



STAFF REPORT
CU-16-02

DATE: April 18, 2016 for the April 26, 2016 Planning Commission Meeting

REQUEST: Periodic Edibles requests Conditional Use Permit and Site Plan Review to manufacture, package and distribute cannabis edible products to State licensed dispensaries in Oregon. No retail sales or storefront sales are proposed.

APPLICANT: Wayne, Schwind, Periodic Edibles
14465 SW Sexton Mountain Drive #6C
Beaverton, OR 97106

PROPERTY: 13963 NW Main Street, Suite 200 Tax Assessor 2N331BB05800

ZONING: Commercial (C) North Banks Area

APPLICABLE CODE: Chapter 151.043 General Commercial Zone; 151.115 – 151.118 Conditional Uses; 151.064 Performance Standards (Design Review).

1. EXECUTIVE SUMMARY

Periodic Edibles has requested conditional use approval and design review approval to locate a cannabis food product manufacturing business at 13963 NW Main Street, Suite 200, in the Banks Business Center. The proposal will allow for the manufacturing, packaging and distribution of cannabis food products. There will be no retail or storefront sales as part of the operations. The business will not be open to the public.

The Applicant will make improvements entirely within the interior of the space of the Banks Business Center. The Applicant states that their facility will be non-intrusive.

Periodic Edibles manufacturing process infuses cannabis plant material into butter and coconut oil which are then used to manufacture cannabis food products. Periodic Edibles will use cook tops, crock pots, dehydrators, refrigerators and microwaves to make the cannabis food products. After manufacturing, the products will be packaged and distributed to Oregon licensed dispensary store fronts that sell the products to the end consumer.

Utilities are available to the site to serve the proposed use. Parking is located on site at the Business Center.

Public notice was issued for this project. No written comments have been received in response to the public notice. One email comment was received by a tenant of the Banks Business Park, Mr. Tom Walsh of Hop Cycle Brewing. Mr. Walsh inquired about the public notice requirements and requested to be placed on the notice list for this application. Staff contacted the Applicant on

April 12, 2016 and suggested he reach out to Mr. Walsh, as they would be neighbors in the Banks Business Park. On April 12, 2016, the Applicant, Mr. Schwind called and spoke with Mr. Walsh regarding the manufacturing business.

It is recommended that the Planning Commission **approve** the conditional use permit, as submitted, along with the proposed conditions of approval.

2. COMPLAINEE WITH APPLICABLE CODE

The following City of Banks Municipal code criteria are applicable to the request and are shown in italics and bold:

151.043 GENERAL COMMERCIAL ZONE C

(B) Conditional Uses Permitted. In this zone, the following uses and their accessory uses may be permitted as conditional uses in accordance with the provisions of §§ 151.115et seq.

(20) North Banks area only:

(a) Uses permitted outright under § 151.044(A);

151.044 General Industrial Zone I

(A) Uses Permitted Outright. No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or altered in this zone, except for the following uses:

(10) Manufacture... processing ...

Findings: The proposed use falls under Section 151.043(20)(A) and requires a conditional use permit due to the manufacturing and processing component of the business in the designated North Banks area. The Applicant is applying for a conditional use permit, consistent with this section.

(C) Lot dimensions. There shall be no minimum dimensional regulations in this zone except as may be required to meet other provisions of this chapter such as setback and parking requirements.

(D) Setback requirements. Except as may otherwise be provided in § 151.097, the setbacks in this zone shall be as follows.

(1) No front yard setback shall be required in this zone, except when sharing frontage with a residential zone, the front yard setback shall be 20 feet. No front yard setback shall be required in the Commercial district along Main Street.

(2) No side or rear yard setback shall be required, except when abutting a residential zone, a side or rear yard of 5 feet shall be required.

(E) Height of buildings. Except as otherwise provided in § 151.098, no building in this zone shall exceed a height of 3 stories or 35 feet, whichever is less.

Findings: The property is presently developed as the Banks Business Center. No changes are proposed to lot area and setback, making sections C, D and E not applicable to the request.

151.064 PERFORMANCE STANDARDS

(A) In a Commercial or Industrial zone, no land or structure shall be used or occupied unless there is continuing compliance with the following standards. All land use and development applications in a Commercial or Industrial zone shall comply with the below standards, in addition to compliance with all design standards contained in City of Banks Municipal Code [Chapter 152](#) (Land Division Regulations).

Findings: The subject property is located in a Commercial zone and therefore section 151.064, Performance Standards and sections 152.060 through 152.062 (Land Divisions Design Criteria) apply to this application.

(B) It is the responsibility of the Applicant to demonstrate compliance with these standards.

(1) Noise.

(a) All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and, as measured at any property line, shall not exceed applicable noise standards as determined by the Department of Environmental Quality (DEQ).

(b) Noise making devices, which are maintained and utilized, solely to serve as warning devices are excluded from these regulations.

(c) Noise created by highway vehicles and trains is excluded from these regulations.

Findings: The noise level at the property line is not anticipated to increase with the manufacturing use because there is no noise generating equipment used in the cannabis infusion process. The infusion process uses kitchen equipment. There is no retail component and the business is not open to the public. The only potential noise could come from an alarm system, if a break in should occur. This is typical of businesses with alarms along NW Main Street. This section is met.

(2) Vibration. No vibration other than that caused by highway vehicles and trains shall be permitted which is discernible without instruments at the property line of the use concerned.

Findings: Vibration is not expected to increase with the manufacturing use because there is no vibration generating equipment used in the infusion process. This section is met.

(3) Air emissions. All emissions into the air of air contaminants, smoke, or particulate must meet applicable DEQ standards.

Findings: No significant increase in air emissions is anticipated. This section is met.

(4) Wastewater discharge. All wastewater discharge must meet applicable DEQ standards and must be approved by U.S.A.

Findings: Wastewater will be water only, resulting from washing dishes. The Applicant shall meet the applicable requirements of Clean Water Services, if any, with regard to discharge of

sanitary sewer to a public facility. Plumbing permits shall be secured with Washington County if needed. This section is met.

(5) Storm water disposal. *All developments including new construction or enlargement of buildings, and grading and paving activities at the site of new or existing uses must be provided with a drainage system that is adequate to prevent undue retention of surface waters on the site, and to ensure that adjacent properties are not unreasonably burdened with surface waters as a result of the developments or activities. The standard of reasonableness shall be the runoff rate existing prior to the development plus an increase of no more than 10%.*

Findings: Improvements to the building will be interior only; no exterior site improvements are proposed. This section is not applicable.

(6) Odors. *The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited.*

Findings: The Applicant states that no odor will be produced outdoors as a result of the operations. To ensure compliance, Staff would like the Applicant to install an air exhaust system with filters designed to eliminate odors. Staff would like the Planning Commission to discuss Staff's proposed condition of approval. This section can be met.

(7) Heat and glare.

(a) *Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building.*

(b) *Exterior lighting shall be directed away from adjacent properties.*

Findings: No heat or glare will be produced from the operations. This section is met.

(8) Garbage and litter. *Materials including wastes shall be stored and grounds shall be maintained in a manner that will not create a nuisance for surrounding properties and will not attract or aid the propagation of insects or rodents or create a health hazard.*

Findings: No garbage or litter nuisance is anticipated from the proposal. Garbage will be maintained by the property owner, similar to the other businesses located in the business center. This section is met.

(9) Exterior storage of materials and equipment. *The open exterior storage of materials and equipment is permitted only under the following conditions.*

(a) *The storage must be in an area contained by a sight-obscuring fence at least 6 feet high but not more than 10 feet high.*

(b) *Exterior storage may not be located in a required setback area.*

(c) *Other standards of this section apply.*

Findings: No external storage is proposed for the project. This section is met.

(10) Boundary fences. *Fences will be allowed inside of a boundary planting screen and where it is necessary to protect property of the industry or business concerned or to protect the public from a dangerous condition, provided that no fence taller than 3 and ½ feet shall be constructed in the required setback from a public right-of-way.*

Findings: No boundary fences are proposed as part of this application.

(11) Vehicular access.

(a) Access points to an industrial or commercial site from a street shall be located to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas.

(b) Where possible within industrial or commercial districts, access to the street shall be made to serve more than 1 site or business.

Findings: The business center is located in a commercial area on Main Street/State Highway 47. The business center contains a mix of business, including auto repair, day spa and a recently approved micro-brewery. There are no access connections to residential streets. A wide access driveway exists, providing access to twenty-two (22) parking spaces, located in a u-shape in front of the buildings. The u-shape parking configuration provides for a large queuing space internal to the site, minimizing traffic congestion internal and external to the site. No change in vehicular access is proposed. Multiple businesses use the existing access points. No additional access is warranted.

All deliveries will be made off Main Street via the access driveway, in the parking lot of the business center. Deliveries to the business will be made with their own cargo van. Bulk deliveries for fresh or powdered produce will occur once every two or three months. The Applicant estimates bulk deliveries will take ten (10) to twenty (20) minutes to complete.

Due to the developed condition of the site, there are no additional loading or access points possible as part of this application. Staff would like the Applicant to work with adjacent businesses regarding deliveries to ensure that customer parking is not compromised during deliveries. This section is met.

(12) Landscaping and screening.

(a) Properties abutting a residential zone shall provide and maintain a dense evergreen landscaped buffer at least 8 feet deep which attains a height of at least 6 feet within 2 growing seasons or the other screening measures as may be prescribed by the Planning Commission.

(b) Required setback areas adjacent to streets shall be continuously maintained in lawn or with lawn, trees, shrubs, and/or flowers established and maintained in a manner providing a park like character to the property except where driveways are located.

Findings: The subject property is not abutting any residential zones. Therefore this section does not apply.

(C) All land use and development applications shall comply with the following standards and procedures for the purpose of protecting the future operation of the Banks transportation system:

(1) Development standards. The following standards shall be met for all new uses and developments:

(a) All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street.

(b) Streets within or adjacent to a development shall be improved in accordance with the Banks street design standards (§ [152.052](#)).

(c) Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable road authority.

(d) New streets and drives shall be paved.

Findings: The subject site is developed and has access to a public street, demonstrating consistency with (1)(a). No new streets are proposed, demonstrating consistency with (1)(c) and (1)(d). Staff finds that the proposal under review, by itself, does not warrant improvements at this time, demonstrating that (1)(b) does not apply.

DEVELOPMENT STANDARDS

151.068 Off-Street Parking

151.069 Design Standards

151.070 Surfacing

151.071 Bumper Rails

151.073 Landscaping

151.074 Enclosure and Screening

151.075 Number of Required Spaces

151.076 Off-Street Loading

151.077 Design Standards

Findings: The above sections 151.068 – 151.077 apply to new parking and loading areas. No new parking or loading areas are proposed.

The proposed use will be located in a 1,150 square foot space. 400 square feet is proposed for office space and 750 square feet allocated to manufacturing space. Parking ratios for the proposed use is as follows:

Office, not providing customer service on premises – 1 space per employee

Manufacturing – 1 space per 700 square feet of floor area.

Two (2) spaces are required based on the Applicant's proposal. Both business partners are the sole employees. The business park contains twenty-two (22) off street parking spaces. In addition, there is on-street parking located on Main Street. Staff finds that the Applicant can provide the required two (2) spaces of parking, meeting this section.

Banks Zoning Code Section 151.064, Performance Standards, requires land located in Commercial zones to demonstrate compliance and continued compliance with the design standards contained in the City of Banks Municipal Code Chapter 152, Land Division Regulations. Staff finds there are no sections of Chapter 152 applicable to the request.

151.116 REVIEW CRITERIA FOR CONDITIONAL USE APPLICATIONS.

(A) Generally. Conditional use applications will be approved if the following criteria have been met.

(B) Criteria.

(1) The proposed conditional use will comply with the requirements of the district within which the site is located and with the additional provisions of §§ 151.060et seq., except as may be provided for specific uses under the provisions of §§ 151.118 through 151.122.

Findings: Compliance with the underlying zone is demonstrated in section 151.043, above. Compliance is demonstrated with applicable development standards, also shown in this report. BZC Chapters 151.118 through 151.122 apply to specific land uses. The proposed use is not a use listed in BZC Chapters 151.118 through 151.122 and therefore the sections are not applicable to the request. This section is met.

(2) The proposed use will not alter the overall character of the surrounding area, and will be compatible with its surroundings in terms of size, design, operating characteristics, and off-site impacts.

Findings: The proposed use will be located in an existing building and will be closed to the public. The Applicant states that their business is discrete and non-intrusive. The operations will not be visible to the passerby. The cannabis edibles industry is required to follow very stringent rules and regulations implemented by the State of Oregon, and the Applicant is in the process of obtaining required permits. A condition of approval will require the Applicant to obtain all federal and state permits pertaining to the cannabis edibles manufacturing and distributing use.

The proposed use will be located in a 1,150 square foot space, of which 400 square feet will be allocated to office space and 750 square feet to manufacturing space. The business will be run by two people, both owners of the business. The Applicant states operations will be from 8:00am until 8:00pm, seven days a week. The operation will not be open to the public during any of those times.

The proposed use is timely in that it directly supports the economic development work currently occurring in Banks. The Applicant wishes to be part of Banks to help grow a strong local economy. The Applicant states that the current economic trend of the cannabis industry is well suited to make Banks a leader in the non-intrusive market of edible manufacturers. Edible manufacturers offer job growth and revenue to the local economy while operating professionally like any other manufacturing business.

No off-site impacts are anticipated from the proposed use as discussed in the Performance Standards section of this report. This section is met.

(3) The transportation system is capable of supporting the proposed use, and adequate access and parking space can be provided to accommodate traffic expected to be generated by the use.

Findings: The proposed use is not anticipated to impact the transportation system. Two (2) parking spaces are required based on the Applicant's proposal. The Business Park contains twenty-two (22) off street parking spaces. In addition, there is on-street parking located on Main

Street. Staff finds that the Applicant can provide the required two (2) spaces of parking, meeting this section. Access is provided into the site via one driveway and large queuing space. The present access has been effective and will remain in place to serve the existing uses and the proposed use. Staff finds no improvements required to accommodate the proposed use.

(4) Public facilities (i.e. water supply, sewer service, storm water disposal, police and fire protection) are capable of supporting the proposed use.

Findings: The property is presently served with the necessary public facilities that will remain capable of supporting the proposed manufacturing business. No written comments have been received with respect to possible concerns regarding fire protection. In addition, the Applicant proposes an extensive alarm and video surveillance system as required by the OLCC for the operation of an edible manufacturing business.

3. RECOMMENDATION

Staff recommends the Planning Commission grant approval of the proposed cannabis edible manufacturing business with the following conditions.

1. The Applicant shall obtain the necessary permits from the Washington County Department of Building Services and submit evidence to the City of Banks prior to commencement of work.
2. The Applicant shall obtain all required City, State and Federal permits and licensing prior to issuance of a Building Permit. The Applicant shall obtain a City Business License.
3. The Applicant shall be licensed, registered and operated in accordance with Oregon Revised Statutes and applicable Oregon Administrative Rules.
4. The Applicant shall make payment of all City permit fees as agreed upon in the signed City of Banks Land Use Application.

Attachments/Exhibits:

- A. Applicant Narrative with supporting photos and documentation

Land Use Application



APPLICATION FOR:

Permits

- Fence Permit
 Sign Permit
 Mechanical Permit

Comprehensive Plan Amendment

- Text
 Map

Zoning Ordinance Amendment

- Text
 Map

Land Division

- Subdivision
 Partition
 Tentative Plat

Property Line Adjustment

- Conditional Use

Final Plat

- Variance

Zoning Check Review

Site Plan Review

Other: _____

Applicant:

Name Wayne Schwind

Address 14465 SW Sexton Mountain Dr #6C

City Beaverton

State OR Zip 97008

Phone 360-989-7316

Fax _____

Email ws@periodicedibles.com

Property Description:

Site Address 13963 NW Main St Suite 200 Banks, OR 97106

Map & Tax Lot # _____

(Please attach legal description)

Total Acres or Square Feet: 1,150 sq ft

Acres _____ Sq. Feet 1,150

Property Owner:

Name Banks Business Center LLC

Address p.o. box 250

City Banks

State Oregon Zip 97106

Phone 503-519-1225

Fax 503-466-2222

Email btrout@msi-systems.com

Property Use Description:

Existing Land Use commercial

Existing Zoning commercial

Proposed Zoning (if applicable) industrial

Proposed Use industrial

Additional Information:

In order to expedite and complete the processing of this application, the Planning Division requires that all pertinent material required for review be submitted at the time application is made. If the application is found to be incomplete, review and processing of the request will not begin until the application is made complete. The submittal requirements relative to this application may be obtained from the specific sections of the Zoning or Land Division Ordinances pertaining to this application and from Planning Division staff. Pre-application conferences with Planning Division staff are encouraged. If there are any questions as to submittal requirements, contact the Planning Division prior to formal submission of the application. In submitting this application, the applicant should be prepared to give evidence and information which will justify the request. *The filing fee must be paid at the time of submission. This fee in no way assures approval of the application and is non-refundable.*

Additional Information:

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I agree to pay the actual administrative, professional, personnel and material costs incurred by the City for expenses, staff time and contract consultants to review and process my land use application, including the cost of public notices and the actual professional service costs of the City's contract consultants, such as the City Planner, City Engineer and City Attorney as may be necessary for to review my application. The application fees that I pay will be used as a deposit for these costs. When the application process is complete, the City will reimburse any over-payment, or I will be responsible for and hereby agree to pay any under-payment.

I further understand and acknowledge that full payment of the City's actual review costs pursuant to this Agreement is a prerequisite to the City's issuance or approval of any permits. The City shall not be under any obligation to take final action on my application until all amounts that have been billed to me are paid in full. I, by signing this Agreement, specifically waive the 120-day deadline for the City's final action on the land use application, as provided by ORS 227.178, due to any delay caused by my failure to pay any bills presented to me under this Agreement.

I hereby agree to pay the bills presented by the City for the City's actual costs incurred to review and process my application. I shall pay these bills within 30 days of presentment, and any amounts not so paid within 30 days shall accrue interest at the rate of 9% per annum from the date of presentment until paid. In any action the City may bring to collect fees due and billed under to this Agreement, including litigation and any appeal there from, the prevailing party shall be entitled to reimbursement by the losing party for all costs reasonably incurred as part of any such collection action, including attorney fees, service costs, and fees and costs on appeal.

Applicants Signature  Date 2-22-16

Property Owner's Signature  Date 2-22-16

For Office Use:		
Received by _____	Date _____	Receipt Number _____
Fee Paid _____	Date _____	Application Number _____
		File Number _____



Periodic Edibles is asking permission to operate under a Conditional Use Permit to manufacture, package and distribute cannabis edible products in the City Limits of Banks. The property is known as The Banks Business Center. Located at **13963 Main Street, Suite 200, Banks, OR 97106.**

Banks, Oregon Code of Ordinances

Chapter 151 zoning code.

Wayne Schwind, Amanda Gerard, Periodic Edibles

151.043 General Commercial Zone C

*(B) Commercial uses permitted in these zones, the following uses and their accessory uses may be permitted as **conditional uses** in accordance with the provisions of Paragraph 151.115 et seq:*

(20) North Banks area only

(a) Uses permitted outright under 151.044(A); and

151.044 General Industrial Zone I

Uses permitted outright. No building, structure, or land shall be used, and no building or structure shall hereafter be erected, enlarged or altered in this zone except for the following use:

(10) Manufacture, assembly, compounding, processing, packaging, or treatment of the products as bakery goods, candy, cosmetics, dairy products, food and beverage products.

Edible (Cannabis Food Products) Manufacturing

Periodic Edibles manufacturing process infuses cannabis plant material into butter and coconut oil which are then used to manufacture cannabis food products. Periodic Edibles will use cook tops, crock pots, dehydrator, refrigerator and a microwave to make the cannabis food products before distributing to dispensary store fronts that then sell those edibles to the end consumer.

The edible manufacturing process is a four step process.

- Step 1. Infuse the cannabis plant material into butter or coconut oil.
- Step 2. Manufacture the food product using the butter or coconut oil mentioned in step 1.
- Step 3. Package the finished product with State approved packaging.
- Step 4. Distribute the packaged product to State licensed dispensaries in Oregon.



Periodic Edibles
Artisan Edible Manufacturer

151.064 Performance Standards

(A) In a commercial or industrial zone, no land or structure shall be used or occupied unless there is continuous compliance with the following standards. All land use and development applications in Commercial or Industrial zone shall comply with below standards, in addition to compliance with all design standard contained in City of Banks Municipal Code Chapters 152 (Land Division Regulations).

(B) It is the responsibility of the applicant to demonstrate compliance with these standards.

(1) Noise

(a) All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness and, as measured at any property line shall not exceed applicable noise standards as determined by the Department of Environmental Quality (DEQ).

There is no noise generating equipment in the edible manufacturing process.

(b) Noise making devices, which are maintained and utilized, solely to serve as warning devices are excluded to this regulations.

There will be an alarm system which would generate noise if a break in occurred.

(2) Vibration

No vibration other than that caused by highway vehicles and trains shall be permitted which is discernible without instruments at the property line of the use concerned.

No vibration generating equipment is used in the process.

(3) Air emissions

All emissions into the air of air contaminants, smoke or particulate must meet applicable DEQ Standards.

There will be no air emissions from the process outside of the interior of the building.

(4) Wastewater Discharge

All wastewater discharge must meet applicable DEQ Standards and must be approved by U.S.A.

The only wastewater discharge to sewer will be from washing dishes.

(5) Storm water disposal

All developments including new construction or enlargement of buildings, and grading and paving activities on site of new or existing uses must be provided with a drainage system that is adequate to prevent undue retention surface water on the site, and to ensure that adjacent properties are not unreasonably burdened with surface waters as a result of developments or activities. The standard of reasonableness shall be the runoff rate existing prior to development plus an increase of no more than 10%.

No exterior site improvements are proposed, therefore there will be no increase in storm water disposal.

(6) Odors

The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited.

Normal odors from the baking process will occur inside of the building. No odors will occur outside of the building.

(7) Heat and Glare

No heat or glare will occur outside of the building.

(8) Garbage and Litter: Materials including wastes shall be stored and grounds shall be maintained in a manner that will not create a nuisance for surrounding properties and will not attract or aid the propagation of insects or rodents or create a health hazard.

Garbage will be maintained by the tenant.

(9) Exterior storage of material and equipment

There will be no outside storage.

(10) Boundary fences: Fences will be allowed inside of a boundary planting screen and where it is necessary to protect property of the industry or business concerned or to protect the public from a dangerous condition, provided that no fence taller than 3.5 feet shall be constructed in the required setback from a public right-of-way.

Fencing is established.

(11) Vehicular access

(a) Access points to an industrial or commercial side from a street shall be located to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas.

Deliveries to Periodic Edibles will be made with their own cargo van. Bulk deliveries for fresh or powdered produce will occur once every two or three months on or off of Main Street (shown in Exhibit B). Bulk deliveries will take 10 to 20 minutes to complete.

(b) Where possible within industrial or commercial districts, access to the street shall be made to serve more than 1 site or business.

Multiple businesses are served through the access to the street.

151.116 REVIEW CRITERIA FOR CONDITIONAL USE APPLICATIONS

(A) Generally. Conditional use applications will be approved if the following criteria have been met:

(1) The proposed conditional use will comply with the requirements of the district within which the sites located and with the additional provisions of Paragraphs 151.060, except as may be provided for specific uses under the provisions of Paragraph 151.118 through 151.122.

The proposed edibles business will be located in an existing building and will be similar to manufacturing businesses that are located along Main Street. Periodic Edibles is required to follow very stringent rules and regulations implemented by the State of Oregon, the applicant is in the process of obtaining required permits.

(2) The proposed use will not alter the overall character of the surrounding area, and will be compatible with its surroundings in terms of size, design, operating characteristics, and off-site impacts.

The facility will be located in a 1,150 square foot space, with 400 square feet allocated to office space and 750 square foot allocated to manufacturing space. The business is run by local Oregonians, similar to businesses in the immediate area and along Main Street. Operations will be from 8:00am until 8:00pm, seven days a week. The operation will not be open to the public during any of those times.

The proposed use is timely in that it directly supports the economic revitalization work currently occurring in Banks. The applicant wishes to be a part of Banks to help grow a strong local economy. The current economic trend of the cannabis industry is well suited to make Banks a leader in the non-intrusive market of edible manufacturers. Edible manufacturers offer job growth and revenue to the local community while operating professionally like any other manufacturing business.

(3) The transportation system is capable of supporting the proposed use, and adequate access and parking space can be provided to accommodate traffic expected to be generated by the use.

The proposed will not impact the transportation system. Two parking spaces are required based on the applicant's proposal. The business park contains 22 off street parking spaces.

(4) Public facilities: (water supply, sewer service, storm water disposal, police and fire protection) are capable of supporting the proposed use.

The property is presently served with necessary public facilities that will remain capable of supporting the proposed business. An extensive alarm and video surveillance system will be

implemented as required by the OLCC for the operation of a edible manufacturing business. This system will notify the Police Department or Fire Department if needed.

151.117 PROCEDURE FOR TAKING ACTION ON A CONDITONAL USE APPLICATION

(A) The procedure for taking action on a conditional use application shall be provided in Paragraph 151.170.

(B) In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified in Paragraph 151.118, additional conditions which the planning commission considers necessary to protect the best interests of the surrounding area or the City as a whole.

These conditions may include the following:

- (1) Increasing the required lot size or setback dimensions
- (2) Limiting the height, size, or location of buildings
- (3) Controlling the location and number of vehicle access points
- (4) Increasing the street width or requiring street dedication
- (5) Increasing the number of required off street parking spaces
- (6) Limiting the number, size, location and lighting of signs
- (7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property
- (8) Regulating operating hours (time) for certain activities
- (9) Minimum landscape and regulating amount, type, location and maintenance of any required landscaping

Exhibit B Photos: Periodic Edibles
13963 NW Main Street, Banks, OR 97106



Exhibit B Photos: Periodic Edibles
13963 NW Main Street, Banks, OR 97106

Aerial View: Periodic Edibles/ Banks Business Center

