



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
PLANNING DEPARTMENT

# MINUTES

## CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

313 COURT STREET

THE DALLES, OREGON 97058

CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

**THURSDAY, MARCH 16, 2017**

**5:30 P.M.**

### I. CALL TO ORDER

Chair Lavier brought the meeting to order at 5:35 p.m.

### II. ROLL CALL:

In Attendance:

Commission Chair: Bruce Lavier

Commissioners: Sherry DuFault, John Nelson, Mark Poppoff, Steve Ross

Absent: Jeff Stiles, Chris Zudin

Staff: City Attorney Gene Parker, Planning Director Steve Harris,  
Public Works Director Dave Anderson, City Engineer Dale  
McCabe

### III. APPROVAL OF AGENDA

Commissioner Nelson moved to approve the agenda as written. Commissioner DuFault seconded the motion; the agenda was unanimously approved by the Commission.

### IV. APPROVAL OF MINUTES

Commissioner Ross moved to approve the February 16, 2017 minutes; Commissioner Poppoff seconded the motion. The minutes were unanimously passed.

### V. PUBLIC COMMENT

None.

### VI. PUBLIC HEARINGS

**A. ZONING ORDINANCE AMENDMENT ZOA 95-17** – Proposed Land Use and Development Ordinance Amendments pertaining to recreational retail marijuana establishments separation requirements and establishing odor control and screening requirements for personal grow sites.

Director Harris began the public hearing referring the Commission to direction from City Council (Council's direction to Staff to revisit separation distances and draft alternative language) and discussions held at the February 16<sup>th</sup> Planning Commission meeting.

Director Harris explained that any item that potentially amends the Land Use and Development Ordinance (LUDO) requires a 35-day notice to the State. Notice was



sent to the Department of Land Conservation and Development on January 27, 2017. In addition, a Notice of Public Hearing was published in The Dalles Chronicle on March 5, 2017, and a direct notice was sent to operators of retail recreational marijuana establishments in the City.

An email from Mr. Norm Brock, Columbia River Herbals, was submitted to the Planning Commission expressing Mr. Brock's application concerns regarding his establishment on West 6<sup>th</sup> Street (Exhibit 1).

Director Harris presented maps displaying 500 foot and 1,000 foot buffer zones and potential marijuana dispensary locations. Harris stated that 500 foot buffer zones would provide additional retail sites.

Director Harris noted at the February 16<sup>th</sup> meeting, the Commission also discussed an annual operator's license and a temporary moratorium on subsequent applications within the separation area.

Commissioner DuFault questioned the need to readdress the 1,000 foot separation. Director Harris replied it was at the request of City Council that Staff and Planning Commission revisit the current separation requirement. Council discussion at the November 14<sup>th</sup> meeting also included recognizing that physical barriers between recreational retail establishments may constitute a mitigating factor in allowing the facilities to be located closer than 1,000 feet from each other as provided for in existing regulations.

Commissioner Poppoff asked if that was due to the two applications submitted almost simultaneously. Director Harris replied at the time Staff noted on both Land Use Compatibility Statement that there potentially may be permitted a retail facility located within 1,000 feet of each other, requesting that the State take that into consideration when processing the license permit application and to notify the City before issuing the license.

Director Harris stated the hearing on the agenda was to consider proposed amendments to the Land Use Development Ordinance for odor control and screening for personal marijuana grow sites, in addition to the recreational retailer separation requirements.

Three alternatives were presented for the Planning Commission's consideration:

Alternative No. 1 – reduces the 1,000 foot separation requirement to a 500 foot minimum separation requirement between recreational marijuana retailers. The use would still be allowed by right, subject to operating standards (e.g., hours of operation, no drive-up facility, etc.).

Alternative No. 2 – allows for a reduction in the 1,000 foot separation requirement to a minimum of 500 feet separation with the issuance of a Conditional Use Permit (CUP). Recreational marijuana retailers would be allowed by right if they were located more than 1,000 feet apart. Whether allowed by right or through the issuance of a CUP the use would be subject to operating standards.

Alternative No. 3 – allows for a reduction in the 1,000 foot separation requirement with no minimum separation requirement established with the issuance of a Conditional Use Permit (CUP). Recreational marijuana retailers would be allowed by



right if they were located more than 1,000 feet apart. Whether allowed by right or through the issuance of a CUP the use would be subject to operating standards.

Director Harris stated the benefits to Alternatives No. 2 and No. 3 allow for public notice and public comment as well as provide opportunity to place additional conditions on the project through the UP process.

Chair Lavier Invited comments from the audience.

Mr. Don Lewis  
3021 W. Seventh Street  
The Dalles, OR 97058

Mr. Lewis stated since annexation into the City his property taxes increased \$1,000 a year. He said he was assured that the Arby's property would never be a pot shop. Mr. Lewis claims his neighborhood has become a cesspool. He suggested a fourth option of more than a 2,000 foot separation.

Commissioner DuFault stated she was not in favor of a change. Commissioner Ross stated he was in favor of Alternative No. 2.

Commissioner Nelson stated Alternative No. 2 would allow some flexibility to put controls and conditions on a project.

Chair Lavier revisited the suggestion of an annual license. Director Harris responded, saying that practice is used in other jurisdictions; additional research is required before implementing that option.

Director Harris stated the State license is renewed annually. Part of their process is to review any comments or concerns from the local jurisdictions. Complaints or operating out of compliance with local regulations may result in the State not renewing the annual permit of the operator. If the business operated out of compliance with the UP, the City could revoke the license as well. The CUP process used properly gives the City another tool in conjunction with the State's license.

Director Harris stated the temporary moratorium would help as well because of the confusion associated with the two applications. If there was a suspension or inability to apply for or go through the process until another application had gone through the process and was either approved or denied, it would prevent some of the issues seen now between the two operators.

Chair Lavier referred to prior discussion suggesting a 120 day time frame for a temporary moratorium.

Director Harris replied that the time frame is established. Regulations state after an application is submitted Planning has 30 days to deem the application complete and a total of 120 days to bring that item to the Planning Commission for approval. What was not established was the time required for the State to go through their process.

Commission consensus was that a temporary moratorium would provide some assurance for applicants while removing potential confusion surrounding multiple applications.



Further discussion touched on the need for a City business license. That subject was deemed outside the scope of the Planning Commission.

Chair Lavier closed the Public Hearing at 6:27 p.m.

Commissioner Nelson moved to recommend to City Council the language offered in Alternative No. 2 of the Planning Commission Staff Report (i.e., Option #3, Exhibit A of Resolution 562-17).

“Option #3. The Planning Commission finds and concludes that it is in the best interest of the health and safety of the citizens of The Dalles to reduce the 1,000 foot minimum separation requirement between recreational marijuana retailers to 500 feet, subject to the issuance of a conditional use permit. The reduction in this separation requirement will still address the concern as to the potential of a proliferation of retail marijuana facilities within the city; it will also create the potential for additional economic activity by creating additional potential locations for the operation of retail marijuana facilities; and it would provide an opportunity for comment at a public hearing concerning any potential negative impacts which the proposed facility would create, and those impacts would need to be addressed by a condition (or conditions) of approval. The retail marijuana facilities would still have to comply with operating standards for such facilities provided in the LUDO. The current 1,000 foot separation requirement for recreational marijuana retailers from elementary and secondary schools, public libraries, public parks and recreational facilities, and the 500 foot separation requirement for recreational marijuana facilities and the RL, RH and RM residential districts would remain in effect.”

Commissioner Ross seconded the motion. The motion passed 4-1; DuFault opposed, Stiles and Zukin absent.

Commission DuFault made a motion that upon application of a Land Use Compatibility Statement any further applications be put on hold for 150 days. Commissioner Poppoff seconded the motion; the motion passed unanimously, Stiles and Zukin absent.

**B. COMPREHENSIVE PLAN AMENDMENT CPA 42-17 AND ZONING ORDINANCE AMENDMENT ZOA 94-17 – Pertaining to adoption of updated Transportation System Plan and various amendments to the Comprehensive Land Use Plan and the Land Use and Development Ordinance**

Director Harris referred the Commission to the Transportation Plan discussed at the February 6<sup>th</sup> workshop, along with memos on suggested amendments to the Land Use and Development Ordinance, the Comprehensive Plan that would implement policies in the draft Transportation System Plan (TSP), and a handout referencing various construction projects. Director Harris then introduced City Engineer Dale McCabe and Susan Wright, Consultant, Kittelson and Associates.

Mr. McCabe stated this Public Hearing was the next step toward final adoption of the TSP. The Planning Commission could make edit recommendations to the TSP to be proposed on April 10<sup>th</sup> at the City Council Public Hearing, prior to going to adoption.

Susan Wright presented an overview of work completed and focused on changes made as a result of the work session, Exhibit 2. She stated the TSP provides



guidance for how the City operates its transportation system, including priority projects, policies and programs to guide the city for the next 20 years. It helps guide development review decisions, capital improvements and planned programming. Ms. Wright also brought attention to edits in the TSP evolving from the work session.

Dave Anderson, Public Works Director for City of The Dalles provided background information on potential bicycle routes to improve access through downtown area. He stated one recommendation from the Bicycle Advisory Committee was to develop First Street as a primary bicycle route. Also planned was a streetscape project anticipated to improve First Street with lighting, improved sidewalks and pedestrian facilities. However, bicycle lanes on First Street would remove parking availability along the north side of First Street.

Ms. Wright drew attention to associated Comprehensive Plan amendments and LUDO amendments necessary for implementation of the TSP.

Ms. Wright also elaborated on Staff concerns regarding partitions occurring on non-network streets without frontage improvements. A subdivision would be required to include transportation and other infrastructure facilities. A serial partition is, in essence, provided with a waiver from those improvements. Commission consensus was to explore options for further scrutiny on partition applications.

Chair Lavier invited public comments.

Bruce Lumper  
Vice President, Riverfront Trail Board  
Co-Chair, The Dalles Watershed Council  
6377 Mill Creek Road  
The Dalles, OR 97058

Mr. Lumper presented a letter to the Commission, Exhibit 3, requesting that the Planning Commission consider changes to the Transportation Safety Plan for Mill Creek Trail, Phases 1 through III. Inclusion of the Mill Creek Trail phases would provide additional impetus for funding.

Planning Commission consensus was to include Mill Creek Trail, Phases I through III, in the TSP.

Engineer Dale McCabe asked the Commission if there were additional questions or suggestions for the draft TSP.

Chair Lavier expressed a desire for stronger language dealing with serial partitions.

Commissioner Poppoff recommended rather than installing sidewalks on West Second Street, a dual use lane for both pedestrians and cyclists would be more practical. McCabe responded stating that in discussions with the public advisory committee and discussion at both public meetings, it was felt pedestrian and bicycle improvements are needed.

Chair Lavier and Commissioner DuFault expressed their thanks for the efforts that went into the Transportation System Plan.



Chair Lavier closed the Public Hearing at 7:41 p.m.

Commissioner DuFault made a motion to adopt the draft Transportation System Plan with the inclusion of changes suggested in Bruce Lumper's March 16 memo. Commissioner Poppoff seconded the motion; the motion passed unanimously, Stiles and Zukin absent.

**VII. RESOLUTIONS**

**561-17: CPA 42-17 and ZOA 94-17 City of The Dalles**

Commissioner DuFault made a motion to adopt Resolution 561-17 with changes in the amendments to include language and also the amendments to Section 3.040 considering serial partitions. Commissioner Poppoff seconded the motion; the motion passed unanimously, Stiles and Zukin absent.

**562-17: ZOA 95-17 City of The Dalles**

Commissioner Nelson moved to adopt Resolution 562-17, selecting Option #3 (Alternative No. 2 in Staff Report) in the findings and accepting the entire suggested odor and screening provisions. Commissioner Poppoff seconded the motion; the motion passed 4-1, DuFault opposed, Stiles and Zukin absent.

**VIII. STAFF COMMENTS**

Next scheduled meeting: April 6, 2017

Director Harris informed the Commission of agenda items for the April 6<sup>th</sup> meeting. Items include a Conditional Use Permit for a training tower for Mid-Columbia Fire and Rescue and various Housing Studies, the Buildable Lands Inventory, Housing Strategy and Housing Residential Plans Assessment. Multiple Comprehensive Plan and LUDO text amendments must be adopted to fully implement the recommendations of the Housing Strategies Report. Because the studies are funded by State grants, it is necessary to present them to City Council next month to meet funding obligations.


**IX. COMMISSIONER COMMENTS**

There were no further comments or questions.

**X. ADJOURNMENT**

Chair Lavier adjourned the meeting at 7:52 p.m.

Respectfully submitted by Planning Secretary Paula Webb.

  
\_\_\_\_\_  
Bruce Lavier, Chair



**City of The Dalles**  
**Potential Marijuana Dispensary Locations**  
**500' Buffers**  
**Revised February 12, 2017**

**Legend:**

- Current Stores Locations
- Store Buffer 500'
- Potential Locations
- Schools & Facilities 1000' Buffer
- Residential Zones 500' Buffer

**Map Labels:**

- Kramer Field
- Sorosis Park
- Thompson Track
- Water's Edge
- Fred Meyer
- Proposed Wal-Mart Site
- Streets: RIVER RD, HUNTERLYN ST W, SHIPES ST W, W 7TH ST, W 6TH ST, W 5TH ST, W 4TH ST, W 3RD ST, W 2ND ST, W 1ST ST, CHERRY HEIGHTS RD W, W 10TH ST, W 9TH ST, W 8TH ST, W 7TH ST, W 6TH ST, W 5TH ST, W 4TH ST, W 3RD ST, W 2ND ST, W 1ST ST, E 1ST ST, E 2ND ST, E 3RD ST, E 4TH ST, E 5TH ST, E 6TH ST, E 7TH ST, E 8TH ST, E 9TH ST, E 10TH ST, E 11TH ST, E 12TH ST, E 13TH ST, E 14TH ST, E 15TH ST, E 16TH ST, E 17TH ST, E 18TH ST, E 19TH ST, E 20TH ST, E 21ST ST, E 22ND ST, E 23RD ST, E 24TH ST, E 25TH ST, E 26TH ST, E 27TH ST, E 28TH ST, E 29TH ST, E 30TH ST, E 31ST ST, E 32ND ST, E 33RD ST, E 34TH ST, E 35TH ST, E 36TH ST, E 37TH ST, E 38TH ST, E 39TH ST, E 40TH ST, E 41ST ST, E 42ND ST, E 43RD ST, E 44TH ST, E 45TH ST, E 46TH ST, E 47TH ST, E 48TH ST, E 49TH ST, E 50TH ST, E 51ST ST, E 52ND ST, E 53RD ST, E 54TH ST, E 55TH ST, E 56TH ST, E 57TH ST, E 58TH ST, E 59TH ST, E 60TH ST, E 61ST ST, E 62ND ST, E 63RD ST, E 64TH ST, E 65TH ST, E 66TH ST, E 67TH ST, E 68TH ST, E 69TH ST, E 70TH ST, E 71ST ST, E 72ND ST, E 73RD ST, E 74TH ST, E 75TH ST, E 76TH ST, E 77TH ST, E 78TH ST, E 79TH ST, E 80TH ST, E 81ST ST, E 82ND ST, E 83RD ST, E 84TH ST, E 85TH ST, E 86TH ST, E 87TH ST, E 88TH ST, E 89TH ST, E 90TH ST, E 91ST ST, E 92ND ST, E 93RD ST, E 94TH ST, E 95TH ST, E 96TH ST, E 97TH ST, E 98TH ST, E 99TH ST, E 100TH ST, E 101ST ST, E 102ND ST, E 103RD ST, E 104TH ST, E 105TH ST, E 106TH ST, E 107TH ST, E 108TH ST, E 109TH ST, E 110TH ST, E 111ST ST, E 112ND ST, E 113RD ST, E 114TH ST, E 115TH ST, E 116TH ST, E 117TH ST, E 118TH ST, E 119TH ST, E 120TH ST, E 121ST ST, E 122ND ST, E 123RD ST, E 124TH ST, E 125TH ST, E 126TH ST, E 127TH ST, E 128TH ST, E 129TH ST, E 130TH ST, E 131ST ST, E 132ND ST, E 133RD ST, E 134TH ST, E 135TH ST, E 136TH ST, E 137TH ST, E 138TH ST, E 139TH ST, E 140TH ST, E 141ST ST, E 142ND ST, E 143RD ST, E 144TH ST, E 145TH ST, E 146TH ST, E 147TH ST, E 148TH ST, E 149TH ST, E 150TH ST, E 151ST ST, E 152ND ST, E 153RD ST, E 154TH ST, E 155TH ST, E 156TH ST, E 157TH ST, E 158TH ST, E 159TH ST, E 160TH ST, E 161ST ST, E 162ND ST, E 163RD ST, E 164TH ST, E 165TH ST, E 166TH ST, E 167TH ST, E 168TH ST, E 169TH ST, E 170TH ST, E 171ST ST, E 172ND ST, E 173RD ST, E 174TH ST, E 175TH ST, E 176TH ST, E 177TH ST, E 178TH ST, E 179TH ST, E 180TH ST, E 181ST ST, E 182ND ST, E 183RD ST, E 184TH ST, E 185TH ST, E 186TH ST, E 187TH ST, E 188TH ST, E 189TH ST, E 190TH ST, E 191ST ST, E 192ND ST, E 193RD ST, E 194TH ST, E 195TH ST, E 196TH ST, E 197TH ST, E 198TH ST, E 199TH ST, E 200TH ST, E 201ST ST, E 202ND ST, E 203RD ST, E 204TH ST, E 205TH ST, E 206TH ST, E 207TH ST, E 208TH ST, E 209TH ST, E 210TH ST, E 211ST ST, E 212ND ST, E 213RD ST, E 214TH ST, E 215TH ST, E 216TH ST, E 217TH ST, E 218TH ST, E 219TH ST, E 220TH ST, E 221ST ST, E 222ND ST, E 223RD ST, E 224TH ST, E 225TH ST, E 226TH ST, E 227TH ST, E 228TH ST, E 229TH ST, E 230TH ST, E 231ST ST, E 232ND ST, E 233RD ST, E 234TH ST, E 235TH ST, E 236TH ST, E 237TH ST, E 238TH ST, E 239TH ST, E 240TH ST, E 241ST ST, E 242ND ST, E 243RD ST, E 244TH ST, E 245TH ST, E 246TH ST, E 247TH ST, E 248TH ST, E 249TH ST, E 250TH ST, E 251ST ST, E 252ND ST, E 253RD ST, E 254TH ST, E 255TH ST, E 256TH ST, E 257TH ST, E 258TH ST, E 259TH ST, E 260TH ST, E 261ST ST, E 262ND ST, E 263RD ST, E 264TH ST, E 265TH ST, E 266TH ST, E 267TH ST, E 268TH ST, E 269TH ST, E 270TH ST, E 271ST ST, E 272ND ST, E 273RD ST, E 274TH ST, E 275TH ST, E 276TH ST, E 277TH ST, E 278TH ST, E 279TH ST, E 280TH ST, E 281ST ST, E 282ND ST, E 283RD ST, E 284TH ST, E 285TH ST, E 286TH ST, E 287TH ST, E 288TH ST, E 289TH ST, E 290TH ST, E 291ST ST, E 292ND ST, E 293RD ST, E 294TH ST, E 295TH ST, E 296TH ST, E 297TH ST, E 298TH ST, E 299TH ST, E 300TH ST, E 301ST ST, E 302ND ST, E 303RD ST, E 304TH ST, E 305TH ST, E 306TH ST, E 307TH ST, E 308TH ST, E 309TH ST, E 310TH ST, E 311ST ST, E 312ND ST, E 313RD ST, E 314TH ST, E 315TH ST, E 316TH ST, E 317TH ST, E 318TH ST, E 319TH ST, E 320TH ST, E 321ST ST, E 322ND ST, E 323RD ST, E 324TH ST, E 325TH ST, E 326TH ST, E 327TH ST, E 328TH ST, E 329TH ST, E 330TH ST, E 331ST ST, E 332ND ST, E 333RD ST, E 334TH ST, E 335TH ST, E 336TH ST, E 337TH ST, E 338TH ST, E 339TH ST, E 340TH ST, E 341ST ST, E 342ND ST, E 343RD ST, E 344TH ST, E 345TH ST, E 346TH ST, E 347TH ST, E 348TH ST, E 349TH ST, E 350TH ST, E 351ST ST, E 352ND ST, E 353RD ST, E 354TH ST, E 355TH ST, E 356TH ST, E 357TH ST, E 358TH ST, E 359TH ST, E 360TH ST, E 361ST ST, E 362ND ST, E 363RD ST, E 364TH ST, E 365TH ST, E 366TH ST, E 367TH ST, E 368TH ST, E 369TH ST, E 370TH ST, E 371ST ST, E 372ND ST, E 373RD ST, E 374TH ST, E 375TH ST, E 376TH ST, E 377TH ST, E 378TH ST, E 379TH ST, E 380TH ST, E 381ST ST, E 382ND ST, E 383RD ST, E 384TH ST, E 385TH ST, E 386TH ST, E 387TH ST, E 388TH ST, E 389TH ST, E 390TH ST, E 391ST ST, E 392ND ST, E 393RD ST, E 394TH ST, E 395TH ST, E 396TH ST, E 397TH ST, E 398TH ST, E 399TH ST, E 400TH ST, E 401ST ST, E 402ND ST, E 403RD ST, E 404TH ST, E 405TH ST, E 406TH ST, E 407TH ST, E 408TH ST, E 409TH ST, E 410TH ST, E 411ST ST, E 412ND ST, E 413RD ST, E 414TH ST, E 415TH ST, E 416TH ST, E 417TH ST, E 418TH ST, E 419TH ST, E 420TH ST, E 421ST ST, E 422ND ST, E 423RD ST, E 424TH ST, E 425TH ST, E 426TH ST, E 427TH ST, E 428TH ST, E 429TH ST, E 430TH ST, E 431ST ST, E 432ND ST, E 433RD ST, E 434TH ST, E 435TH ST, E 436TH ST, E 437TH ST, E 438TH ST, E 439TH ST, E 440TH ST, E 441ST ST, E 442ND ST, E 443RD ST, E 444TH ST, E 445TH ST, E 446TH ST, E 447TH ST, E 448TH ST, E 449TH ST, E 450TH ST, E 451ST ST, E 452ND ST, E 453RD ST, E 454TH ST, E 455TH ST, E 456TH ST, E 457TH ST, E 458TH ST, E 459TH ST, E 460TH ST, E 461ST ST, E 462ND ST, E 463RD ST, E 464TH ST, E 465TH ST, E 466TH ST, E 467TH ST, E 468TH ST, E 469TH ST,

1:24,000

Thompson Track



**City of The Dalles**  
**Potential Marijuana Dispensary Locations**  
**1000' Buffers**  
**Revised February 12, 2017**

**Legend:**

- Current Stores Locations
- Store Buffer 1000' Buffer
- Potential Locations
- Schools & Facilities 1000' Buffer
- Residential Zones 500' Buffer

**Map Labels:**

- RIVER RD
- PROPOSED WAL-MART SITE
- Fred Meyer
- Water's Edge
- Kramer Field
- Sorosis Park
- Thompson Track
- STREETS: NORTH CLARK ST, GRIPES W, W 7TH ST, W 8TH ST, W 9TH ST, W 10TH ST, W 11TH ST, W 12TH ST, W 13TH ST, W 14TH ST, W 15TH ST, W 16TH ST, W 17TH ST, W 18TH ST, W 19TH ST, W 20TH ST, W 21ST, W 22ND ST, W 23RD ST, W 24TH ST, W 25TH ST, W 26TH ST, W 27TH ST, W 28TH ST, W 29TH ST, W 30TH ST, W 31ST, W 32ND ST, W 33RD ST, W 34TH ST, W 35TH ST, W 36TH ST, W 37TH ST, W 38TH ST, W 39TH ST, W 40TH ST, W 41ST, W 42ND ST, W 43RD ST, W 44TH ST, W 45TH ST, W 46TH ST, W 47TH ST, W 48TH ST, W 49TH ST, W 50TH ST, W 51ST, W 52ND ST, W 53RD ST, W 54TH ST, W 55TH ST, W 56TH ST, W 57TH ST, W 58TH ST, W 59TH ST, W 60TH ST, W 61ST, W 62ND ST, W 63RD ST, W 64TH ST, W 65TH ST, W 66TH ST, W 67TH ST, W 68TH ST, W 69TH ST, W 70TH ST, W 71ST, W 72ND ST, W 73RD ST, W 74TH ST, W 75TH ST, W 76TH ST, W 77TH ST, W 78TH ST, W 79TH ST, W 80TH ST, W 81ST, W 82ND ST, W 83RD ST, W 84TH ST, W 85TH ST, W 86TH ST, W 87TH ST, W 88TH ST, W 89TH ST, W 90TH ST, W 91ST, W 92ND ST, W 93RD ST, W 94TH ST, W 95TH ST, W 96TH ST, W 97TH ST, W 98TH ST, W 99TH ST, W 100TH ST, W 101ST, W 102ND ST, W 103RD ST, W 104TH ST, W 105TH ST, W 106TH ST, W 107TH ST, W 108TH ST, W 109TH ST, W 110TH ST, W 111ST, W 112ND ST, W 113RD ST, W 114TH ST, W 115TH ST, W 116TH ST, W 117TH ST, W 118TH ST, W 119TH ST, W 120TH ST, W 121ST, W 122ND ST, W 123RD ST, W 124TH ST, W 125TH ST, W 126TH ST, W 127TH ST, W 128TH ST, W 129TH ST, W 130TH ST, W 131ST, W 132ND ST, W 133RD ST, W 134TH ST, W 135TH ST, W 136TH ST, W 137TH ST, W 138TH ST, W 139TH ST, W 140TH ST, W 141ST, W 142ND ST, W 143RD ST, W 144TH ST, W 145TH ST, W 146TH ST, W 147TH ST, W 148TH ST, W 149TH ST, W 150TH ST, W 151ST, W 152ND ST, W 153RD ST, W 154TH ST, W 155TH ST, W 156TH ST, W 157TH ST, W 158TH ST, W 159TH ST, W 160TH ST, W 161ST, W 162ND ST, W 163RD ST, W 164TH ST, W 165TH ST, W 166TH ST, W 167TH ST, W 168TH ST, W 169TH ST, W 170TH ST, W 171ST, W 172ND ST, W 173RD ST, W 174TH ST, W 175TH ST, W 176TH ST, W 177TH ST, W 178TH ST, W 179TH ST, W 180TH ST, W 181ST, W 182ND ST, W 183RD ST, W 184TH ST, W 185TH ST, W 186TH ST, W 187TH ST, W 188TH ST, W 189TH ST, W 190TH ST, W 191ST, W 192ND ST, W 193RD ST, W 194TH ST, W 195TH ST, W 196TH ST, W 197TH ST, W 198TH ST, W 199TH ST, W 200TH ST, W 201ST, W 202ND ST, W 203RD ST, W 204TH ST, W 205TH ST, W 206TH ST, W 207TH ST, W 208TH ST, W 209TH ST, W 210TH ST, W 211ST, W 212ND ST, W 213RD ST, W 214TH ST, W 215TH ST, W 216TH ST, W 217TH ST, W 218TH ST, W 219TH ST, W 220TH ST, W 221ST, W 222ND ST, W 223RD ST, W 224TH ST, W 225TH ST, W 226TH ST, W 227TH ST, W 228TH ST, W 229TH ST, W 230TH ST, W 231ST, W 232ND ST, W 233RD ST, W 234TH ST, W 235TH ST, W 236TH ST, W 237TH ST, W 238TH ST, W 239TH ST, W 240TH ST, W 241ST, W 242ND ST, W 243RD ST, W 244TH ST, W 245TH ST, W 246TH ST, W 247TH ST, W 248TH ST, W 249TH ST, W 250TH ST, W 251ST, W 252ND ST, W 253RD ST, W 254TH ST, W 255TH ST, W 256TH ST, W 257TH ST, W 258TH ST, W 259TH ST, W 260TH ST, W 261ST, W 262ND ST, W 263RD ST, W 264TH ST, W 265TH ST, W 266TH ST, W 267TH ST, W 268TH ST, W 269TH ST, W 270TH ST, W 271ST, W 272ND ST, W 273RD ST, W 274TH ST, W 275TH ST, W 276TH ST, W 277TH ST, W 278TH ST, W 279TH ST, W 280TH ST, W 281ST, W 282ND ST, W 283RD ST, W 284TH ST, W 285TH ST, W 286TH ST, W 287TH ST, W 288TH ST, W 289TH ST, W 290TH ST, W 291ST, W 292ND ST, W 293RD ST, W 294TH ST, W 295TH ST, W 296TH ST, W 297TH ST, W 298TH ST, W 299TH ST, W 300TH ST, W 301ST, W 302ND ST, W 303RD ST, W 304TH ST, W 305TH ST, W 306TH ST, W 307TH ST, W 308TH ST, W 309TH ST, W 310TH ST, W 311ST, W 312ND ST, W 313RD ST, W 314TH ST, W 315TH ST, W 316TH ST, W 317TH ST, W 318TH ST, W 319TH ST, W 320TH ST, W 321ST, W 322ND ST, W 323RD ST, W 324TH ST, W 325TH ST, W 326TH ST, W 327TH ST, W 328TH ST, W 329TH ST, W 330TH ST, W 331ST, W 332ND ST, W 333RD ST, W 334TH ST, W 335TH ST, W 336TH ST, W 337TH ST, W 338TH ST, W 339TH ST, W 340TH ST, W 341ST, W 342ND ST, W 343RD ST, W 344TH ST, W 345TH ST, W 346TH ST, W 347TH ST, W 348TH ST, W 349TH ST, W 350TH ST, W 351ST, W 352ND ST, W 353RD ST, W 354TH ST, W 355TH ST, W 356TH ST, W 357TH ST, W 358TH ST, W 359TH ST, W 360TH ST, W 361ST, W 362ND ST, W 363RD ST, W 364TH ST, W 365TH ST, W 366TH ST, W 367TH ST, W 368TH ST, W 369TH ST, W 370TH ST, W 371ST, W 372ND ST, W 373RD ST, W 374TH ST, W 375TH ST, W 376TH ST, W 377TH ST, W 378TH ST, W 379TH ST, W 380TH ST, W 381ST, W 382ND ST, W 383RD ST, W 384TH ST, W 385TH ST, W 386TH ST, W 387TH ST, W 388TH ST, W 389TH ST, W 390TH ST, W 391ST, W 392ND ST, W 393RD ST, W 394TH ST, W 395TH ST, W 396TH ST, W 397TH ST, W 398TH ST, W 399TH ST, W 400TH ST, W 401ST, W 402ND ST, W 403RD ST, W 404TH ST, W 405TH ST, W 406TH ST, W 407TH ST, W 408TH ST, W 409TH ST, W 410TH ST, W 411ST, W 412ND ST, W 413RD ST, W 414TH ST, W 415TH ST, W 416TH ST, W 417TH ST, W 418TH ST, W 419TH ST, W 420TH ST, W 421ST, W 422ND ST, W 423RD ST, W 424TH ST, W 425TH ST, W 426TH ST, W 427TH ST, W 428TH ST, W 429TH ST, W 430TH ST, W 431ST, W 432ND ST, W 433RD ST, W 434TH ST, W 435TH ST, W 436TH ST, W 437TH ST, W 438TH ST, W 439TH ST, W 440TH ST, W 441ST, W 442ND ST, W 443RD ST, W 444TH ST, W 445TH ST, W 446TH ST, W 447TH ST, W 448TH ST, W 449TH ST, W 450TH ST, W 451ST, W 452ND ST, W 453RD ST, W 454TH ST, W 455TH ST, W 456TH ST, W 457TH ST, W 458TH ST, W 459TH ST, W 460TH ST, W 461ST, W 462ND ST, W 463RD ST, W 464TH ST, W 465TH ST, W 466TH ST, W 467TH ST, W 468TH ST, W 469TH ST, W 470TH ST, W 471ST, W 472ND ST, W 473RD ST, W 474TH ST, W 475TH ST, W 476TH ST, W 477TH ST, W 478TH ST, W 479TH ST, W 480TH ST, W 481ST, W 482ND ST, W 483RD ST, W 484TH ST, W 485TH ST, W 486TH ST, W 487TH ST, W 488TH ST, W 489TH ST, W 490TH ST, W 491ST, W 492ND ST, W 493RD ST, W 494TH ST, W 495TH ST, W 496TH ST, W 497TH ST, W 498TH ST, W 499TH ST, W 500TH

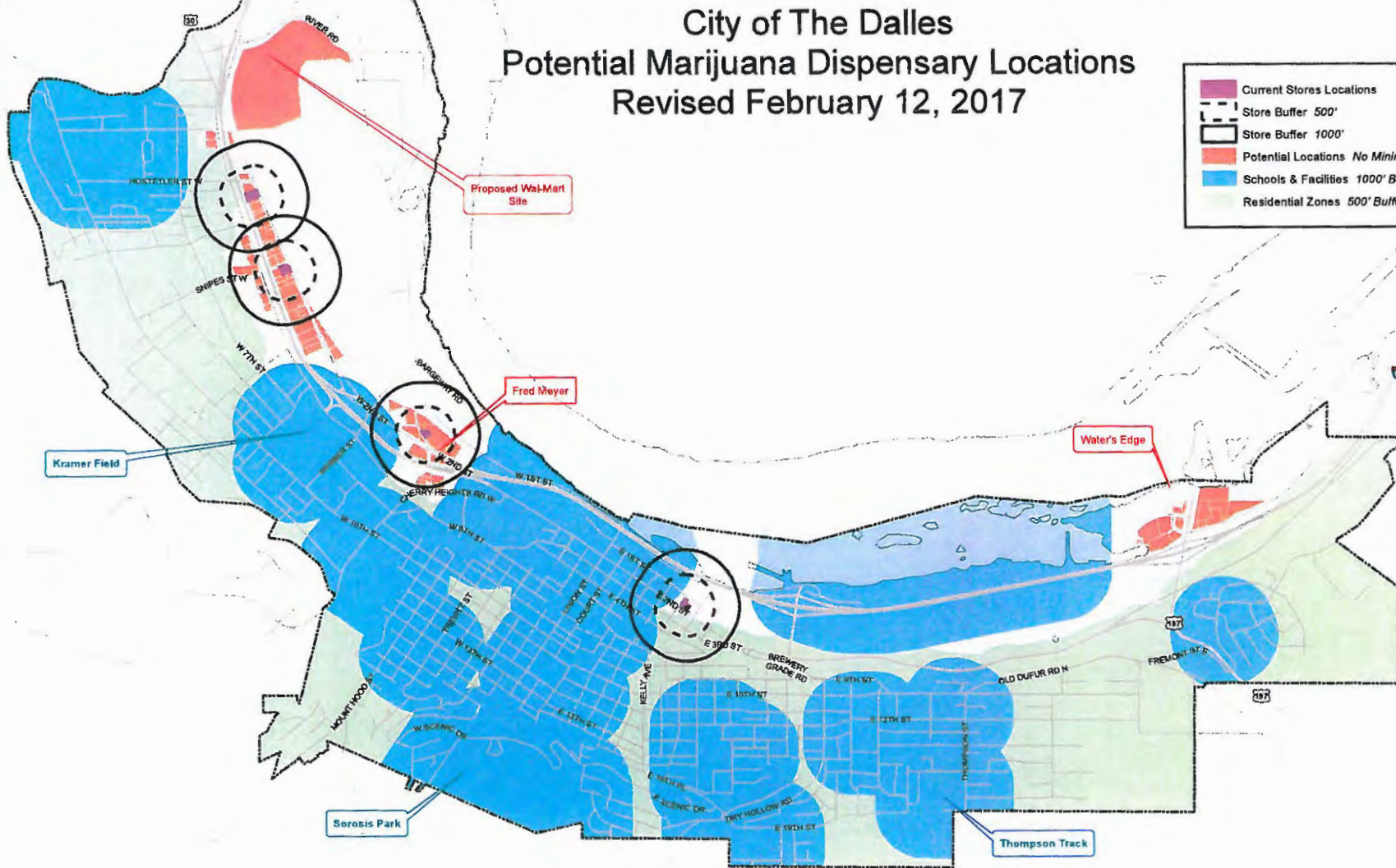
1:24,000

 $\sqrt{12}$



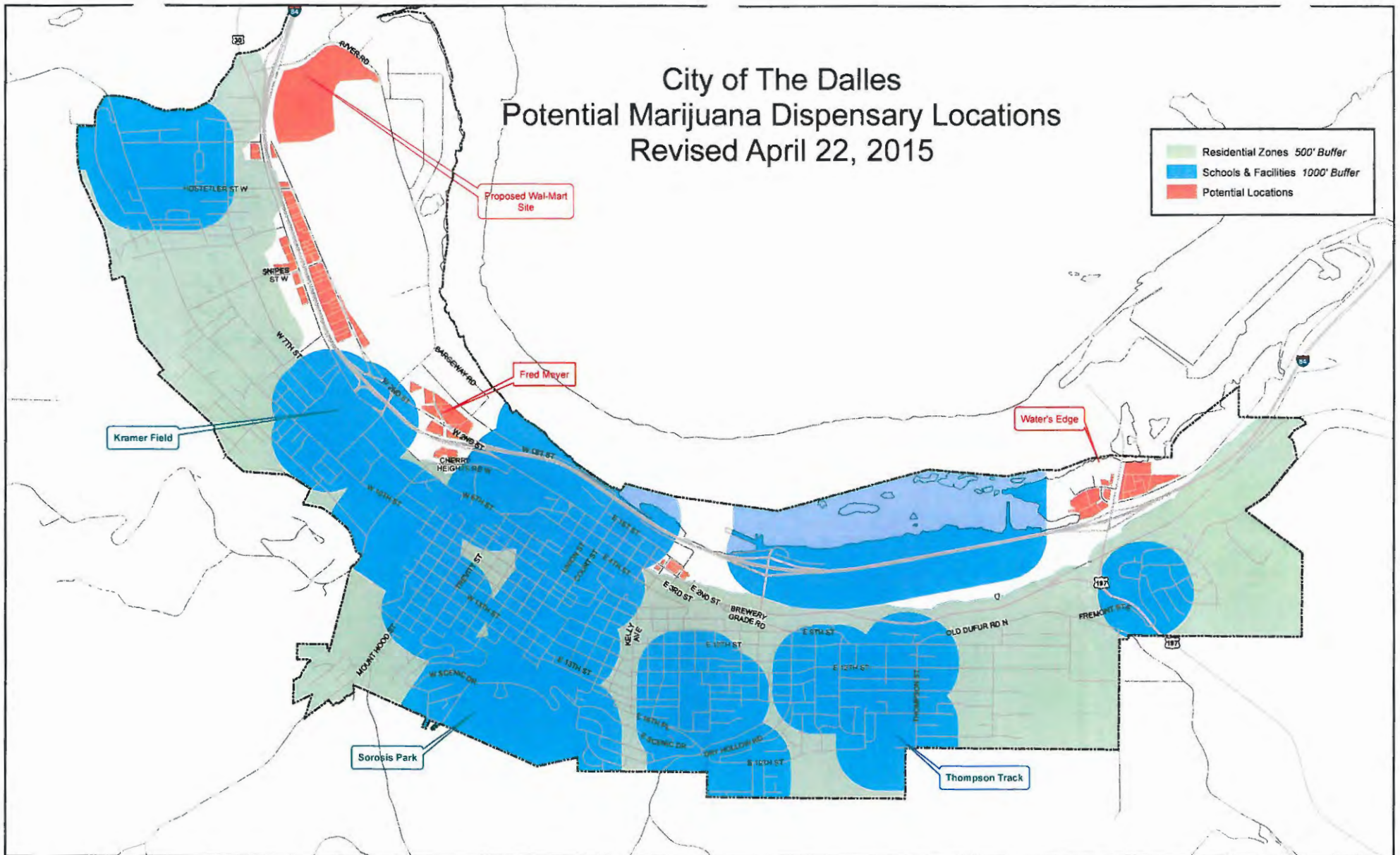
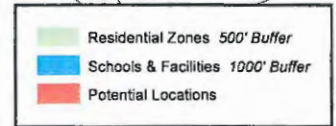
# City of The Dalles Potential Marijuana Dispensary Locations Revised February 12, 2017

- Current Stores Locations
- Store Buffer 500'
- Store Buffer 1000'
- Potential Locations No Minimum Distance
- Schools & Facilities 1000' Buffer
- Residential Zones 500' Buffer





# City of The Dalles Potential Marijuana Dispensary Locations Revised April 22, 2015



Date: 3/18/2016

1:24,000





**ZOA #93-17 - PROPOSED TEXT AMENDMENTS -  
RECREATIONAL RETAIL MARIJUANA FACILITIES  
SEPARATION REQUIREMENTS & ESTABLISHING  
ODOR CONTROL & SCREENING REQUIREMENTS  
FOR PERSONAL GROW SITES**

The Dalles Planning Commission  
Meeting Date – February 16, 2017

**ZOA #93-17**

**Existing Separation Requirements**

- ▶ 1,000 ft separation requirement between recreational marijuana retailers (registered w/ Oregon Liquor Control Commission) in CBC (Central Business Commercial District), CG (General Commercial District) & CLI (Commercial/ Light Industrial District)
  - *"The retail facility must be located more than 1,000 ft from all of the following facilities, measured in a straight line from the closest edge of the property on which the other facility is located..."*
- ▶ 1,000 ft separation requirement for recreational marijuana retailers & elementary/secondary schools, public libraries, public parks & recreational facilities.
- ▶ 500 ft separation requirement for recreational marijuana retailers & RL, RH, or RM Residential Districts.



## ZOA #93-17

### Proposed Separation Requirements

- ▶ "No Change" from existing standards.
- ▶ 3 alternative text amendments re 1,000 ft separation requirement between recreational retailers.
- ▶ "Physical barrier" alternative approach not pursued due to the difficulty in defining a physical barrier, as well as the permanence of such a barrier.
- ▶ *The existing 1,000 ft separation requirement for recreational marijuana retailers & elementary/secondary schools, public libraries, public parks & recreational facilities will remain, as will the 500 ft separation requirement for recreational marijuana retailers & the RL, RH, or RM Residential Districts.*

## ZOA #93-17

### Proposed Separation Requirements

- ▶ **Alternative No. 1** – reduces the 1,000 ft separation requirement to a **500 ft minimum** separation requirement between recreational marijuana retailers. The use would still be **allowed by right**, subject to operating standards (e.g., hours of operation, no drive-up facility, etc.).
- ▶ **Alternative No. 2** – allows for a reduction in the 1,000 ft separation requirement to a **minimum of 500 ft** separation with the issuance of a Conditional Use Permit (CUP). Recreational marijuana retailers would be **allowed by right** if they were located more than **1,000 ft apart**. Whether allowed by right or through the issuance of a CUP the use would be subject to operating standards.
- ▶ **Alternative No. 3** – allows for a reduction in the 1,000 ft separation requirement with **no minimum** separation requirement, with the issuance of a Conditional Use Permit (CUP). Recreational marijuana retailers would be **allowed by right** if they were located more than **1,000 ft apart**. Whether allowed by right or through the issuance of a CUP the use would be subject to operating standards.



## ZOA #93-17

### Odor Control & Screening Requirements

- ▶ Proposed text amendments would address concerns re visibility of & odors emanating from homegrown recreational or personal medical marijuana grow sites in the RL, RM & RH Residential Districts.
- ▶ Current State & City regulations allow for the cultivation of homegrown recreational & personal medical marijuana. LUDO Sections 5.010.040, 5.020.040 & 5.040.040 would be amended to add the following to prohibited uses in those zoning districts:

Odor associated with marijuana allowed to *"emanate from the (subject) property...to any other property."*

Marijuana to be located in place where *"the grow site may be seen by normal unaided vision from a public space or neighboring property."*

- ▶ Appropriate screening materials defined in LUDO Section 6.010.050.
- ▶ Odor complaints addressed pursuant to nuisance abatement procedures established in General Ordinance Chapter 5 Nuisances.



**From:** Norm Brock [<mailto:NormBrock@msn.com>]  
**Sent:** Wednesday, March 15, 2017 9:48 AM  
**To:** Steve Lawrence; Julie Krueger; Gene Parker  
**Cc:** [russ@craftlawyer.com](mailto:russ@craftlawyer.com)  
**Subject:** Columbia River Herbals-2630 W. 6th St.

Steve, Julie and Gene,

I received notice on Monday by mail that there is a Planning Commission meeting this Thursday in regards to finalizing the recommendations for amending the buffer zones. Unfortunately I will not be able to attend; I have a mandatory Doctors Appointment at the Eugene V.A. Clinic on Thursday Afternoon which is in conflict.

I would like to inform you that Columbia River Herbals:

- Has passed all local inspections and been granted Occupancy
- Passed OLCC Inspection
- Fully approved by OLCC
- Paid for our Marijuana Retailers License and given clearance to open.

We will be open for business on Friday March 17th at 11:00 a.m.

We will be operating on limited hours 11 a.m. to 6 p.m. until our Grand Opening which will be April 8th and 9th.

I am hoping to schedule a ribbon cutting for this location although we don't have the outside painted yet, if that happens I would like to invite you all to attend.

One thing I would like to point out in the event the separation issue cannot be resolved; the store on W. 2nd in the Devlins Automotive Building has not opened for business as of yesterday March 14, 2017.

If you could please extend to the Planning Commission my apologies for not being in attendance I would greatly appreciate it; this a vital issue for us but a recent health issue is why I have to keep this Doctors appointment.

Best regards,

Norm Brock  
Owner/Member  
Columbia River Herbals LLC  
541-521-9757



March 16, 2017

Bruce Lavier, Chairman  
City of the Dalles Planning Commission  
313 Court St.  
The Dalles, OR 97058

RE: Comments Regarding this evening's Agenda Item VI, Public Hearing B, Draft Updated Transportation System Plan Table 6-11, Pedestrian Projects: P-15, The Dalles Riverfront Trail; and P-17, P-20 and P-21, Proposed Mill Creek Trail

Dear Chairman Lavier;

At the February 6, 2017 Work Session of The Dalles City Council and the Planning Commission, Dan Durow, President of the Riverfront Trail Board, and I, Vice-President of the Riverfront Trail Board and Co-Chair of The Dalles Watershed Council, provided comments in regard to the priority ranking of the Riverfront Trail and proposed Mill Creek Trail in the draft Transportation System Plan (TSP) update that was the focus of discussion for that Work Session.

Dan requested, in his comments, that The Dalles Riverfront Trail, listed in that Febr. 6, 2017 draft document as Projects P-15 and P-16, be revised to show this project completion as a HIGH priority.

The revisions described and shown in the March 9, 2017 Memorandum from Kittelson & Associates, for The Dalles Riverfront Trail, and included in tonight's agenda, make these changes, as requested. On behalf of the Riverfront Trail Board, I would like to thank Dale McCabe, City Engineer; and, Ashleigh Ludwig and Susie Wright, of Kittelson & Associates, for working with Dan Durow, and making these requested changes to the draft TSP update.

In regard to the proposed Mill Creek Trail, several changes were made to the draft TSP update in regard to my comments at the Febr. 6, 2017 Work Session, and additional communication with Dale McCabe, the City Engineer and TSP update Project Manager.

Project P-17 for the Mill Creek Trail was removed because, it was determined that Project P-20 completed the Mill Creek Trail project as shown in current Mill Creek Trail planning documents. In addition, Project P-21 was extended to provide the connection to Project P-20.



I appreciate the work that was done to delete Project P-17 and incorporate the proposed Mill Creek Trail into Projects P-20 and P-21.

With just a few additional revisions, I believe that the proposed Mill Creek Trail could be fully incorporated into the draft TSP Update. These revisions would cover more than just placing the proposed trail at a HIGH priority.

**First, for Project P-20, I would suggest the following changes:**

Location: **Mill Creek Trail, Phase I**

Project Description: Construct a shared-use path between **W. 2nd Street (Aquatic Center and Thompson City Park) and West 8th Street. Pre-engineering for this part of the trail has been completed. All parts of this proposed Phase I of the trail are on public property.** Further plans should be coordinated with The Dalles Watershed Council, the Riverfront Trail Board and **Northern Wasco County Parks & Recreation District.**

Cost: **\$94,500\*\*\*** (\*\*\*) Cost estimate for engineering only. Estimate provided by Tenneson Engineering.)

City Contribution: **\$94,500**  
(This amount has been budgeted by Urban Renewal for FY 2016/17. If the full cost of the engineering is not considered to be a City Contribution, a 25% City Match would be \$23,625).

Priority: High

**Second, for Project P-21, I would suggest the following changes:**

Location: **Mill Creek Trail, Phase II**

Project Description: Construct a shared-use path between the intersection of West 3rd Place and West 4th Street to connect to **Phase I of the Mill Creek Trail** at the Aquatic Center and Thompson City Park. This path should use the existing bridge. (Note: I would suggest that the statement that much of this path will be constructed on private property be deleted as I believe it is in error. Mapping I have shows all of the property where the path would go as either owned by the City or the Northern Wasco County Parks & Recreation District.)

Priority: Medium



**Third, I would suggest that Project P-17 be re-instated as follows:**

**Location: Mill Creek Trail, Phase III**

**Project Description: Construct a shared-use path from the south side of W. 2nd Street and the west side of Mill Creek (Aquatic Center and Thompson City Park) to the Riverfront Trail using an at-grade crossing of W. 2nd Street, an easement from the north side of W. 2nd Street between the Union Pacific Railroad, Urness Motors and the US Post Office properties to Union Street, and then use the existing Union Street sidewalk, at grade railroad crossing and Interstate 84 underpass to connect with the Riverfront Trail.**

**Project Type: Shared-Use Path**

**Cost Estimate: Unknown**

**City Contribution: Unknown**

**Priority: Low**

**Potential Funding: City/Urban Renewal, ODOT, Other**

Thank you for your consideration of these suggested revisions. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Lumper". The signature is fluid and cursive, with the first name "Bruce" and last name "Lumper" clearly distinguishable.

**Bruce Lumper  
Vice-President, Riverfront Trail Board  
Co-Chair, The Dalles Watershed Council**