



**PUBLIC NOTICE OF FOUR PUBLIC HEARING**  
**JULY 23, 2018**                      **MONROE CITY COUNCIL CHAMBERS**  
**6pm**                                      **658 COMMERCIAL STREET**

1. A PUBLIC HEARING to receive public input to declare the City Owned Property at 125 S. 5<sup>th</sup> (Gas Station) as surplus City Property.
  - a. Prior to selling public property a declaration of defining the property as surplus is required.
  
2. A PUBLIC HEARING to receive public input for Ordinance 18-400 AN ORDINANCE REGULATING THE PLANTING, MAINTENANCE, PROTECTION CONTROL AND REMOVAL OF TREES WITHIN THE CITY OF MONROE
  - a. Hazardous Tree Ordinance- Creates a process to require removal of hazardous trees
  
3. A PUBLIC HEARING to receive public input for ORDINANCE 18-500 AN ORDINANCE REGULATING THE GROWING AND DEVELOPMENT OF MARIJUANA/CANNABIS PRODUCTS AND THE NUISANCES OF ODORS INVOLVING THE GROWTH AND SMOKING OF PRODUCTS WITHIN THE CITY OF MONROE
  - a. Disallowing outside growth on most properties
  - b. Disallowing hazardous chemical and gas processes
  - c. NO smoking or vaping on city owned properties (including streets)
  
4. A PUBLIC HEARING to receive public input for ORDINANCE 18-200 AN ORDINANCE AMENDING MONROE LAND USE DEVELOPMENT CODE CLARIFYING AND DEFINING ACCESSORY USE UNITS WITHIN THE CITY OF MONROE.
  - a. Limiting the number of accessory units on a lot
  - b. Requiring a certain sized lot for accessory unit
  - c. Requiring separate utility connections for accessory units

**COPIES AVAILABLE AT CITY HALL!**

Additional information is available on the city website [www.ci.monroe.or.us](http://www.ci.monroe.or.us)

*The City of Monroe is an equal opportunity employer and service provider*

## ORDINANCE NO. 18-400

### **An Ordinance Regulating the Planting, Maintenance, Protection, Control and Removal of Trees within the City of Monroe**

WHEREAS, the City of Monroe is charged with addressing all safety issues and the welfare of its citizens and properties; and

WHEREAS, HAZARDOUS TREES may present a danger to the community if not addressed and resolved in a timely and appropriate matter; and

WHEREAS, the presence of trees provides both a healthy and aesthetically pleasing elements within the community of Monroe; now

NOW THEREFORE BE IT THAT THE CITY OF MONROE ORDAINS AS FOLLOWS:

Section 1: An Amendment to Section 92.16 of Monroe Municipal Code as follows:

Nuisances Affecting Public Health (G) Hazardous Trees

1. No owner or person in charge of property that abuts upon a street, alley, public right-of-way or public sidewalk shall permit trees or bushes on his or her property to interfere with street or sidewalk traffic.
2. It shall be the duty of an owner or person in charge of property that abuts upon a street or public sidewalk to keep all trees and bushes on his or her premises, including the adjoining parking strip, trimmed to a height of not less than eight feet above the sidewalk and not less than ten (10) feet above the roadway.
3. No owner or person in charge of property shall allow to stand a dead or decaying tree that is a hazard to the public or to persons or property on or near the property.
4. Process for tree removal
  - a. If the City and property owner cannot concur as to the hazard of a tree, a professional arborist will be employed to provide a recommendation paid by whichever party was incorrect as to the status of the alleged hazard.
  - b. Within 30 days after the date of notice to the owner of the property, the owner of the property shall cause the tree determined to be dead or dangerous to be removed.
  - c. At the request of the owner, the City Administrator or his/her designate will cause said dead or dangerous tree to be removed for a fee sufficient to cover the direct cost-plus 30 percent for administrative overhead with a minimum fee.
  - d. Removal by the City. The City Administrator or his/her designate may cause to be removed any tree determined to be dead or dangerous at any time following the deadline for removal set forth at section 4 (b.) above. The cost of the removal of said dead or dangerous tree shall be as calculated in section 4 (c.) of this section and will be a charge to the owner of the property and will become a lien against the property.

Section 2. Penalty will be determined by municipal judge based upon the sliding scale for all nuisance fines and the number and severity of the incident as determined by the court. Every day is an additional occurrence of a violation.

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|---------------------------|------------------------|
| a. First offense Class A  | Not to exceed \$50.00  |
| b. Second offense Class B | Not to exceed \$100.00 |
| c. Third offense Class C  | Not to exceed \$250.00 |
| d. Forth offense Class D  | Not to exceed \$500.00 |

Section 3. This Ordinance becomes effective 30 days upon passage by the Council.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON  
THIS 27th DAY OF AUGUST, 2018.**

\_\_\_\_\_  
Paul Canter, Mayor

ATTEST:

\_\_\_\_\_  
Rick A. Hohnbaum

## ORDINANCE NO. 18-500

### **An Ordinance Regulating the Growing and Development of Marijuana/Cannabis Products and the nuisances of odors involving the growth and smoking of products within the City of Monroe**

WHEREAS, the City of Monroe is charged with addressing all safety issues and the welfare of its citizens and properties; and

WHEREAS, the growth of cannabis products can provide an element of odor affecting the general welfare of the community; and

WHEREAS, state regulations limit the number of allowed individual plants and permitted plants by state code and policy; and

WHEREAS, the City of Monroe accepts state rules and laws as a subdivision of the State of Oregon and wishes to provide a pleasant and enjoyable local environment for growth and development; now

NOW THEREFORE BE IT THAT THE CITY OF MONROE ORDAINS AS FOLLOWS:

Section 1: An Amendment to Section 92.16 of Monroe Municipal Code as follows:

Nuisances Affecting Public Health (H) Cannabis Product Related Allowable presence and growth

1. No owner or person in charge of property that abuts upon a street, alley, public right-of-way or public sidewalk shall permit the growth of Cannabis outside of an enclosed structure.
2. No owner or person in charge of property that abuts upon a street, alley, public right-of-way or public sidewalk shall permit noxious odors or hazardous air contaminants. Initiating or maintaining in a solid-fuel space-heating device or elsewhere on property the burning of any plastics, wire insulation, petroleum by-products, petroleum-treated materials, rubber products, animal remains, or animal or vegetable matter resulting from the handling, preparation, cooking or service of food, or of any other material which normally emits dense smoke, noxious odors, or hazardous air contaminants.
3. There will be no smoking or vaping is allowed on city owned right-of ways and city owned properties including but not limited to city sidewalks and streets.
4. Definitions.  
“Person” means a natural person, firm, partnership, association, or corporation.  
“Person in charge of property” means an agent, occupant, lessee, contract purchaser, or other person having possession or control of property or the supervision of any construction project.

Section 2. Penalty will be determined by municipal judge based upon the sliding scale for all nuisance fines and the number and severity of the incident as determined by the court. Every day is an additional occurrence of a violation.

- a. First offense Class A Not to exceed \$50.00
- b. Second offense Class B Not to exceed \$100.00
- c. Third offense Class C Not to exceed \$250.00
- d. Forth offense Class D Not to exceed \$500.00

Section 3. This Ordinance becomes effective 30 days upon passage by the Council.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS 27th DAY OF AUGUST, 2018.**

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Paul Canter, Mayor

ATTEST:

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Rick A. Hohnbaum

ORDINANCE NO. 18-200

AN ORDINANCE AMENDING MONROE LAND USE DEVELOPMENT CODE  
CLARIFYING AND DEFINING ACCESSORY USE UNITS WITHIN THE CITY OF  
MONROE

WHEREAS, The City of Monroe Ordinance Committee began working on updates to the Monroe Zoning Ordinance in order to correct deficiencies and address current concerns; and

WHEREAS, the Planning Commission conducted a public hearing on July 9, 2018 to invite public input and recommended updates and corrections to the Monroe City Council; and

WHEREAS, the Monroe City Council did hold a public hearing on the proposed Monroe Land Use Development Code on July 23, 2018 to provide an opportunity for the public to be heard on this matter; and

WHEREAS, the City sent notice to DLCD on the amendments; and

WHEREAS, the City published notice of the hearings in accordance with City code and state law; and

WHEREAS, the City Council finds that the Development Code revisions conform to the City's Comprehensive Plan and the Statewide Planning Goals.

THE CITY OF MONROE ORDAINS AS FOLLOWS:

SECTION 1. The Monroe Land Use Development Code as attached as Exhibit A is hereby adopted.

SECTION 2. The sections or subsections of this ordinance are severable to the extent allowed by law. The invalidity of a section or subsection shall not affect the validity of the remaining sections or subsections of this ordinance, which shall remain in full force and effect.

SECTION 3. Whereas it is necessary for the general welfare of the citizens of the City of Monroe, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

SIGNED AND APPROVED this 23<sup>rd</sup> day of July, 2018.

\_\_\_\_\_  
Mayor Paul Canter

ATTEST:

\_\_\_\_\_  
City Recorder: Rick A. Hohnbaum

## EXHIBIT A

### **Amend:**

Section 4.112 (2) (i) Accessory buildings subject to the following standards:

1. Accessory buildings shall not be used for dwelling purposes except as allowed by Section 6.100.
2. Accessory buildings 200 to 400 square feet be shall be setback at least 5 feet from an interior property line and limited to one story. No accessory building shall exceed 800 square feet unless submitted for approval under the Site Plan Review provisions of Section 2.400.
3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the home occupation standards of Article 6.

### **Amend:**

Section 4.121 (2) (k) Accessory buildings subject to the following standards:

1. Accessory buildings shall not be used for dwelling purposes except as allowed by Section 6.100.
2. Accessory buildings 200 to 400 square feet be shall be setback at least 5 feet from an interior property line and limited to one story. No accessory building shall exceed 800 square feet unless submitted for approval under the Site Plan Review provisions of Section 2.400.
3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the home occupation standards of Article 6.

### **Amend:**

Section 4.131 (2) (b) Accessory buildings subject to the following standards:

1. Accessory buildings shall not be used for dwelling purposes except as allowed by Section 6.100.
2. Accessory buildings 200 to 400 square feet be shall be setback at least 5 feet from an interior property line and limited to one story. No accessory building shall exceed 800 square feet unless submitted for approval under the Site Plan Review provisions of Section 2.400.
3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the home occupation standards of Article 6.

**Delete:**

Section 6.100 sentence that reads....*“The housing density standard of the Residential District does not apply to accessory dwellings, due to the small size and low occupancy level of the use.”*

**Amend:**

**Section 6.100 (g)**

There will be no more than two residential (total) units per lot; one (1) primary unit and one (1) accessory unit.

**Section 6.100 (h)**

Residential accessory units require a total lot size of 10,000 square feet.

**Section 6.100 (i)**

All residential units, including accessory units must have separate utility service connections.

**Section 6.100 (j)**

All accessory buildings and dwellings will not surpass the height of the primary building on the lot.

**Amend:**

**New Section 6.090**

All development standards for non-dwelling accessory units must meet all development standards of Section 6.100.

**Amend:**

Section 6.100 (a) Oregon Structural Specialty Code or the Oregon Residential Specialty/Building Code as deemed appropriate for the accessory unit being proposed will be complied with.