

County Administration Workshop: November 9, 2017

2:00 p.m. – Board Conference Room

Attending: Commissioners Simon G. Hare, Lily N. Morgan, and Daniel E. DeYoung; Wendy Watkins, Recorder

Chair Simon G. Hare called the meeting to order at 2:00 p.m. Due to guests present, agenda items were taken out of order.

1. SHERIFF

A. Request for Authorization to Proceed with an In Car Camera Project with Axon Enterprise, Inc.

Sheriff Daniel explained his patrol cars currently do not have a camera system and this project would equip every single patrol car with a camera for a onetime cost of \$96,240.57 for 18 in-car cameras. The Board is in favor of this project and gave Sheriff Daniel the authority to move forward.

2. LEGAL

A. Amendment #1 to IGA with Three Rivers School District and the City of Grants Pass to Collect and Remit Construction Excise Tax

Wally Hicks, County Legal Counsel, discussed the proposed IGA from Three Rivers School District. He mentioned the residential construction excise tax is currently \$1.00 per square foot and Three Rivers School District would like it raised to \$1.23 per square foot and also raise the commercial construction excise tax from 50 cents per square foot to 61 cents per square foot. Commissioner Hare explained the challenge is our County Building Safety Department collects the excise tax and then gives it back to the school district and the citizens get mad that they have to write a check out to Josephine County and the money does not go to Josephine County. He would like to see the school districts collect their own excise tax. Commissioner Morgan and Commissioner DeYoung both agree to continue collecting the construction excise tax for Three Rivers School District. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

B. Matters from Commissioners – ORS 192.640(1)

None heard.

3. DEPARTMENT BUSINESS

A. Public Works

1) Field Services Agreement/General

Attendees: Steve Vincent, Avista Utilities

Rob Brandes, Public Works Director, advised this field services agreement/contract with Avista Utilities is for Public Works to do tree trimming and chipping in the County's right-of-way for Avista Utilities. Public Works will be reimbursed for the work performed. Steve Vincent reviewed **How you can help ensure gas pipeline safety in the future (Exhibit 1)** with the Board.

Commissioner DeYoung made a motion to approve Field Services Agreement/General Conditions for Construction and Field Services Agreement between Avista Utilities and Josephine County Public Works and endorsed Rob Brandes to work with his commissioner liaison shall there be any changes, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes, and Commissioner Hare – yes.

2) Resolution No. 2017-052; In the Matter of Appointment to the Bikeways and Walkways Committee

Staff was directed to place the item on the Consent Calendar on next week's Weekly Business Session Agenda.

B. Transit

1) First Amendment to IGA between the City of Grants Pass and Josephine County – Pedestrian Access to Transit

Scott Chancey, Transit Supervisor, advised the existing CMAQ agreement is to design and construct sidewalk infill for various locations within Grants Pass. Josephine County is a direct recipient with the Federal Transit Association and the City is not. The CMAQ funds go to Josephine County and are passed through to the City of Grants Pass. The initial agreement was only through September 2017 and has to be extended until 2019 to complete the project. *Staff was directed to place the item on the Consent Calendar on next week's Weekly Business Session Agenda.*

C. Airports

1) Change Order No. 1 to FAA Grant 11 with Copeland Paving Inc. for Increase in Electrical Installation and Well Decommissioning for Eastside Parallel Taxiway and New Runway Lighting Construction

Larry Graves, Airport Director, advised this change order is for an increase of \$38,103.43 to the contract with Copeland Paving, Inc. *Staff was directed to place the item on the Consent Calendar on next week's Weekly Business Session Agenda.*

2) Department Update

Mr. Graves reviewed **Josephine County Airports Department Quarterly Report (Exhibit 2)** with the Board.

D. Fairgrounds

1) Letter of Support for the Indoor Arena Grant at the Fairgrounds

The Board agreed to sign the letter of support for the Fairgrounds.

E. Human Resources

1) Request for Position Addition in Community Corrections

JJ Scofield, Human Resources Director, communicated due to an increase in funds, community corrections would like to add a parole/probation position. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

2) Request for Approval to Move Forward in Process for Policy Revision Change

The item has been tabled until the next County Administration Workshop.

F. Community Development

1) SBDC (Dues and RLF)

Julie Schmelzer, Community Development Director, acknowledged the Small Business Development Center (SBDC) fees are due and they are requesting \$45,000; \$35,000 for the annual dues and \$10,000 for Revolving Loan Fund (RLF) administration costs. Ms. Schmelzer explained the RLF takes county money and borrows it out to businesses at a low interest rate. The Board approves the \$35,000 fee but they would like it to come out of the SBDC loan fund.

2) ADU Statewide Housing

Ms. Schmelzer passed out **Resolution No. 2017-xxx; In the Matter of Declaring a Housing Emergency for the Unincorporated Areas of Josephine County (Exhibit 3)** and discussed it with the Board. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

Commissioner Hare left the meeting at 4:12 p.m.

3) Marijuana Regulations

Ms. Schmelzer passed out **Draft 9 of Ordinance No. 2017-002 (Exhibit 4)**. Commissioner Morgan said she would like an order to have water rights to get an approved LUCS.

4. OTHER BUSINESS *(ORS 192.640(1) "... notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.")*

None heard.

5. BOARD BUSINESS

A. Matters from Commissioners

None heard.

Meeting adjourned at 4:31 p.m.

EXHIBITS:

Exhibit 1 - How you can help ensure gas pipeline safety in the future

Exhibit 2 – Josephine County Airports Department Quarterly Report

Exhibit 3 - Resolution No. 2017-xxx; In the Matter of Declaring a Housing Emergency for the Unincorporated Areas of Josephine County

Exhibit 4 – Draft 9 for Ordinance No. 2017-002

How you can help ensure gas pipeline safety in the future

Building and planting tips

If a natural gas pipeline runs through your property, it is important to keep it clear of trees, buildings, garages, tool sheds and other structures that may interfere with our ability to inspect or repair the pipeline or respond to an emergency.

When building or planting near natural gas pipeline rights of way, it is critical to maintain a 10-foot clearance on both sides of the pipeline – for a total 20-foot safety clearance. This is important because:

- Tree roots can wrap around gas pipes and damage the pipe's protective coating, causing corrosion that increases the potential for a gas leak or pipe failure and could compromise the integrity of our system.
- High winds can topple trees. If a tree is uprooted, it can break the gas pipe in the process, causing a potentially dangerous situation.
- Pipeline maintenance will probably disturb plantings closest to the pipeline. Therefore, we suggest homeowners plant only low-growing plants within 10 feet of the pipeline.



A root growing into a natural gas pipe can damage protective coating which is a safety and reliability concern.

Call Before You Dig

If you plan to do any digging on your property, you must call 811 at least two days before you start digging to have underground utilities located, including natural gas and electric lines. Having the underground lines marked will help keep you safe and protect natural gas pipelines and other underground utilities.

- For your own protection, state law requires you to call 811 at least two days before you start digging - whether you're planting a tree in your yard or undertaking some serious excavation work.
- You can use www.callbeforeyoudig.org, or call the national 811 number to start the process.
- The location is a free service.
- You have a legal and financial responsibility for damage to utility lines, so let's work together to keep things safe.



**Know what's below.
Call before you dig.**



AVISTA

Working together to ensure natural gas pipeline safety and reliability

As a natural gas utility, safety of the public and our employees is our top priority.

The natural gas that serves Grant Pass comes through Avista's network of natural gas pipelines buried within a strip of land called the pipeline right of way. These pipelines make up our local distribution system which deliver natural gas to homes and businesses here in southern Oregon.

At Avista we take great care in ensuring the safety of the public, the safety of our natural gas lines, and the reliable delivery of natural gas to our customers through repeated maintenance of these pipelines. For some of our pipelines this maintenance includes creating and maintaining a 10-foot clearance on both sides of the pipeline for a total 20-foot safety clearance.

There is a heightened awareness about how tree roots can impact pipelines, and in recent years we've experienced an increase in state and federal regulatory oversight. As a result, we have completed an assessment of the 20-foot safety clearance zone along a pipeline right of way in the Grants Pass and Merlin areas. The assessment identified trees within the pipeline right of way corridor that need to be cleared to ensure the safety and reliability of our pipeline, as well as the safety of the public and our employees. A clear right of way will also enable our employees to have better access for routine maintenance and survey of the natural gas pipelines.



Tree roots can wrap around gas pipes and damage protective coating which is a safety and reliability concern.

Avista is contracting with Josephine County Roads Department to remove the trees identified in this preliminary assessment.



Josephine County Airports Department
Manager's Quarterly Report
November 9th, 2017

Significant Issues:

- * ODA finally issued 2017 COAR Grants - \$532,000 to Josephine County, as we incur expenses
- * COAR Grants cannot be for matching funds in excess of \$150K regardless of project size
- * Projects at GP (taxiway and hangar access taxilanes) largely complete; have started at IV
- * Financing for new hangars at GP Airport now needed – demand still very high
- * NO Connect Oregon money for airports this biennium – this is a big hit to OR airport capital

Accomplishments:

- * Joint Planning Conference w/FAA maintains all work required toward runway extension in 2022
- * 6 COAR Grant Apps turned in to ODA, but are all tier-II or –III priorities, so low probability
 1. App for additional AIP-010 match at GP Airport (\$3,860)
 2. Hangar Development at GP (\$150,000)
 3. Water and Electrical System Upgrade at GP Airport (\$150,000)
 4. Self-Serve Fuel System for IV Airport (\$150,000)
 5. Industrial Park Fire Suppression System Repairs (\$150,000)
 6. Airport Equipment/Maintenance Facility Upgrades (\$30,000)
- * New IAP for GP Airport scheduled publication date is March, 2017 – awaits FAA flight check
- * GP REILs (Strobes): Flight Check Complete, Certified for Use. PAPI flight check TBD
- * GP PMP runway slurry seal and “30% paint” restriping complete – “100% paint” next spring
- * GP IFA Grant for Parallel Taxiway Environmental & Engineering Design closed-out
- * GP Grant-010 (new hangar area) largely complete – hydro-seeding in process
- * IV Grant-07 Airport Lighting and Ramp Upgrades Environmental and Engineering complete
- * IV Grant-08 Airport Lighting and Electrical Upgrades -- construction under way
- * AWOS at GP Airport; installation has resulted in positive impact on flight operations and \$\$\$
- * ConnectOregon-VI Grant for emergency power generators under way at both airports



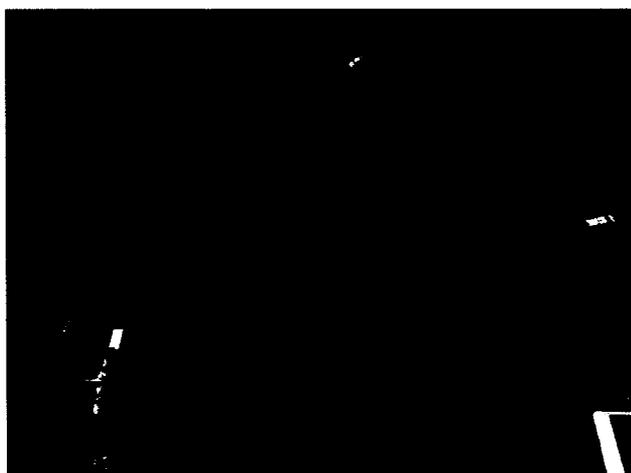
Josephine County Airports Department
Manager's Quarterly Report
November 9th, 2017



Paving Taxiway Bravo @ GP Airport



Footings for PP&L Transmission Line Pole



Hangar Access Area Taxilane @ GP



PP&L Corner Pole

**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON**

In the Matter of Declaring)
a Housing Emergency for) RESOLUTION NO. 2017-xx
the Unincorporated Areas of)
Josephine County)

WHEREAS, State Planning Goal 10, Housing, requires urbanized, or urbanizable lands, be inventoried for adequate number of housing units. However, U.S. Census and County building permit data show the need for housing units in rural Josephine County is a severe issue. County Planning Goal 3 requires the county plan for land allocations to encourage a wide variety of safe and affordable housing; and,

WHEREAS, based on County data from 2015, 155 homes a year are needed in unincorporated Josephine County alone to keep up with population growth. Permit data reveals the county averages about 109 units a year; and,

WHEREAS, the U.S. Census reports that, in unincorporated Josephine County, 4737 of all housing units are mobile homes (5854 countywide), and 100 are recreational vehicles, buses or other (141 countywide). In addition, 52 of all units have no heat source (94 countywide), 118 lack full plumbing (132 countywide), 118 lack a full kitchen (550 countywide); and,

WHEREAS, more detailed information is available through the County Assessor's records. Specifically, that data indicates that for 2016, there were actually 7209 manufactured homes. Of this amount, 4350 are valued at less than \$25,000 (61% of all manufactured homes), of which 24 are valued below \$1000 and seven have no value at all. Of these manufactured homes, 2485 are rated as being poor/the 'worst' condition; and,

WHEREAS, availability, adequacy, and affordability, contribute to the housing issues in the County. Per the U.S. Census estimates, median gross rent in Josephine County is \$937; median mortgage costs are \$1306. With a median household income of \$37,665, median rent is 30% of the household's wages; 42% if there is a mortgage. Median non-family income is \$22,486; and,

WHEREAS, also, per the Census, 20% of Josephine County's population falls below the poverty level; 14% of all families. Of the families below the poverty level, 51% are female households with children under the age of five; 44% under the age of 18; and,

WHEREAS, according to the Robert Wood Johnson Foundation, Josephine County has a higher percentage of children in poverty compared to neighboring Jackson and Douglas counties. The Foundation's 2016 rankings also show Josephine has a slightly higher percentage of 'severe housing problems' than the neighboring counties. 'Severe housing problems' are defined as overcrowding, high housing costs, or lack of kitchen or plumbing facilities; and,

WHEREAS, in addition to the lack of affordable, adequate housing, the County faces a high percentage of persons with no home at all; and,

WHEREAS, according to the Oregon Department of Housing and Community Services, in 2017 Josephine County had 650 known homeless persons, the majority of which are unsheltered. Of these 650, 270 (42%) are homeless children under the age of 18; 246 (91%) of which are unsheltered; and,

WHEREAS, Oregon Department of Education, 2015-2016 Homeless Student Data shows 8% of the children enrolled in the Three Rivers School District are homeless and 4% in the Grants Pass School District; and,

WHEREAS, although there have been small improvements in addressing some homeless issues, housing in general is a major concern for a county that prides itself on its core values, one of which is to proactively be a positive influence in the community, another being to provide important and valuable services of high quality that build and strengthen our community; and,

WHEREAS, on November 6, 2017 the Oregon Department of Housing and Community Services met with Josephine County stakeholders and requested their input on the State's 2018 Housing Plan. Stakeholder shared their concerns about the housing crisis in the county and clearly expressed the need for help to improve the availability, affordability and quality of our housing stock.

NOW, THEREFORE, the Board of Josephine County Commissioners, herein assembled, resolves to declare a housing emergency exists in Josephine County; and

The Board of County Commissioners further resolves to request, by this resolution, that Governor Kate Brown declare a 24 month State of Emergency and consider Josephine County an 'emergency area' as provided in ORS 401.165, and, provide assistance to help with the availability, adequacy, and affordability of housing in Josephine County, Oregon, as well as suspend limiting rules, per ORS 401.168(2), which prevent housing options in the unincorporated areas of Josephine County.

DATED this ___ day of November, 2017.

JOSEPHINE COUNTY
BOARD OF COMMISSIONERDS

Simon G. Hare, Chair

Lily N. Morgan, Vice-Chair

Daniel E. DeYoung, Commissioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON**

In the Matter of Directing the Community)
Development (Planning) Department to)
Initiate a Land Use Application to Amend)
the Rural Land Development Code to)
Address the Availability, Adequacy, and)
Affordability of Housing in Rural Josephine)
County)

ORDER No. 2017-0xx

WHEREAS, the Board of County Commissioners (Board) is very concerned about the lack of housing units, housing options, adequacy of housing stock that may not provide for a healthy environment, and the affordability thereof; and

WHEREAS, the adopted Josephine County Comprehensive Plan requires the County plan for land allocations to encourage a wide variety of safe and affordable housing; and,

WHEREAS, Josephine County has declared a housing emergency to try and provide safe, healthy, and affordable housing to its residents; and,

WHEREAS, current State of Oregon regulations do not allow for multi-unit housing in the unincorporated areas of a county.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Community Development (Planning) Department is hereby directed to initiate a land use application to amend the Josephine Rural Land Development Code to provide for an array of housing options that will address safe, healthy, and affordable housing in the unincorporated areas of Josephine County, Oregon.

DATED THIS _____ day of _____, 2017.

JOSEPHINE COUNTY
BOARD OF COMMISSIONERS

Simon G. Hare, Chair

Lily N. Morgan, Vice Chair

Daniel E. DeYoung, Commissioner

APPROVED AS TO FORM:

Exhibit 4
Admin
11/9/17

Draft 9

**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON**

ORDINANCE No. 2017-002

AN ORDINANCE AMENDING THE JOSEPHINE COUNTY RURAL LAND DEVELOPMENT CODE (ORDINANCE 94-4, AS ORIGINALLY ADOPTED AND SUBSEQUENTLY AMENDED) TO IMPLEMENT CERTAIN CHANGES TO SECTIONS 11.030 RELATING TO DEFINITIONS; AMENDING SECTION 61.020.A. ELIMINATING GUESTHOUSES, CORRECTING A SCRIVENER'S ERROR, AND CLARIFYING A DWELLING MUST BE ONSITE IN A RURAL RESIDENTIAL ZONE PRIOR TO AN ACCESSORY BUILDING; 61.020.B. CORRECTING A SCRIVENER'S ERROR; CREATING AND ADDING 61.050.E. REGARDING PRODUCTION SITE ACREAGE; 61.050.F. REGARDING COMMERCIAL MARIJUANA PRODUCERS BE THE OWNER OF THE PROPERTY BEING REGULATED; 61.050.G. HOURS OF OPERATION; 61.050.H. REGARDING NOISE; 61.050.I. REGARDING ODOR; 61.050.J. REQUIRING A PERMIT AND ANNUAL COMPLIANCE CERTIFICATE FOR COMMERCIAL MARIJUANA PRODUCTION; AMENDING 61.060.B.3. CREATING SETBACKS FOR MARIJUANA PRODUCTION SITES; 61.060.B.22. CORRECTING A SCRIVENER'S ERROR; AND AMENDING 76.020.E. CLARIFYING STATE AND NATIONAL CODES.

WHEREAS, on July 19, 2017, the Josephine County Board of Commissioners, by Order No. 2017-034, authorized the Community Development Director (Planning Director) to initiate an application for review of proposed text amendments that provide for potential regulation of marijuana produced for commercial use, in all Rural Residential zones in Josephine County; and

WHEREAS, the Josephine County Rural Planning Commission held a public hearing on August 28, 2017, to consider the proposed text amendments and deliberated the proposal on August 31, 2017, at which time recommendations were forwarded to the Board of Commissioners; and

WHEREAS, the Josephine County Board of Commissioners discussed the recommendations at meetings in September and October, 2017, a public hearing in September, 2017, and two hearings in November, 2017; and

WHEREAS, the Josephine County Board of Commissioners, having reviewed the record and listened to testimony regarding the foregoing amendments find text amendments will advance the policies and purposes of the Josephine County Comprehensive Plan.

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County ordains the following as amendments to the text of the Rural Land Development Code.

SECTION 1: TEXT AMENDMENTS

1. Amend the following definition in Article 11.030 of the Rural Land Development Code as follows:

AGRICULTURAL ENTERPRISE, COMMERCIAL. A farm operation that contributes in a substantial way to the area's existing agricultural economy, and which helps maintain agricultural processors and established farm markets.

2. Add the following definitions to Article 11.030 of the Rural Land Development Code:

ANNUAL COMPLIANCE INSPECTION CERTIFICATE. A certificate issued annually by the Community Development Department verifying a commercial marijuana production site is in compliance with all codes administered by the Department. The certificate can only be issued upon application and finding the property to be in compliance.

COMPLIANCE PLAN. A written strategy, provided by the Code Enforcement Administrator, to help a landowner rectify violations of this code. Said strategy identifies steps necessary to achieve compliance, and, a timeline in which to do so. Plans are typically established to achieve compliance within 30 days. In no case shall a Compliance Plan extend beyond 90 days.

EFFECTIVE ODOR CONTROL SYSTEM. A system designed by a professional engineer. The main purpose of said system is to reduce odor.

INTERFERE. As it relates to Farm Use, includes but is not limited to actions or claims based on noise, vibration, odors, smoke, dust, mist from irrigation, use of pesticides and use of crop production substances (ORS 30.932).

MARIJUANA. The plant cannabis, or any part thereof, but does not include industrial hemp.

MARIJUANA PRODUCTION SITE. The ground area covered by the mature plant canopy, greenhouses, employee housing, driveways and other structures and land uses that are associated with the production of commercial marijuana on a lot or parcel.

MARIJUANA, COMMERCIAL. More than twelve mature marijuana plants and more than 24 immature marijuana plants being grown on a lot or parcel.

MECHANICALLY GENERATED NOISE. Sound emitted from a power tool, tractor, or other equipment that relies on fuel, electricity or other form of power. This definition does not include tools solely powered by manpower.

MICRO-TIER I. Marijuana production site limitations of up to 625 square feet of canopy for an indoor grow and up to 2500 square feet for an outdoor grow.

MICRO-TIER II. Marijuana production site limitations between 626 and 1250 square feet of canopy for an indoor grow and between 2501 and 5000 for an outdoor grow.

OLCC. The Oregon Liquor Control Commission.

PRODUCER, MARIJUANA. Shall have the definition as written in OAR 845-025-1015. The manufacture, planting, cultivation, growing or harvesting of marijuana. Producer may also include drying, packaging, and the labeling of marijuana. Producer does not include the drying of marijuana by a marijuana processor, if the processor is not otherwise producing marijuana.

PROCESSOR, MARIJUANA. Shall have the definition as written in OAR 845-025-1015. The processing, compounding or conversion of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts. Processing does not include packaging or labeling.

3. Amend Section 61.020 (PERMITTED USES) of the Rural Land Development Code, by amending 61.020.A. and 61.020.B. as follows:

ARTICLE 61 - RURAL RESIDENTIAL ZONES

61.020 - PERMITTED USES

- A. Accessory buildings, including private garage or carport, ~~guest house~~, greenhouse, stable, barn, pen, coop, or other similar buildings normally required in connection with a use specified in Section 61.020 and subject to the provisions of Sections 61.050, 61.060 and 72.060, provided a single family dwelling is on the lot or parcel.
 - B. Agriculture, farming and farm use as defined in Section 11.030, subject to the standards provided in Sections 61.050, 61.060, and also subject to the further limitations that all products must be produced on the property and commercial feed lots are prohibited.
4. Add the following new Sections 61.050.E., F., G., H., I. and J. to the text of the Josephine County Rural Land Development Code:

ARTICLE 61 - RURAL RESIDENTIAL ZONES

61.050 - CRITERIA FOR FARM USE

- E. The production of commercial marijuana shall be prohibited on a lot or parcel five acres or less in size. On a parcel greater than five acres, the size of the marijuana grow shall not exceed a Micro-tier I or Micro-tier II. Mixed production is allowed per OLCC size regulations for Micro-tiers. Lawful marijuana grows on lots greater than five acres shall have two years from the date of this amendment to bring their marijuana grow into compliance with this section of the code (Section 61.050).
- F. The lot or parcel with a commercial marijuana production site shall be owned, whether in whole or part, by the party being regulated by the state.
- G. With the exception of employees who serve to guard a marijuana production site, commercial marijuana production site operation hours shall be limited from dawn to dusk.

H. Sustained noise from mechanical equipment associated with the production of commercial marijuana shall not exceed 30 dB(A), measured at the property lines, from dusk to dawn. There shall be no mechanically generated noise associated with a commercial marijuana production site from dusk to dawn.

I. If a greenhouse or other building is used for indoor marijuana production, said structure shall be equipped or furnished with, and utilize, an effective odor control system. The odor control system shall consist of a carbon filtration system with one or more fans sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height), divided by three (the filters shall be rated for the required CFM); or, utilize an alternative method of technology to achieve equal to or greater odor mitigation than provided with the fan system mentioned. Other alternative method of technology to achieve equal to or greater odor mitigation than provided with the fan system mentioned, will be considered provided the applicant can demonstrate engineered verification the system is designed to reduce odor.

J. A development permit shall be required for the production of commercial marijuana. The county shall mail a copy of the permit to all adjacent landowners. Annually thereafter the landowner shall apply for an Annual Compliance Certificate by June 1. Said Annual Compliance Certificate shall be posted at the access point where the parcel meets the way. If the property is found to be in non-compliance, the landowner shall have thirty days to bring the property into compliance, or per the deadline established in a Compliance Plan, or the development permit shall be revoked.

5. Amend Section 61.060 (PROPERTY DEVELOPMENT STANDARDS) of the Josephine County Rural Land Development Code, by amending 61.060.B.3, as follows, and by adding the following new Section 61.060.B.22 to the text of the Josephine County Rural Land Development Code:

ARTICLE 61 - RURAL RESIDENTIAL ZONES

61.060 - PROPERTY DEVELOPMENT STANDARDS

B. Property Development Standards

3. Minimum setbacks from property lines – Front (30') Side (10') Rear (25')

Commercial marijuana production sites: All structures, and the marijuana grow space, as measured from the canopy of the plants in accordance with OAR 845-025-2040(1)(d), or as amended, for a lot greater than five acres shall be - Front, Side, and Rear 100' indoor production site; 150' outdoor grow site. Accessory structures or uses that do not require a development permit are not required to meet the production site setbacks; however, they are required to meet the setbacks above for non-commercial marijuana production sites.

22. Lighting – See Article 77

6. Amend Section 76.020 (APPLICATION OF WILDFIRE AND EMERGENCY SAFETY STANDARDS) of the Rural Land Development Code, by amending 76.020.E, as follows:

ARTICLE 76 - WILDFIRE AND EMERGENCY SAFETY STANDARDS

76.020 - APPLICATION OF WILDFIRE AND EMERGENCY SAFETY STANDARDS

- E. Other Requirements. The proposed utility serving a lot or parcel, including but not limited to, generators, solar, wind and hydroelectric, shall comply with the National Electrical Code and Oregon State Law. Permits and inspections are required for all systems. Any and all installations contrary to the Code such as, but not limited to, exposed NM cable, extension cords, splices and improper grounding and bonding, are direct violations of the Oregon Safety Law, ORS 479.520, and the National Electrical Code. All systems are required to be approved by the Building Safety Division prior to use. Nothing in this Article is intended to waive or diminish any other development standard, regulation or other provision required in this code or elsewhere.

SECTION 2: AFFIRMATION

Except as specifically amended by the provisions of this ordinance, the Josephine County Rural Land Development Code (Ordinance 94-4), as previously adopted or amended, is hereby affirmed.

SECTION 3: EFFECTIVE DATE

First reading by the Board of County Commissioners the 1st day of November, 2017.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading, this 29th day of November, 2017. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

**JOSEPHINE COUNTY
BOARD OF COMMISSIONERS**

Simon G. Hare, Chair

Lily N. Morgan, Vice-Chair

Daniel E. DeYoung, Commissioner

ATTEST:

Recording Secretary

APPROVED AS TO FORM:

M. Wally Hicks, Legal Counsel