PRESIDING: Dale Madden

Commission Present: Dale Madden, Virginia Fuller, Susan Wright, Patrick Kollodge, Ralph Wimmer

Commission Absent: none

Staff Present: Recorder/ZOA DeOra Patton

Visitors Present: Gene Barnett, Rod Woodside

CALL TO ORDER. The meeting was called to order by Chairman Madden at 7:08 p.m.

ROLL CALL. Roll Call of Planning Commission was conducted by Recorder Patton.

PLEDGE OF ALLEGIANCE. Chairman Madden led the Commissioners in the Pledge of Allegiance.

WORKSESSION TO DISCUSS MEDICAL MARIJUANA DISPENSARY, ESTABLISHING RULES AND REGULATIONS AS TO TIME, PLACE, MANNER.
The Commission was provided with some literature from the League of Oregon Cities as to Local Government Regulation of Medical Marijuana in Oregon and Understanding the Medical Marijuana Act, a newspaper article pertaining to action taken by the City of Tigard, and general facts obtained online from the Oregon Health Authority website on the medical marijuana dispensary program. Recognition was given to State regulations limiting dispensaries to Commercial, Industrial Mixed Use, and Agriculture zones, and dispensaries not permitted within 1000 feet of a school and other dispensaries.

Audience member Gene Barnett requested dispensaries not be permitted within 500 feet of the little league field (Mountain Fir Community Park/Skateboard Park).

Commissioners recognized/discussed State regulations, local taxing, registration, areas outside the boundary of schools would essentially be east Maupin and northern heights west of Bluff Street, protecting quality of life and still have viable community, signage, the City of Ashland's action prohibiting dispensaries within 200 feet of residential, and restricting dispensaries to be located in a permanent structure building—no mobile carts, cargo container, nor vehicles.

It was the consensus of the Commission to continue the worksession to May 12 for Commissioners to come back with information/ideas on the following subjects: Signage; Distance from residential zone and Public Park/Skate Park; Hours of business; Nature of construction of structure and parking; Licensing; Taxing of sales; Enforcement; City business

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license; and Rewrite of zoning ordinance. Commission requested getting a city map from Tenneson Engineering with the schools' buffer boundary marked.

NEXT MEETING: May 12, 2015 – Continuation of Worksession
May 18, 2015 – Public Hearing on a New Outlet/OLCC Liquor License Application

ADJOURN: Chairman Madden adjourned the meeting at 8:32 p.m.

Respectfully submitted by
DeOra M Patton
City Recorder

SIGNED _____
Dale Madden, Chairman

DRAFT

PRESIDING: Dale Madden

Commission Present: Dale Madden, Virginia Fuller, Susan Wright, Patrick Kollodge, Ralph Wimmer

Commission Absent: none

Staff Present: City Recorder/ZOA DeOra Patton

Visitors Present: Gene Barnett

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE. The meeting was called to order by Chairman Madden at 7:00 p.m. Roll Call of Planning Commission was conducted by Recorder Patton. Chairman Madden led the Commissioners in the Pledge of Allegiance.

CONTINUATION OF WORKSESSION TO DISCUSS MEDICAL MARIJUANA DISPENSARY, ESTABLISHING RULES AND REGULATIONS AS TO TIME, PLACE, MANNER.

Commissioner Wimmer reported there are no sign regulations adopted by State Agencies. Commissioner Wright presented some proposed zoning ordinance language. Recorder Patton presented, as a sample ordinance, a copy of the City of The Dalles proposed General Ordinance No. 15-1339 establishing provisions for the regulation of medical marijuana facilities.

Discussions included having specific language that Medical Marijuana Facility is housed in permanent building (structure with foundation) and may not locate in a recreational vehicle, mobile home, trailer, cargo container, or motor vehicle; no drive-up use; no outdoor storage of merchandise, raw materials, or other material associated with the dispensary facility; meet all current State regulations; provide for secure disposal of marijuana remnants or by-products; be registered with the Oregon Health Authority; not be located within 1000 feet of schools and other dispensaries, 100 feet from residential area, and 500 feet from public parks; outright permitted use in General Commercial, Recreational Commercial, Industrial and Agricultural zones; operate between 10 a.m. to 8 p.m., 7 days/week; signage be restricted to 12 square feet maximum and colors of black, green, and white; and research sign text (free speech) and preference for stand alone general ordinance with City Attorney.

AGENDA ADDITION. Commissioner Wimmer inquired if ODOT has met conditions of approval in their diesel tank installation permit. Recorder Patton will check with Planner Meader on status.

NEXT MEETING: May 18, 2015 – Continuation of Worksession

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ADJOURN: Chairman Madden adjourned the meeting at 8:47 p.m.

Respectfully submitted by
DeOra M Patton
City Recorder

SIGNED _____
Dale Madden, Chairman

DRAFT

PRESIDING: Dale Madden

Commission Present: Dale Madden, Virginia Fuller, Susan Wright, Patrick Kollodge, Ralph Wimmer

Commission Absent: none

Staff Present: City Recorder/ZOA DeOra Patton, Planner Nick Kramer

Visitors Present: Dawna North, Dennis Ross, Rod Woodside

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE. The meeting was called to order by Chairman Madden at 7:00 p.m. Roll Call of Planning Commission was conducted by Recorder Patton. Chairman Madden led the Commissioners in the Pledge of Allegiance.

CONSENT AGENDA: APPROVAL OF MINUTES OF APRIL 16, 2015. It was moved by Commissioner Fuller, seconded by Commissioner Wright, and unanimously passed; the Commission approves consent agenda with correction that the meeting was called to order by Chairman Madden.

PUBLIC HEARING TO RECEIVE PUBLIC TESTIMONY AND CONSIDER A REQUEST BY DESCHUTES MOTEL FOR APPROVAL OF AN OFF-PREMISES SALES LIQUOR LICENSE AT 616 MILL STREET, MAUPIN. For the record, notice of this hearing was published in The Dalles Chronicle, posted locally, and mailed to surrounding property owners within 100 feet. The application was available for public inspection at city hall.

Chairman Madden announced the purpose, this hearing to be a quasi-judicial public hearing, and rules of procedure. Planner Kramer read the applicable criteria. Chairman Madden cited the ORS Statute rules pertaining to testimony and evidence, the raising of issues, continuances, and failure to raise an issue precluding appeal to the City Council or Land Use Board of Appeals.

CALL FOR ABSTENTIONS: Commissioner Fuller disclosed conflict of interest and abstained.

OBJECTIONS TO JURISDICTION: No audience member objected to the Commission or any of its remaining members to hear the matter.

OPEN HEARING: Chairman Madden opened the hearing and called for the staff report to be submitted.

STAFF REPORT: Planner Kramer reviewed the written staff report of May 18, 2015 prepared by Planner Meader of which is attached and made a part of these minutes. Planning Staff

recommends approval of the proposed license unless there is something that comes up during the public hearing that causes concern and needs further investigation.

PROPONENTS: Applicant Dawna North spoke on their plan of operation. They are not changing any structure. Room #8 will be set up as a public restroom. They will set up a cooler for beer, gift shop style, mainly for their customers. Beer will be consumed off-premises or in rooms. They have quiet time after 10 p.m. Hours of sales may be 8 a.m. to 10 p.m. They will have a 3'x3' easel sign for gift shop.

OPPONENTS: none

CLOSE OF HEARING: There being no other testimony, Chairman Madden closed the public portion of the hearing at 7:26 p.m.

DELIBERATION/DECISION: In the matter of signage, it was acknowledged a sign permit from the City would be required for any signage directed to attract motorists/pedestrians from the street and highway. Based on discussion, it was moved by Commissioner Kollodge, seconded by Commissioner Wimmer, and passed on a vote of 4 to 0, 1 abstain (Fuller); the Planning Commission recommends to the City Council approval of this New Outlet/Off-Premises Sales Liquor License for Deschutes Motel as presented.

CONSIDER STRUCTURE PERMIT APPLICATION BY GARY SCHOENECKER FOR ALTERATION/REMODEL OF STRUCTURE ON TAX LOT 1600 OF 4S-14E-32DD.

Dennis Ross spoke on behalf of Gary Schoenecker who could not be present tonight. The plan is to remodel and add 4 feet to an existing structure, an old restroom & shower facility, to provide 2 restrooms and 2 showers for Mr. Schoenecker's employees (not open to general public). The existing structure is 12' x 16' and the addition will enlarge it to 16' x 16'. On inquiry by Commissioner Wright, Mr. Ross reported the intent of occupancy of the land is seasonal for rafting season employees, and there are more land development plans coming in the future. Commissioner Wright recognized there are angry citizens residing above this parcel of land who are concerned about parties, noise, traffic, etc.

Based on discussion, it was moved by Commissioner Wimmer, seconded by Commissioner Kollodge, and passed unanimously; the Planning Commission approves Mr. Schoenecker's application for structure permit to remodel/enlarge building into restrooms and showers.

CONTINUATION OF WORKSESSION TO DISCUSS MEDICAL MARIJUANA DISPENSARY, ESTABLISHING RULES AND REGULATIONS AS TO TIME, PLACE, MANNER.

Recorder Patton presented a handout drafted from the proposals discussed at the last meeting for setting Time, Place, Manner, and Signage of Medical Marijuana Dispensaries in Maupin. She

reported on contact with Planner Meader and Attorney Sumner regarding sign text and type of ordinance. As to sign text, the City cannot regulate content. The ordinance should be a Stand Alone ordinance governing the medical marijuana issue, and then rely on the Zoning Ordinance for the actual site improvement, if necessary.

The Maupin Zoning Map was reviewed and recognized the proposal of Place (100 feet from residential zones and 500 feet from public parks) prohibits any dispensary in town.

Based on discussion, it was moved by Commissioner Wimmer, seconded by Commissioner Kollodge, and passed on a vote of 3 to 2 (Ayes: Wimmer, Kollodge, Madden; Nays: Wright, Fuller); the Planning Commission passes the following Recommendation on to City Council with recommendation for Place to be 1000 feet from schools and other dispensaries and 100 feet from residences.

PROPOSAL

Maupin Planning Commission Recommendation May 18, 2015
In the matter of Medical Marijuana Dispensaries

ORDINANCE: Stand Alone

TIME: 10:00 a.m. to 8:00 p.m.; 7 days/week

PLACE: Outright permitted use in General Commercial, Recreational Commercial, Industrial, and Agriculture Zones

1000 feet from Schools
1000 feet from other Dispensaries
100 feet from Residence

MANNER: Permanent Structure with foundation; no recreational vehicle, trailer, mobile home, cargo container, or motor vehicle

No drive-up use

No outdoor storage of merchandise, raw materials, or other material associated with the dispensary facility

Shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed in the dispensary facility's exterior refuse containers

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The dispensary facility shall be registered with the Oregon Health Authority under the State of Oregon's medical marijuana facility registration system under ORS 475.300 to 475.346, as now constituted, and meet the requirements of OAR Chapter 333 Division 8 Medical Marijuana Facilities

Shall meet all current State regulations

SIGNAGE: 12 square feet maximum
Black, Green, White only

AGENDA ADDITION – COMMUNICATIONS. Recorder Patton presented a reply from Planner Meader regarding Commissioner Wimmer's question at the last Planning Commission meeting regarding compliance with conditions on ODOT's diesel tank installation permit. ODOT Representative Scott Peters indicated they are not done with the site improvements for the diesel tank just yet, and either Mr. Peters will provide a written certification of compliance with conditions of approval or Planner Meader will conduct an on-site inspection with Mr. Peters and issue a letter of certification.

NEXT MEETING: June 1, 2015 pending business

ADJOURN: Chairman Madden adjourned the meeting at 9:08 p.m.

Respectfully submitted by
DeOra M Patton
City Recorder

SIGNED _____
Dale Madden, Chairman

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