APPROVAL OF PLAN

After an examination of the site, the Planning Commission shall approve, or approve with conditions the site development plan if all of the following findings are made:

- A. All provisions of this Chapter and other applicable City ordinances and agreements are complied with;*

Finding: The CH zone allows the use of the building for retail space subject to Site Development Plan review permit, Administrative Review and public notice.

The Community Development Director finds that all applicable code sections of the Talent Zoning Code have been addressed within the application submittals or will be made to comply with the imposition of the attached conditions of approval. **The provisions of this section have been met subject to conditions of approval.**

- B. The proposed development will be in conformance with the intent and objectives of the zone in which it will be located;*

Finding: According to TMC 8-3D.410 the Highway Commercial (CH) Zone shall permit retail and business services, where permitted by the planning commission. The proposed use of the existing building is for Medical Marijuana Dispensary, which was approved by the City Council and is a similar use to the ones listed in the permitted use table as a retail business. **The provisions of this section have been met.**

- C. All applicable portions of the City comprehensive plan or other adopted plan are complied with;*

Finding: The proposed site development plan is consistent with the approval criteria addressed in this staff report and meets the overall intent of the Highway Commercial designation. **The provisions of this section have been met.**

- D. The proposed development will be compatible with or adequately buffered from other existing or contemplated uses of land in the surrounding area;*

Finding: The proposed use is compatible with adjacent uses since the surrounding zoning is all CH. No buffering is required from adjacent uses. Considering that there are no proposed changes in the building footprint and that all changes are necessary to be in compliance with 8.3J (parking and landscaping), the proposed changes do not require any additional buffers. **The provisions of this section have been met.**

- E. That no wastes, other than normal water runoff, will be conducted into City storm and wastewater facilities;*

Finding: A previous drainage plan was approved for the property and there is no indication that the plan is not working. No waste, other than normal water runoff, will be a result of the proposed use. In fact, the existing use may produce more harmful waste (due to the changing

of fluids for automobile repairs) than the simple retail operation being proposed by the applicant. Adequate facilities are present on site to accommodate the proposed use. Nothing has changed on the property since 1991 that would cause problems for the storm water facility and no additional building footprint is being proposed. **The provisions of this section have been met.**

F. *The following are arranged so that traffic congestion is avoided, pedestrian and vehicular safety, solar access, historic sites, and the public welfare and safety are protected, and there will be no adverse effect on surrounding property:*

- 1. buildings, structures, and improvements;*
- 2. vehicular and pedestrian ingress and egress, and internal circulation;*
- 3. parking and loading facilities;*
- 4. setbacks and views from structures;*
- 5. walks, fences, landscaping and street and shade trees;*
- 6. lighting and signs; and*
- 7. noise generation facilities and trash or garbage depositories.*

Finding: The existing building on the subject parcel is located in a manner that allows for off-street parking. The applicant has identified five parallel standard (5) parking spaces, one of which will be handicap and van accessible. Access to the proposed parking stall is from Highway 99 using an existing driveway apron, which is only 20 feet wide. This apron is large enough to meet the needs of two vehicles entering and exiting simultaneously but does not currently meet City standards. Considering this is a State highway and work is scheduled in 2016 to construct curbs, gutters and sidewalks, there is no need to modify the driveway at this time.

The proposed parking area provides sufficient space to allow vehicles to back up internally and exit the parking lot in a forward motion. The applicant has also proposed to delineate an area in front of the parking spaces (using wheel stops and paint stripping) and adjacent to the building for pedestrian traffic. The walking path will lead to the highway ROW connecting the proposed future sidewalk. This area, in addition to the proposed paver path between the parking stalls provide a safe, adequate means for pedestrians to move from their vehicle to the building without walking behind parked cars.

Landscaping on the site shall be consistent with the proposed plan. Currently there is poorly kept landscaping that is dying or dead, on the property. The applicant has proposed to remove approximately twenty (20) feet by forty-five (45) feet of landscaping to provide for more parking west of the building in the back of the property. The proposed landscaping for the property will be drought resistant in design, utilizing the existing trees on site as well as other various other landscaping features as identified on the Site Plan.

External lighting on the building is not currently proposed to change. The existing lighting is "downlighting" lighting fixture to the left of the main entrance. Considering the style and location of the proposed lighting, neighbors to the south are not likely to be effected.

The applicant is under a time constraint for approval and will submit for the sign permit at a later date. No noise generation facilities are proposed. The trash depositories are proposed in the back of the property where they are currently located.

To ensure site development is consistent with the proposed plan, prior to certificate of occupancy, the applicant shall install (stripe) all proposed parking and construct the pedestrian walkway in front of the parking stalls and building as identified on the proposed site plan. Staff shall also verify that trash facilities are located behind the building to the west. Staff shall also verify that the applicant has installed the landscape area, consistent with the Site Plan and utilize existing trees on site. **The provisions of this section have been met subject to conditions of approval.**

G. The applicant has made any required street and other needed public facility and service improvements in conformance with the standards and improvements set forth in this Chapter and the applicable portions of the City Subdivision Code, or has provided for an adequate security arrangement with the city to ensure that such improvements will be made.

Finding: The proposal does not require any street related or other needed public facilities. **The provisions of this section are not applicable.**

DISCUSSION

Overall, staff is believes the proposed site development plan meets overall the overall intent of the Highway Commercial Zone and the improvements proposed with the change of use will likely enhance the site.

RECOMMENDATION

Staff tentatively approves the Site Development Plan application subject to the following conditions:

GENERAL CONDITIONS

1. That all submittals of the applicant shall be conditions of approval unless modified herein.
2. The applicant shall not engage in any activities that include packaging, repackaging or manufacturing of any type of product on site.

PRIOR TO ISSUANCE OF PERMITS

3. The applicant shall provide Community Development with plans that are consistent with Site Plan submitted.

PRIOR TO CERTIFICATE OF OCCUPANCY

4. The applicant shall install (construct and stripe) all proposed parking and construct the pedestrian walkway in front of the parking stalls and along the building as identified on the proposed site plan.
5. Any trash facilities shall be located behind (west side) the building.
6. Staff shall verify that the applicant has installed and improved the landscape area.

ATTACHMENTS

Applicant's Findings
Zoning Map
Site Plan Map



Zac Moody
Community Development Director

10/24/14
Date

EXHIBIT B

NOTICE OF ADMINISTRATIVE DECISION



City of Talent, Community Development Department

P.O. Box 445, Talent, Oregon 97540

Ph: (541) 535-7401

Fax: (541) 535-7423

Notice Date:

October 24, 2014

Planning File:

SPR 2014-004

Location:

630 S. Pacific Hwy.

Map & Tax lot:

38-1W-25B Tax Lot 2801

The Community Development Director has tentatively **approved with conditions**, an application for a Site Development Plan to change the use of a building from an auto repair shop to a retail medical marijuana dispensary. Applicant is Richard Stevens & Associates, INC. This is a Type II (administrative) land use application, which the Community Development Director approves or denies based on the criteria in Talent Zoning Code 8-3L.150. Appeals are subject to review by the Planning Commission.

All property owners who responded to the original public notice are receiving this Notice of Decision. Written notice of a Type II decision shall be mailed to the applicant and to all participants of record after the Community Development Director's tentative decision. Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the notice.

Copies of the staff report are available for review or purchase at the Community Development Department during regular business hours.

If you would like to appeal this decision to the Planning Commission, the following standards must be met and steps completed:

Who may appeal? The following people have legal standing to appeal: the applicant; any person who was mailed written notice of the decision; or any other person who participated in the proceeding by submitting written comments; any person who is adversely affected or aggrieved.

OVER

Notice of appeal. Any person with standing to appeal, as provided above may appeal a Type II decision by filing a Notice of Appeal according to the following procedures:

Time for filing. A Notice of Appeal (in the form of a business letter) shall be filed with the Community Development Director within 14 days of the date the Notice of Tentative Decision was mailed;

Content of notice of appeal. The Notice of Appeal shall contain:

- An identification of the decision being appealed, including the date of the decision;
- A statement demonstrating the person filing the Notice of Appeal has standing to appeal;
- A statement explaining the specific issues raised on appeal;
- A \$250 deposit will be required as a filing fee to cover the cost of staff time to process the request for an appeal.

Scope of appeal. The appeal of a Type II administrative decision by a person with standing shall be limited to any issue raised during the written comment period, and any other evidence or testimony concerning any other relevant issue during a *de novo* hearing. The appeal shall be a *de novo* hearing and shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals.

If you need additional information or have questions about the appeals process, please contact Zac Moody at (541) 535-7401 or via e-mail at zmoody@cityoftalent.org.

**BEFORE THE PLANNING COMMISSION
FOR THE CITY OF TALENT, OREGON**

IN THE MATTER OF:)	
	)	File No. 2016-_____
A NON-CONFORMING USE DETERMINATION)	
FOR CONTINUING RETAIL ESTABLISHMENT USE)	
(OLCC - LICENSED RMJ) IN EXISTING LOCATION	)	APPLICANT’S
	)	REQUESTED
APPLICANT: Brent Kenyon/Grateful Meds LLC	)	FINDINGS OF FACT &
ADDRESS: 630 South Pacific Highway	)	CONCLUSIONS OF LAW
Talent, OR 97540)	
MAP: 38-1W-25B-TL2801)	
ZONING: Commercial Highway (CH))	
PROPERTY OWNER: Patrick and Deborah Pollard)	
APPLICANT’S ATTORNEYS:)	
Evergreen Law Group, LLC)	
)	

APPLICANT’S REQUESTED FINDINGS OF FACT & CONCLUSIONS OF LAW

1. Applicant Grateful Meds LLC (“Applicant”) hereby respectfully supplements its application materials submitted to City of Talent Department of Community Development (“City”).
2. Applicant’s Retail Space is located at 630 South Pacific Highway, Talent, Oregon.
3. Applicant’s Retail Space is located in the City’s Commercial Highway (“CH zone”).
4. Since February 16, 2016, Applicant has been conducting state-regulated retail sales cannabis sales in Applicant’s Retail Space pursuant to a license issued by the Oregon Health Authority.
5. In July, 2014, Applicant filed a site plan review with the City of Talent for the property located at 630 South Pacific Highway, Talent. The purpose of the review because Applicant proposed changing the use of the existing structure from an automotive repair shop to a medical marijuana dispensary.
6. On October 24, 2014, after review by the City Planning and the Planning Commission, the site plan was approved with certain conditions to change the use to a retail marijuana retail store.
7. The City, in November, 2014, adopted changes to the Talent Zoning Codes (“TZC”) in

regards to medical and recreational marijuana related businesses. Applicant satisfied the conditions of the City's approval of Applicant's site plan review.

8. Amendments to TZC enacted November 6, 2014, adopted time, place and manner regulations for retail sales of marijuana. State-regulated retail cannabis sales establishments is a "conditional use" in City's CH zone, including Applicant's Retail Space. *TZC 8-3D.230(B).*
9. Applicant seeks only to continue serving its local customers by maintaining its state-regulated retail cannabis sales operation at Applicant's current business location at 630 South Pacific Highway, Talent, Oregon ("Applicant's Retail Space").
10. Applicant seeks a determination by City's Planning Commission that its use qualifies as a legal prior non-conforming use in Applicant's Retail Space, consistent with the provisions of Talent Zone Code ("TZC") 8-3M.250(C) – Non Conforming Uses.
11. Applicant will suffer great injustice if it is required to close its business after conducting responsible state-regulated retail cannabis sales at Applicant's location.
12. The Planning Commission has the power to avoid this injustice through adoption of findings consistent with TZC 8-3M.250(C).
13. Applicant's request should be reviewed under the criteria in City of Talent Zoning Code ("TZC") Sec. 8-3, Div.M, Art.2 (Non-Conforming Uses, Lots and Structures). *See: TZC, pgs. M-27 through M-29.*
14. More specifically, City's criteria reflected in TZC 8-3M.250(C) is applicable to the Planning Commission's determination.

REQUESTED FINDINGS

Criteria: 8-3D.410 Description and Purpose

The Highway Commercial Zone (CH) (formerly Retail-Wholesale Commercial, C3) is intended to accommodate businesses and trade oriented toward automobile and truck usage. Tourist trade and heavy commercial or light industrial uses can also be accommodated in this zone. The zone is best located along arterial streets, and due to its exposure, high appearance standards are important. Uses permitted in this zone are frequently incompatible with pedestrian-oriented areas such as the Central business District Zones CBD and CBH.

FINDINGS: Applicant's retail business is located in the CH zone. Applicant's location is registered and licensed with the Oregon Health Authority as a medical marijuana dispensary and

FINDINGS: Applicants retail sales of medical or recreational marijuana is permitted subject to conditional review.

Criteria **8-3 Division M. Article 2: NON-CONFORMING USES, LOTS AND STRUCTURES**

8-3 M-210 INTENT

Within the zones established by this Chapter, or amendments thereto, there exist lots, structures, and uses of land and structures which were lawful before this Chapter was enacted or amended by ordinance, but which would be prohibited, regulated, or restricted under the terms of this Chapter or amendments thereto. Such uses are generally considered to be incompatible with the permitted uses in the zone in which they are located, and their continuance shall therefore be permitted only in strict compliance with the restrictions of this Article. However, existing single-family residential uses shall not be treated as non-conforming uses, unless such use is voluntarily discontinued [amended by Ord. No. 777; 12/01/2004]. Subject to the provisions of this Article, a non-conforming structure or use may be continued and maintained in reasonable repair, but shall not be altered or extended except as provided herein. The extension of a non-conforming use to a portion of a structure, which was arranged or designed for the non-conforming use at the time of passage of this ordinance, is not considered an enlargement or expansion of a non-conforming use.

* * *

FINDINGS: Applicant has conducted state-regulated retail sales of cannabis products at its location since February, 2016. City’s TZC did not limit retail sale of cannabis products in the CH zone subject to a conditional use permit until November, 2014. Applicant does not propose to modify, expand or enlarge the existing building (constructed in 1991). Applicant proposes to continue to conduct retail sales of cannabis products in the same space where it has conducted retail sales of cannabis products.

* * *

Criteria **8-3 M.240 NON-CONFORMING USES OF LAND**

Where, at the effective date of adoption or amendment of this Chapter, lawful use of land exists that is made no longer permissible under the terms of this Chapter, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

8-3M.240 A. *No such non-conforming use shall be enlarged or increased, or extended*

to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Chapter.

8-3M.240 (B). *No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment by this Chapter.*

FINDINGS: Applicant does not propose to move, in whole or in part, to any other portion of the lot or parcel occupied by such use. Applicant proposes to continue retail sales of cannabis products in compliance with all relevant State of Oregon laws and regulations and in exactly the same space where Applicant has conducted retail medical marijuana sales and recreational cannabis sales since February, 2016. Applicant shall not move its existing non-conforming use in whole or in part to any other portion of the lot or parcel currently occupied by Applicant's Retail Space.

8-3M.240 (C). *If any such non-conforming use of land ceases for any reason for a period of more than forty-five (45) days, any subsequent use of such land shall conform to the regulations specified by this Chapter for the zone in which such land is located.*

FINDINGS: Applicant has not ceased using the space as described above for a period of more than forty-five (45) days. This criterion does not apply.

Criteria 8-3M.250 NON-CONFORMING USES OF STRUCTURES AND PREMISES.

A lawful use of a structure, or of structure and premises in combination, existing at the effective date of adoption or amendment of this Chapter, and which does not conform to the use regulations for the zone in which it is located, shall be deemed to be a non-conforming use and may be continued only in compliance with the following regulations:

8-3M.250 A. *Completion of structure: Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building for which a building permit was issued prior to the effective date of this Chapter and upon which construction has commenced, provided the building, if non-conforming or intended for a non-conforming use, is completed and in use within one (1) year of the date of issuance of the building permit.*

8-3M.250 B. *Repairs and maintenance. Routine maintenance and repairs, including repair or replacement of non-bearing walls, fixtures, wiring or plumbing, may be performed on structures and premises, the use of which is non-conforming. Nothing in this Chapter shall be deemed to prevent the*

strengthening or restoring to a safe condition any building or part thereof declared unsafe by any official charged with protecting the public safety, upon order of such official.

8-3M.250 C. *"...The new use shall conform to this Chapter unless the Planning Commission determines that the proposed use is of the same or of a more restrictive classification . . .":*

FINDINGS: Applicant does not propose replacing its state-regulated retail cannabis sales use with a new use. Applicant's "use" is of the same classification as the use Applicant has conducted in the space since Applicant began offering state-regulated medical cannabis products to the public. In February, 2016, Applicant commenced retail sales of recreational cannabis products to adults over the age of 21, pursuant to the provisions of HB 3400 (effective June 30, 2015).

8-3M250 C. *". . . and that the change of use will not result in the enlargement of the cubic space occupied by a non-conforming use, except as provided in subsection (d) below."*

FINDINGS : Applicant proposes no enlargement of the cubic space occupied by its retail sales operations, ongoing since ~~June, 2014~~. This criterion does not apply to Applicant's proposal.
February 2016

8-3M.250 D. *Enlargement of non-conforming use. No existing structure that is wholly or partially occupied by a non-conforming use shall be structurally altered, moved, extended, constructed, reconstructed, or enlarged in cubic space unless the alteration or enlargement will result in the elimination of non-conforming use; except that such building may be enlarged when authorized in accordance with the procedure and provisions set forth in Article 16, including the payment of the required fee.*

FINDINGS: Applicant proposes no enlargement of the cubic space occupied by its retail sales operations, ongoing since ~~June, 2014~~. This criterion does not apply to Applicant's proposal.
February 2016

* * *

CONCLUSION: For the foregoing reasons, along with any additional evidence, arguments, and testimony provided in support of Applicant's application in connection with the Planning Commission's public hearing, the Planning Commission finds that Applicant's use is a qualifying non-conforming use at Applicant's retail location, pursuant to the provisions of City's TZC 8-3, Div.M., Art. 2.

DATED: June 23, 2016

Respectfully submitted,

EVERGREEN LAW GROUP, LLC

By 

Robert A. Graham, Jr., OSB 982396

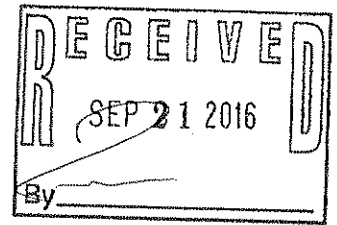
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**BEFORE THE PLANNING COMMISSION
FOR THE CITY OF TALENT, OREGON**

IN THE MATTER OF:)	
	)	CPU 2016-004
A CONDITIONAL USE PERMIT DETERMINATION)	
FOR CONTINUING RETAIL ESTABLISHMENT USE)	
(OLCC - LICENSED RMJ) IN EXISTING LOCATION	)	GRATEFUL MEDS, LLC
	)	AMENDED
	)	APPLICATION
APPLICANT: Grateful Meds LLC	)	FOR A CONDITIONAL
ADDRESS: 630 South Pacific Highway	)	USE PERMIT;
Talent, OR 97540	)	REQUESTED FINDINGS
MAP: 38-1W-25B, TL 2801	)	OF FACT AND
ZONING: Commercial-Highway ("CH")	)	CONCLUSIONS OF LAW
PROPERTY OWNER: Peter & Deborah Pollard)	
APPLICANT'S ATTORNEYS:)	
Evergreen Law Group, LLC)	
)	

APPLICANT'S REQUESTED FINDINGS OF FACT & CONCLUSIONS OF LAW

1. Applicant Grateful Meds LLC ("Applicant") hereby respectfully supplements its application materials submitted to City of Talent Department of Community Development ("City").
2. Applicant's Retail Space is located at 630 South Pacific Highway, Talent, Oregon.
3. Applicant's Retail Space is located in the City's Commercial Highway ("CH zone").
4. Applicant is conducting state-regulated retail cannabis sales in Applicant's Retail Space pursuant to a license issued by the Oregon Health Authority.
5. In July, 2014, Applicant filed a site plan review with the City of Talent for the property located at 630 South Pacific Highway, Talent. The purpose of the review because Applicant proposed changing the use of the existing structure from an automotive repair shop to a medical marijuana dispensary.
6. On October 24, 2014, after review by the City Planning and the Planning Commission, the site plan was approved with certain conditions.

7. Applicant satisfied the conditions required under the Site Plan Approval.
8. The City, in November, 2014, adopted changes to the Talent Zoning Codes ("TZC") in regards to medical and recreational marijuana related businesses.
9. Amendments to City's Zoning Code enacted November 6, 2014, which adopted time, place and manner regulations concerning the retail marijuana, now provides that state-regulated retail cannabis sales establishments in City's CH zone, including Applicant's Retail Space, is a conditional use. *TZC 8-3D.230(B.)*.
10. Applicant agrees to the conditions and criteria for the Conditional Use Permit under TZC 8-3L.244 and 8-3L.246 as more fully set forth below.
11. Applicant seeks only to continue serving its local customers by maintaining its state-regulated retail cannabis sales operation at Applicant's current business location at 630 South Pacific Highway, Talent, Oregon ("Applicant's Retail Space").
12. Applicant seeks a determination by City's Planning Commission that its use qualifies as a legal prior non-conforming use in Applicant's Retail Space, consistent with the provisions of Talent Zone Code ("TZC") 8-3M.250(C) – Non Conforming Uses.
13. After the adoption of the November 6, 2014 ordinance, the City council adopted a resolution allowing Applicant to operate under a Talent business license, notwithstanding the adoption of the November 6, 2014 prohibition.
14. Applicant will suffer great injustice if it is required to close its business after conducting responsible state-regulated retail cannabis sales at Applicant's location.
15. The Planning Commission has the power to avoid this injustice through adoption of findings consistent with TZC 8-3M.250(C).
16. City determined Applicant's request should be reviewed under the criteria in City of Talent Zoning Code ("TZC") Sec. 8-3, Div.M, Art.2 (Non-Conforming Uses, Lots and Structures). *See: TZC, pgs. M-27 through M-29.*
17. More specifically, City's criteria reflected in TZC 8-3M.250(C) is applicable to the Planning Commission's determination.

CONDITIONAL USE PERMIT

8-3L.244 GENERAL CRITERIA FOR APPROVAL

In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable. A conditional use may be granted only if:

- A. The proposed use is consistent with the City of Talent Comprehensive Plan.*
- B. The proposed use is consistent with the purpose of the zoning district.*
- C. The proposed use and development is found to meet the required findings of 8-3L.150, "Required Findings for Approval of Plan," set forth for approval of a site development plan review.*
- D. The proposed use will not adversely affect the livability, value, and appropriate development of abutting properties and the surrounding area, compared to the impact of uses that are permitted outright. Testimony of owners of property located within two hundred and fifty (250) feet of the boundaries of the property in question shall be considered in making this finding.*
- E. All required public facilities have adequate capacity to serve the proposal. System Development Charges will be assessed at the time a building permit is issued. Additional SDCs will be assessed for change in use that are more intense than a pre-existing use.*
- F. The conditional use must include mitigation for any decrease in level of service exceeding City standard or operational safety of the transportation system if the proposal generates more than 500 daily vehicle trips or an additional fifty (50) peak hour trips, per Section 8-3L.9 Traffic Impact Study.*
- G. The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.*
- H. The City of Talent has adequate firefighting equipment to protect the structure, as verified by the Talent Fire Chief, or arrangements have been*

or will be made by the developer to insure that adequate equipment will be available before the occupancy of the building for any use.

REQUESTED FINDINGS

The following conditions are agreed to, or otherwise have been satisfied:

- A. The proposed use is consistent with the City of Talent Comprehensive plan.
- B. The proposed use is consistent with the zoning district.
- C. The proposed use meets the required findings of TZC 8-3L.150.
- D. The proposed use does not adversely affect the livability, value, and appropriate development of the abutting properties.
- E. All required facilities have adequate capacity to serve the proposal.
- F. Mitigation is not required under 8-3L.9 Traffic impact study; the proposal will not generate more than 500 daily vehicle trips, or an additional 50 peak hour trips.
- G. The site size, dimensions, location, topography, and access are adequate considering the bulk, coverage, or density proposed development; the generation of traffic; environmental quality impacts; and, health, safety, or general welfare concerns.
- H. The City of Talent firefighting equipment is sufficient to protect the structure of the proposed premises.

8 - 3L.246 SPECIAL STANDARDS GOVERNING CONDITIONAL USES

Certain conditional uses shall meet the following standards:

...

I. Retail Sales of Medical & Recreational Marijuana

1. Establishments vending medical or recreation marijuana shall be located at least 100 feet from a residential zone, 100 feet from a mixed use building with a residential unit, at least 750 feet from a public or private park and at least 1,000 feet from an existing public or private elementary, secondary or career school primarily attended by minors. For purposes of determining the distance between the establishment and the aforementioned areas, within the specified distance means a straight line

measurement in a radius extending for specified distance or less in every direction from any point on the boundary line of a residential zone, public or private park or from an existing public or private elementary, secondary or career school primarily attended by minors.

2.No extracts, oils, resins or similar products from marijuana shall be produced on site and the use of open flames for the preparation of any products is prohibited.

3.Marijuana and tobacco shall not be used on property where a sale occurs.

4.Establishment shall have air filtering and ventilation systems that confine odors to the premises.

5.Minors are not allowed on the premises unless they are a medical marijuana cardholder and accompanied by a parent or guardian.

6.Owners, operators and employees who have been convicted of manufacturing or delivering drugs once in the past five years or twice in their lifetime may not operate or own a medical or recreational marijuana retail establishment.

7.Prior to operation, background checks for all owners, operators and employees shall be provided to the City. Not providing required background checks for all owners, operators and employees at any time is grounds for revocation of the conditional use permit.

8.Establishments shall keep financial records that are subject to audit. (if tax is implemented)

9.Establishment shall not have security bars and shall not operate a drive-thru facility.

Findings/Conclusions

Consistent with TZC 8-3L.246(I) on behalf of Grateful Meds, LLC., the following conditions are agreed to:

1. The location of the applicant's store satisfies the distance conditions of TZC8-3L.I.1.

2. No extracts, oils, resins or similar products will be produced on the Applicant's premises and no open flame shall be used in connection with the preparation of Applicant's products.
3. Tobacco and marijuana products will not be used on the Applicant's property.
4. Applicant will install an air filtering and ventilation system that confines any odors to the Applicants premises.
5. No minors are allowed on the Applicant's premises, except for a minor who is medical marijuana card holder, accompanied by a parent or guardian.
6. Operators, owners and employees who have been convicted of manufacturing or delivering drugs once in the last five years, or twice in in their lifetime are prohibited from working on the Applicant's premises.
7. Background check information for operators, owners and employees shall be provided to the City before they commence work on the premises on behalf of Applicant.
8. Applicant's premises shall not be operated as a drive-thru retail business and the building shall not have security bars on the windows.

NON-CONFORMING USE

8-3 Division M. Article 2: NON-CONFORMING USES, LOTS AND STRUCTURES

8-3 M-210 INTENT

Within the zones established by this Chapter, or amendments thereto, there exist lots, structures, and uses of land and structures which were lawful before this Chapter was enacted or amended by ordinance, but which would be prohibited, regulated, or restricted under the terms of this Chapter or amendments thereto. Such uses are generally considered to be incompatible with the permitted uses in the zone in which they are located, and their continuance shall therefore be permitted only in strict compliance with the restrictions of this Article. However, existing single-family residential uses shall not be treated as non-conforming uses, unless such use is voluntarily discontinued [amended by Ord. No. 777; 12/01/2004]. Subject to the provisions of this Article, a non-conforming structure or use may be continued and maintained in reasonable repair, but shall not be altered or extended except as

provided herein. The extension of a non-conforming use to a portion of a structure, which was arranged or designed for the non-conforming use at the time of passage of this ordinance, is not considered an enlargement or expansion of a non-conforming use.

* * *

FINDINGS / CONCLUSION: Applicant has conducted state-regulated retail sales of cannabis products at its location since February, 2016. City's TZC did not prohibit retail sale of cannabis products in the CH zone until November, 2014. Applicant does not propose to modify, expand or enlarge the existing building (constructed in 1991). Applicant proposes to continue to conduct retail sales of cannabis products in the same space where it has conducted retail sales of cannabis products.

* * *

8-3 M.240 NON-CONFORMING USES OF LAND

Where, at the effective date of adoption or amendment of this Chapter, lawful use of land exists that is made no longer permissible under the terms of this Chapter, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

8-3M.240 A. *No such non-conforming use shall be enlarged or increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Chapter.*

8-3M.240 (B). *No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment by this Chapter.*

FINDINGS / CONCLUSION: Applicant does not propose to move, in whole or in part, to any other portion of the lot or parcel occupied by such use. Applicant proposes to continue retail sales of cannabis products in compliance with all relevant State of Oregon laws and regulations and in exactly the same space where Applicant has conducted retail medical marijuana sales since February, 201__; and recreational cannabis sales since October 1, 2015. Applicant shall not move its existing non-conforming use in whole or in part to any other portion of the lot or parcel currently occupied by Applicant's Retail Space.

8-3M.240 (C). *If any such non-conforming use of land ceases for any reason for a period of more than forty-five (45) days, any subsequent use of*

such land shall conform to the regulations specified by this Chapter for the zone in which such land is located.

FINDINGS / CONCLUSION: Applicant has not ceased using the space as described above for a period of more than forty-five (45) days. This criterion does not apply.

8-3M.250 NON-CONFORMING USES OF STRUCTURES AND PREMISES.

A lawful use of a structure, or of structure and premises in combination, existing at the effective date of adoption or amendment of this Chapter, and which does not conform to the use regulations for the zone in which it is located, shall be deemed to be a non-conforming use and may be continued only in compliance with the following regulations:

8-3M.250 A. *Completion of structure: Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building for which a building permit was issued prior to the effective date of this Chapter and upon which construction has commenced, provided the building, if non-conforming or intended for a non-conforming use, is completed and in use within one (1) year of the date of issuance of the building permit.*

8-3M.250 B. *Repairs and maintenance. Routine maintenance and repairs, including repair or replacement of non-bearing walls, fixtures, wiring or plumbing, may be performed on structures and premises, the use of which is non-conforming. Nothing in this Chapter shall be deemed to prevent the strengthening or restoring to a safe condition any building or part thereof declared unsafe by any official charged with protecting the public safety, upon order of such official.*

FINDINGS/CONCLUSIONS

Criterion: “The new use shall conform to this Chapter unless the Planning Commission determines that the proposed use is of the same or of a more restrictive classification . . .”:

Applicant does not propose replacing its state-regulated retail cannabis sales use with a new use. Applicant’s “use” is of the same classification as the use Applicant has conducted in the space since Applicant began offering state-regulated medical cannabis products to the public. In February, 2016, Applicant commenced retail sales of

recreational cannabis products to adults over the age of 21, pursuant to the provisions of HB 3400 (effective June 30, 2015).

Criterion: “. . . and that the change of use will not result in the enlargement of the cubic space occupied by a non-conforming use, except as provided in subsection (d) below.”

FINDINGS / CONCLUSION: Applicant proposes no enlargement of the cubic space occupied by its retail sales operations, ongoing since February, 2016. This criterion does not apply to Applicant’s proposal.

8-3M.250 D. *Enlargement of non-conforming use. No existing structure that is wholly or partially occupied by a non-conforming use shall be structurally altered, moved, extended, constructed, reconstructed, or enlarged in cubic space unless the alteration or enlargement will result in the elimination of non-conforming use; except that such building may be enlarged when authorized in accordance with the procedure and provisions set forth in Article 16, including the payment of the required fee.*

FINDINGS / CONCLUSION: Applicant proposes no enlargement of the cubic space occupied by its retail sales operations, ongoing since June, 2014. This criterion does not apply to Applicant’s proposal.

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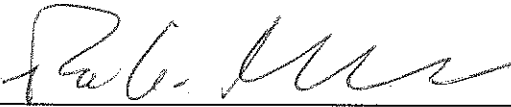
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CONCLUSION: For the foregoing reasons, along with any additional evidence, arguments, and testimony provided in support of Applicant's application in connection with the Planning Commission's public hearing, the Planning Commission finds that Applicant has met the requirements for issuance of a Conditional Use Permit for Applicant's business at its retail location or, alternatively, Applicant's use is a qualifying non-conforming use at Applicant's retail location, pursuant to the provisions of City's TZC 8-3 Div L and 8-3, Div.M., Art. 2.

DATED: September ²¹~~18~~, 2015

Respectfully submitted,

EVERGREEN LAW GROUP, LLC

By 

Robert A. Graham, Jr., OSB 982396
Attorneys for Applicant

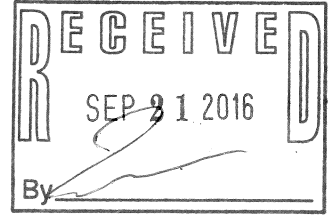
Address: 542 Washington Street, #104
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Email: robert@evergreenlawgroup.net

BEFORE THE DEPARTMENT OF COMMUNITY DEVELOPMENT FOR THE CITY OF
TALENT, OREGON:



IN THE MATTER OF A "TYPE 2" SITE)
PLAN REVIEW APPLICATION FOR RETAIL)
SALES ON A PARCEL DESCRIBED AS)
T.38S, R.2W, SECTION 12B, TAX LOT)
4000; CITY OF TALENT, OREGON:)
BRENT KENYON, APPLICANT)
_____)

SPR 2014-004

REVISED SITE DEVELOPMENT
PLAN

Applicant: Brent Kenyon
2021 W. Main St.
Medford, OR 97501

Owner: Peter & Deborah Pollard
P.O. Box 938
Talent, OR 97540

Attorney for Applicant: Robert A. Graham, Jr.
Evergreen Law Group, LLC
542 Washington Street, STE 104
Ashland, OR 97520

Assessor's Map Number: 38-1W-25B, Tax Lot 2801

Site Location: 630 S. Pacific Hwy

Zoning: CH- Highway Commercial

1. In July 2014, Applicant submitted an application for a Site Plan Review.
2. On October 24, 2014, the Planning Commission approved the Site Plan Review.
3. The improvements and conditions set forth in the Approved Site Plan Review have been made and implemented.

4. Criteria and findings regarding 8-3L.150.F provides in pertinent part:

“F. The following are arranged so that traffic congestion is avoided, pedestrians and vehicular safety... and the public safety are protected, and there will be no adverse impact on surrounding property:

...

3. Parking and loading facilities

...

5. Walls, fences, landscaping, and street and shade trees;”

...

“The proposed parking area provides sufficient space to allow vehicles to back up internally and exit the parking lot in a forward motion. The applicant has also proposed to delineate an area in front of the parking spaces (using wheel stops and paint stripping) and adjacent to the building for pedestrian traffic. The walking path will lead to the highway ROW connecting the proposed future sidewalk. This area, in addition to the proposed paver path between the parking stalls provide a safe, adequate means for pedestrians to move from their vehicle to the building without walking behind parked cars.”

“Landscaping on the site shall be consistent with the proposed plan. Currently there is a poorly kept landscaping that is dying or dead, on the property. The applicant has proposed to remove approximately twenty (20) feet by forty-five (45) feet of landscaping to provide for more parking west of the building in the back of the property. The proposed landscaping for the property will be drought resistant in design, utilizing the existing trees on site as well as other various landscaping features as identified on the Site Plan.

...”

5. Subsequent to the approval of Applicant’s Site Plan Review and the construction of the said improvements to Applicant’s premises, the Oregon Department of Transportation (“ODOT”) that a portion of one of the parking stalls, designated Stall #5, and the landscaping between the stall and the highway encroaches upon the ODOT highway right of way (“ROW”).

6. Accordingly, Applicant hereby submits the attached Amended Site Plan plan, revised to reflect Applicant's removal of the encroachment of ODOT's ROW, attached hereto as Exhibit A.

September 12, 2016

Respectfully submitted,

EVERGREEN LAW GROUP, LLC

By 

Robert A. Graham, Jr., OSB 982396

Attorneys for Applicant

Address: 542 Washington Street, #104
Ashland, OR 97529

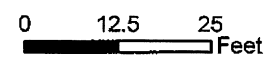
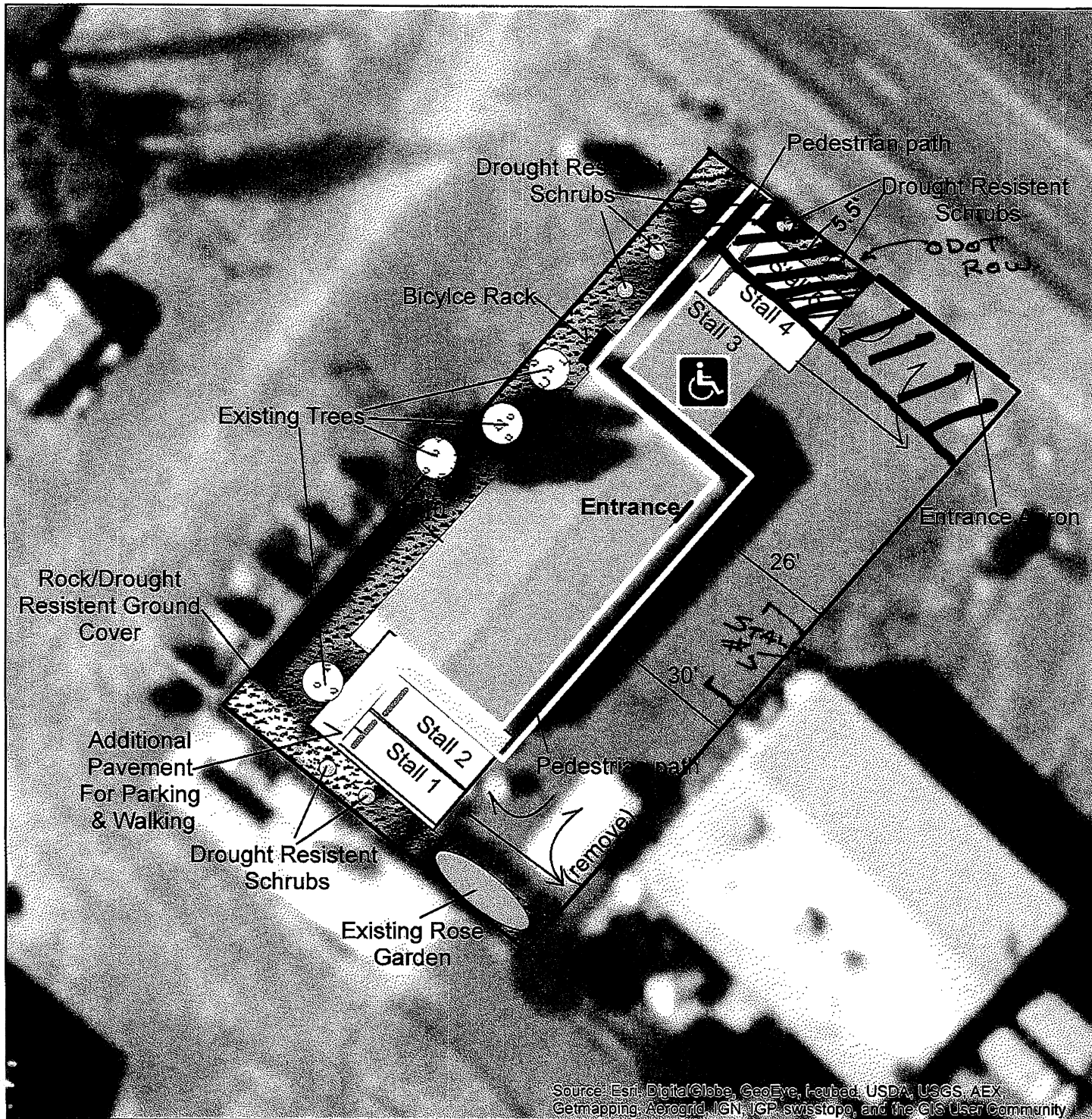
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SITE PLAN

38-1W-25B TL 2801



1 inch = 25 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied. 7-10-14

Source: Esri, DigitalGlobe, GeoEye, Earthstar (USA), USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

EXHIBIT A