



City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
March 10, 2015
AMENDED

Public Work Session 6:30-8:00 PM

Medical Marijuana Dispensaries

The Planning Commission will host a Public Work Session. The intent of this work session is to discuss issues related to Medical Marijuana Dispensaries within the City.

This is your opportunity to discuss your thoughts, ideas and concerns in an informal environment and engage in a two way conversation.

For more information about Marijuana regulations visit the website at <http://www.sherwoodoregon.gov/planning/page/marijuana-regulation-information>

Sherwood Planning Commission Meeting

Date: 03.10.15 PC Public Work Session

Meeting Packet

Approved Minutes

Date Approved: March 24, 2015

Request to Speak Forms

Documents submitted at meeting:

- Medical Marijuana Dispensary Presentation - Exhibit 1
 - Public Discussion Document - Exhibit 2
 - Map - Commercial Properties 1000 foot school buffer - Exhibit 3
 - Map - Industrial Properties 1000 foot school buffer - Exhibit 4
 - Map - Commercial and Industrial Prop 1000 foot - Exh 5
 - Map - " " " " " " & Parks - Exh 6
 - Email from Chief Groth - Exh 7
 - Commercial and Industrial Permitted Uses grid - Exhibit 8
 - Survey - Exhibit 9
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Public Discussion on Medical Marijuana Dispensaries (MMDs)

ZONING: Determine whether the community wants to further regulate MMDs beyond the State zoning restrictions (Industrial, Commercial, or Mixed Use), not allowed in residential zones. If the city wants to limit zoning, go over Pros and Cons between Industrial and Commercial Zones-

Commercial Zone Positives	Commercial Zone Negatives
<ul style="list-style-type: none"> * Matches retail-type purpose of zoning designation-like a pharmacy * Four distinct zones-may select one or combination –different maps * May be safer for customers as more activity in commercial zone * If more visible from the street, then more people could see what is going on in the business-i.e. Are kids hanging out, nearby, or trying to enter the business? 	<ul style="list-style-type: none"> * Closer proximity to residential areas * More visible and accessible All Commercial zones allow Mixed Use which would be combination of residential and commercial uses long as secondary * Other “Youth Friendly” services may be nearby within that zone

Industrial Zone Positives	Industrial Zone Negatives
<ul style="list-style-type: none"> * Out of public view * Away from residential areas with a few exceptions * Less accessible to Kids-on east side of town * Sherwood Police Department preferred zone * Avoids mix use issue of residential use near commercial 	<ul style="list-style-type: none"> * Near some residential areas * Industrial land is for job creation not commercial type use like a MMD * Less active areas would be more remote location and may not be as safe for customers * Larger lots not good utilization of large lots for ind. Purpose-size of store likely limited to 5,000 sq. ft. * May be near grow operations/ manufacturing located in zone –in future

Discussion Questions

What are your thoughts about this zone?

- Do you have any positives or negatives to add?

ZONE QUESTION: WE ARE GOING TO TALLY WHAT YOU THINK ABOUT THE ZONING QUESTION.

- * **HOW MANY WANT TO LEAVE THE STATE RULES ON ZONING IN PLACE?**
- *
- * **HOW MANY WANT TO SEE IT IN THE COMMERCIAL ZONE ONLY?**
- *
- * **IS THERE ONE (OR MORE) COMMERCIAL ZONE YOU WOULD APPROVE?**
- *
- * **ANY ONE IN PARTICULAR?**
- *
- * **HOW MANY WANT TO SEE THE MMD IN THE INDUSTRIAL ZONES ONLY?**
- *

IS THERE ONE (OR THREE) INDUSTRIAL ZONE?

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OTHER BUFFER RESTRICTIONS

State rules limit where MMDs can be located. MMDs need to be at least 1,000 ft. from a primary or secondary schools. They also require that a MMD be at least 1,000 from any other MMD.

These maps are some of the ideas for buffers that the Planning Commission had.

Discussion Questions

- * Residential zones: By state law, not allowed in residential zone, but would you like to see an additional buffer between a MMD and the residential zone?
- * Parks, Plazas, Community Centers: Certain number of feet -500, 1000 or 2000 ft.
- * Other Places Kids go?
- * Add to the existing school buffer: 1000 to 2000 ft.
- * Old Town, Cannery Square, YMCA?

BUFFER QUESTIONS:

Do you think STATE rules are sufficient or would you like to see additional buffers? YES or NO

Residential buffer?

Parks, Plazas, Community Centers Buffer?

Any other buffer?

Add to the School buffer? Other restricted or limited areas?

Other restrictions on time, place and manner

We can put rules in place to regulate time, place and manner. Some of the regulations the Commission is considering is limitations for the hours, licensing process, security measures and the way the dispensary looks from the outside.

Discussion Questions

- * Hours of Operation?
 - o By zone?
 - Commercial
 - Industrial
- * Special licenses process
- * Security Measures : (State requires security cameras)

Comments

(We want to get all opinions here. Any restrictions will have to go through legal counsel to see if they are legitimate time, place and manner regulations. We may not have that answer tonight but want to hear your thoughts.)

Land Use Process Question

The Planning Commission is considering any application for a MMD would require a conditional use permit (Type III) process. An alternative would be a Type I or II staff level decision, what do you think is necessary?

Conditional Use Permit Type III: Requires public notice to property owners within 1000 ft, public hearing with the Hearing Officer and currently a fee of \$4,611. Approvable as long as the application met the requirements of the zone. The Hearings Officer could add restrictions on a case by case basis.

Alternative: If someone applied for a MMD in the proper zone, could this be a staff level decision with special restrictions developed that are written with the regulations. There would be the same notice requirements but no public hearing. What are your thoughts about this?

What do you think the Land Use Process should be?

Do you think a public hearing is necessary?

CONDITIONAL USE PERMIT?

STAFF LEVEL TYPE II PROCESS WITH SPECIAL OBJECTIVE RESTRICTIONS IN PLACE?

Information Concerning Medical Marijuana Dispensaries and Recreational Marijuana

- ***Medical Marijuana Dispensaries background and State minimums required for all MMDs:***
 - *Adopted by Oregon: 1998*
 - *Regulated by the Oregon Health Authority*
 - *Moratorium by City expires: May 1, 2015*
 - *State rules:*
 - *Commercial, industrial, and mixed use zones*
 - *1,000 ft. from schools*
 - *1,000 ft. from other MMD facilities or grow operations*
 - *No mobile facilities*
 - *No growing or inhaling at the MMD location*

ZONE QUESTION:

- * **LEAVE THE STATE RULES ON ZONING IN PLACE?**
- *
- * **CHANGE TO SEE THE MMD IN THE COMMERCIAL ZONE ONLY?**
- *
- * **CHANGE TO SEE THE MMD IN THE INDUSTRIAL ZONE ONLY?**

BUFFER QUESTIONS:

- * **Do you think STATE buffers are sufficient or would you like to see additional buffers?**
- * **Where?**
- * **What size?**

OTHER RESTRICTION ON TIME, PLACE, AND MANNER:

- * **Hours of Operation?**
- * **Other ideas?**

What do you think the Land Use Process should be?

- * **Type III hearing or Staff decision? Both with 1,000 notice requirements.**

- **Recreational Marijuana-** is another important community discussion but the State has not determined what regulations are going to be in place for recreational marijuana.
 - Regulations and licenses for producing, manufacturing, wholesaling and retail selling will not be in place at the State level until Jan. 2016. The City will be asking for input on recreational marijuana after we learn how the State is developing rules.
 - Oregon Liquor Control Commission is regulatory authority and will be developing the state regulations for Recreational Marijuana.
 - OLCC Timeline :
 - Forming a Committee to develop regulations (March to August 2015)
 - Regulation approval Process (November 2015)
 - MUST Accept Applications on Jan. 2016
 - City staff has heard that the OLCC wants a Seed to Sale type of tracking system and will likely issue licenses first to growers-then follow last with retailers. OLCC Director believes that retail licenses won't be issued until Nov. 2016
 - State of Oregon online information updates:
 - See links at the bottom of the document (back of hand-out)

The City has time to develop local rules based on this timeline. Sherwood voters did not approve legal recreational marijuana use (53% NO to 47 % yes) which was the opposite of the rest of Washington County. There are OPT-out provisions and revenue consequences which allow Cities to ban retail marijuana sales –but not personal use – by a successful general election ballot vote – at the earliest Nov. 2016.

Here are the links to the FAQ regarding both medical and recreational marijuana in the State of Oregon.

<http://www.oregon.gov/olcc/marijuana/Pages/Frequently-Asked-Questions.aspx>

<https://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/top20.aspx>

<http://www.oregon.gov/oha/mmj/Pages/faq.aspx#m91>

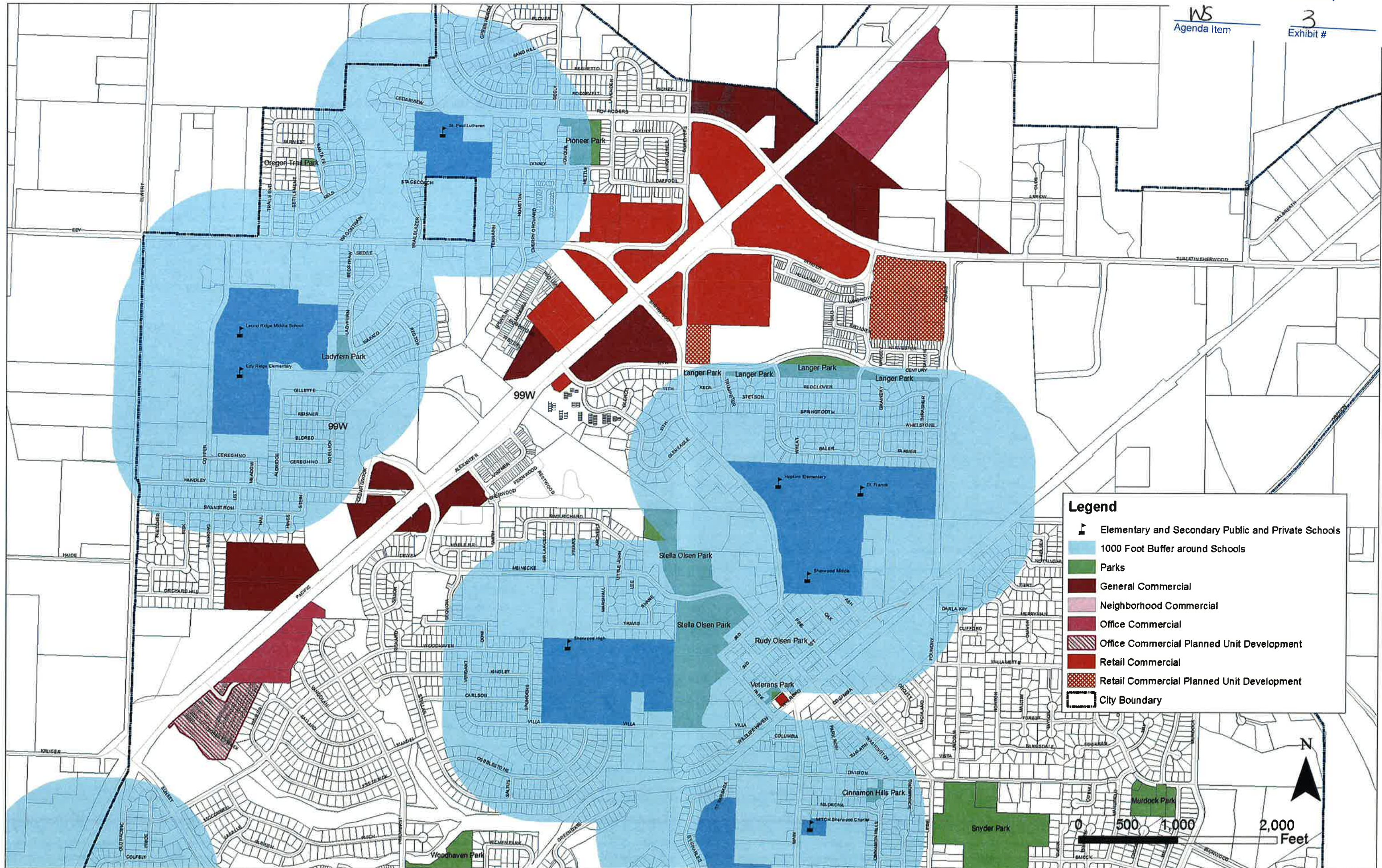
1000 Foot School Buffers with Commercial Zone

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1000 Foot School Buffers with Industrial Zone

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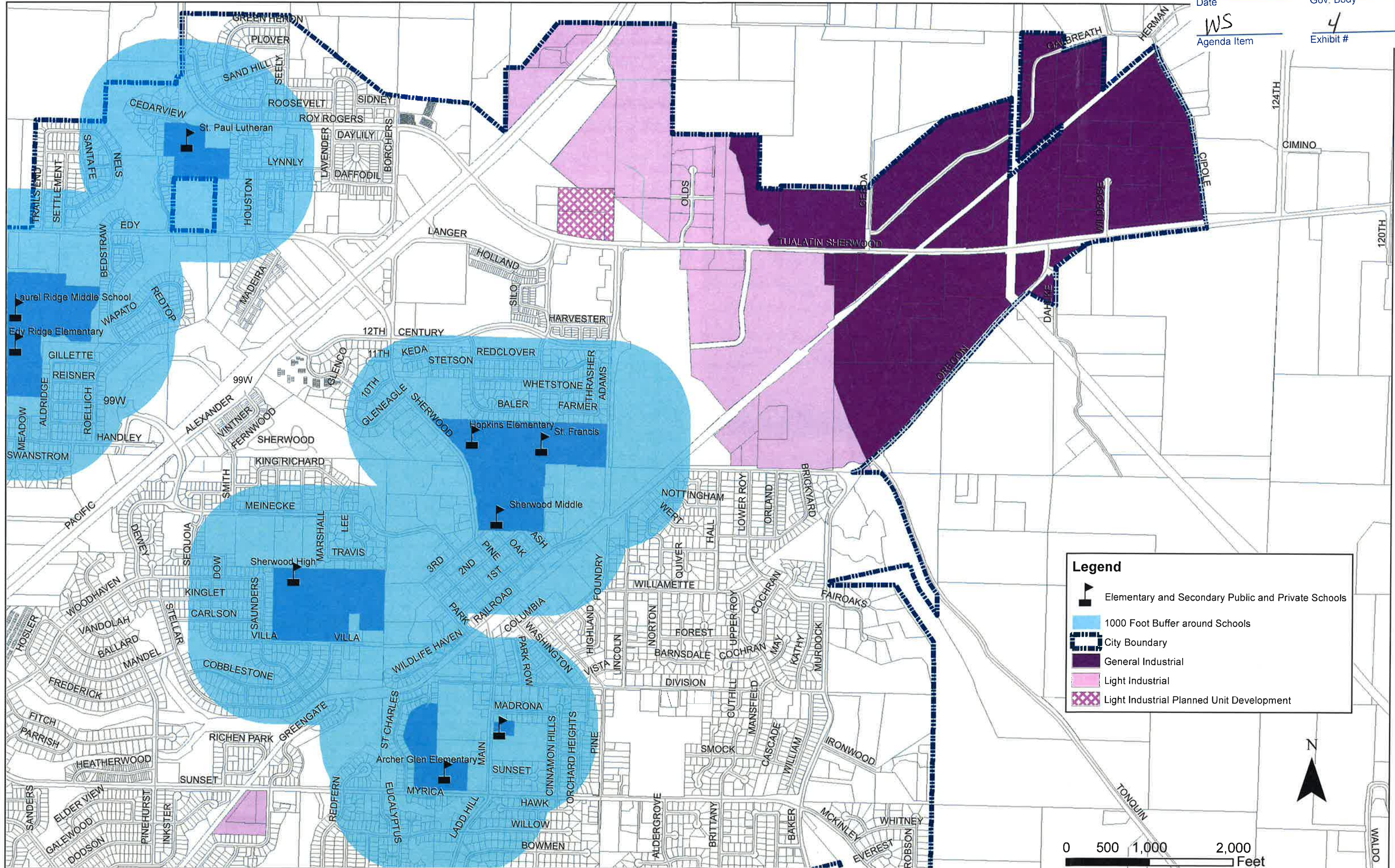
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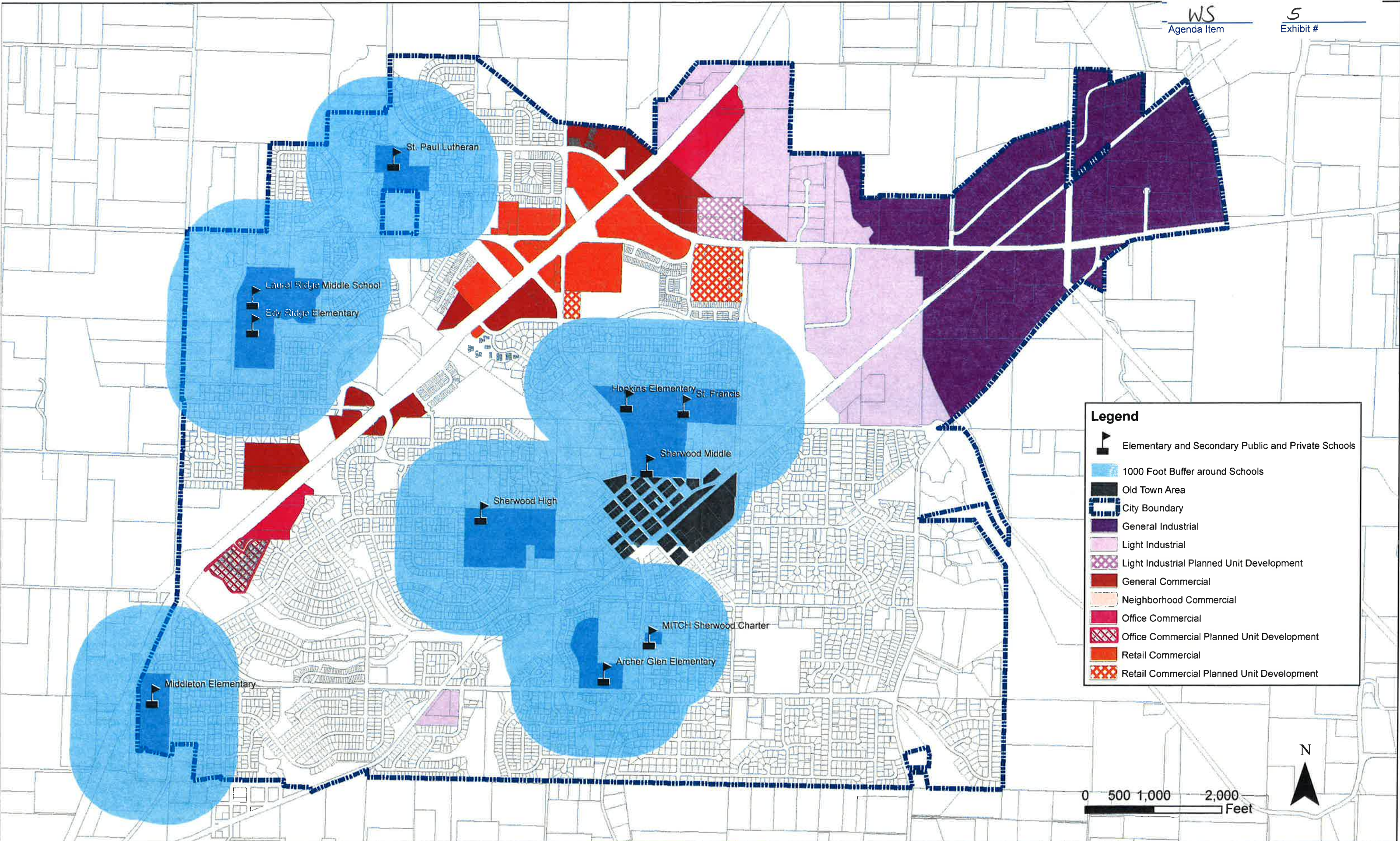
1000 Foot School Buffers and Old Town Area with Industrial and Commercial Zones

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Legend

- Elementary and Secondary Public and Private Schools
- 1000 Foot Buffer around Schools
- Old Town Area
- City Boundary
- General Industrial
- Light Industrial
- Light Industrial Planned Unit Development
- General Commercial
- Neighborhood Commercial
- Office Commercial
- Office Commercial Planned Unit Development
- Retail Commercial
- Retail Commercial Planned Unit Development

0 500 1,000 2,000
Feet



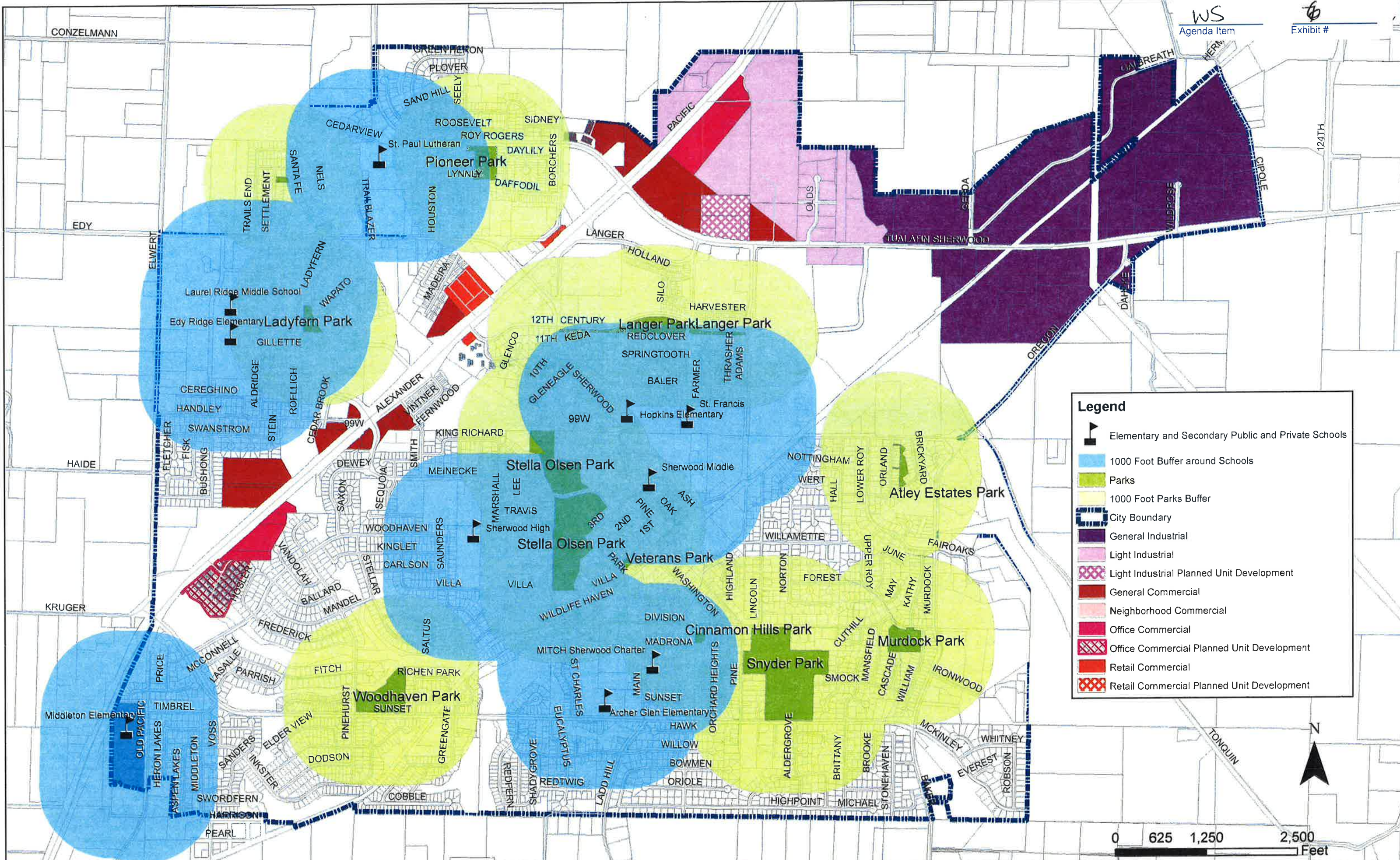
1000 Foot School and Park Buffers

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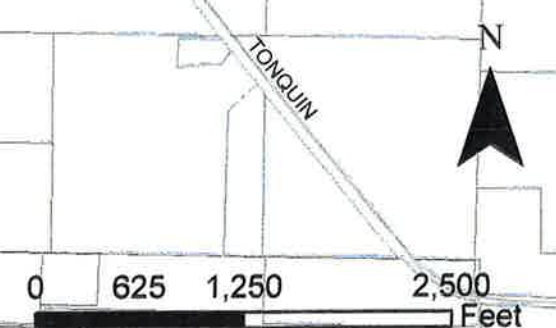
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Legend

- Elementary and Secondary Public and Private Schools
- 1000 Foot Buffer around Schools
- Parks
- 1000 Foot Parks Buffer
- City Boundary
- General Industrial
- Light Industrial
- Light Industrial Planned Unit Development
- General Commercial
- Neighborhood Commercial
- Office Commercial
- Office Commercial Planned Unit Development
- Retail Commercial
- Retail Commercial Planned Unit Development



Michelle Miller

Subject: FW: Update on the Medical Marijuana Dispensaries Code Amendment process

From: Jeff Groth
Sent: Tuesday, March 10, 2015 8:42 AM
To: Ty Hanlon; Angela Hass; Michelle Miller
Cc: Joseph Gall; Julia Hajduk; Mark Daniel
Subject: Re: Update on the Medical Marijuana Dispensaries Code Amendment process

Hey all,

As far as a written analysis or rationale, I would suggest the following:

"It is the police departments professional opinion, and request, that medical marijuana dispensaries be located in the Industrial zones, for the following reasons;

1. Industrial zones are out of open public view and somewhat secluded, as opposed to commercial/retail.
2. Industrial zones would help maintain visits to only those desired and allowed by law, with less chance of accidental or opportunistic business.
3. Industrial zones are not commonly frequented by the youth of Sherwood, are not in close proximity to schools, and it is important the dispensary not be an enticement to young people.
4. Industrial zones would allow for more low-profile monitoring and compliance checks by authorities.

The police department believes Sherwood will rely on them to manage, supervise and provide oversight of any dispensaries, and locating them in the industrial zones would better facilitate those expectations."

Thx-JG

Jeff Groth
Police Chief
Sherwood Police Department
(503) 625-5523

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INDUSTRIAL USES	LI	GI	EI
RESIDENTIAL			
• Dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
CIVIC			
• Hospitals	C	N	N
• Police and fire stations and other emergency services	C	C	C
• Vehicle testing stations	C	C	C
• Postal services - Public	C	C	C
• Postal substations when located entirely within and incidental to a use permitted outright.	C	C	C
• Public and private utility structures, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public work yards.	P	P	P
• Small-scale power generation facilities.	P	P	P
• Large-scale power generation facilities.	C	P	C
• Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements	C	C	C
COMMERCIAL			
• Commercial Trade Schools, commercial educational services and training facilities	P	P	C
Entertainment/recreation			
• Country clubs, sports and racquet clubs and other similar clubs.	C	C	C
• Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities ^{2,3}	C	C	C
Motor Vehicle related			
• Motorized vehicle and sport craft repairs and service	C	C	N
• Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally.	P	P	P
• Automotive, boat, trailer and recreational vehicle storage	C	C	N
• Vehicle fueling stations or car wash facilities ⁴	C	C	C
• junkyards and salvage yards	N	N	N
• Manufactures home sales and display area	N	N	N
Office and Professional Support services			
• Business and professional offices. ⁵	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities ⁶	P	P	C
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	C	C	C
Childcare			
• Day cares, preschools, and kindergartens, when clearly secondary to a permitted use	P	P	P
• Day cares, preschools, and kindergartens as a stand-alone use. ⁶	C	C	C
General Retail - sales oriented			
• Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10 % of the total floor area of the business. ⁷	C	C	P
• Tool and Equipment Rental and Sales, Including Truck Rental. ⁷	P	P	P
• Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries).	P	P	N
• Wholesale building material sales and service	C	P	N
• Retail building material sales and lumberyards ⁷	C	P	N
Personal Services			
• Health clubs and studios less than 5,000 square feet in size.	P	P	P
• Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services. ⁸	C	C	C
• Public or commercial parking (non- accessory)	N	N	N
• Veterinarian offices and animal hospitals.	C	C	C
• Animal boarding/Kennels and daycare facilities with outdoor recreation areas ⁹	C	C	C
Eating and Drinking establishments:			

INDUSTRIAL USES	LI	GI	EI
• Restaurants, taverns, and lounges without drive-thru ⁷	C	C	C
• Restaurants with drive-thru services	N	N	N
INDUSTRIAL			
• Limited manufacturing entirely within an enclosed building that is generally secondary to a permitted or conditional commercial use	P	P	P
• Medical or dental laboratories	P	P	P
• Laboratories (not medical or dental).	P	P	P
• mini-warehousing or self-storage	N	P	N
• Distribution, warehousing and storage associated with a permitted use	P	P	P
• Research and development and associated manufacturing	P	P	P
• Contractors' storage and equipment yards, building maintenance services, and similar uses.	C	P	N
• Laundry, dry cleaning, dyeing, or rug cleaning plants.	C	P	N
Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products:			
• Food products, appliances, textiles and fiber products, pottery, glass and previously pulverized clay ceramics, small electronics, communication equipment, instruments, toys, novelties, electronics components, maintenance equipment, vending machines, cosmetics, chemicals and other small products and tools manufactured from previously prepared or semi-finished materials.	P	P	N
• Pharmaceuticals in facilities up to 50,000 square feet building size.	P	P	P
• Pharmaceuticals in facilities larger than 50,000 square feet building size.	N	C	N
• Building components, furniture, fixtures, signs.	P	P	N
• Non-motorized recreational vehicles and equipment.	P	P	N
• Manufactured homes, farm equipment, and greenhouses	N	P	N
• Any non-toxic materials or products made of metal, paper, wood, plastic, stone, fabric or other materials or products not otherwise permitted in the zone.	P	P	N
• Renewable energy/energy efficiency, sustainable environmental products, advanced manufacturing, high technology, biotechnology, sports apparel and other recreational products.	P	P	P
• Acids, paints, dyes, soaps, ammonia, chlorine, sodium compounds, fertilizer, herbicides, insecticides and similar chemicals.	N	C	N
• Toxins or explosive materials, or any product or compound determined by a public health official to be detrimental to the health, safety and welfare of the community.	N	N	N
• Sawmills	C	C	N
• Pulp and paper mills.	N	N	N
• Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products.	N	N	N
• Metal rolling and extraction mills, forge plants, smelters and blast furnaces.	N	N	N
• Meat, fish, poultry and tannery processing.	N	N	N
• Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants.	N	C	N
• Solid waste transfer stations.	N	C	N
• General purpose solid waste landfills,-incinerators, and other solid waste facilities.	N	N	N
• Manufacture of biomedical compounds as regulated by the U.S. Food and Drug Administration.	N	C	N
WIRELESS COMMUNICATION FACILITIES			
• Radio, television, and similar communication stations, including associated transmitters.	C	C	C
• Wireless communication towers ⁹ and transmitters	C	C	C
• Wireless communication facilities on City-owned property	C	C	C
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P
OTHER			
Agricultural uses including but not limited to:			
• Farm equipment sales and rentals	N	N	N
• Farming and horticulture	P	P	P
• Raising of animals other than household pets	N	N	N
• Truck and bus yards	N	P	N

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COMMERCIAL USES	OC	NC	RC	GC
RESIDENTIAL				
• Multi-family housing, subject to the dimensional requirements of the High Density Residential (HDR) zone in 16.12.030 when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings. ^{2,3}	P	P	P	P
• Residential care facilities	N	N	C	C
• Dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family, and other forms of residence normally associated with a conditional use, as determined by the City.	P	P	P	P
CIVIC				
• Hospitals	N	N	C	C
• Correctional institutions	N	N	N	C
• Cemeteries and crematory mausoleums.	N	N	C	C
• Police and fire stations and other emergency services	N	C	C	C
• Vehicle testing stations	N	N	N	C
• Postal services - Public	N	C	C	C
• Postal substations when located entirely within and incidental to a use permitted outright.	P	P	P	P
• Public use buildings, including but not limited to libraries, museums, community centers, and senior centers, but excluding offices	C	C	C	C
• Public and private utility structures, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public work yards.	N	N	C	C
• Small-scale power generation facilities.	P	P	P	P
• Large-scale power generation facilities.	N	N	N	C
• Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements	C	N	C	C
• Religious institutions, private fraternal organizations, lodges and secondary uses	C	N	P	P
• Public and private schools providing education at the elementary school level or higher	C	C	C	C
COMMERCIAL				
• Commercial trade schools, commercial educational services and training facilities	C	N	P	P
Entertainment/recreation				
• Adult entertainment business, subject to Section 16.54.010	N	N	N	P
• Motion picture and live theaters within enclosed building	N	N	P	P
• Drive-in motion picture theaters	N	N	N	N
• Country clubs, sports and racquet clubs and other similar clubs.	N	N	C	C
• Golf courses	N	N	N	N
• Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities ⁴	N	N	P	P
Hotels and motels				
• Hotels and motels	C	N	P	P
Motor Vehicle related				
• Motorized vehicle and sport craft repairs and service	N	C	C	P
• Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally.	C	C	P	P
• Motorized vehicle, sport craft and farm equipment rental or sales and display area with more than 5% external sales and display area, up to a maximum of 5,000 square feet.	N	N	N	C
• Motorized vehicle, sport craft and farm equipment rental or sales and display area primarily within entirely enclosed building with no more than 5% or 5,000 square feet of outdoor display area, whichever is less.	N	N	C	P
• Automotive, boat, trailer and recreational vehicle storage	N	N	N	N
• Vehicle fueling stations or car wash facilities	N	N	C	P

COMMERCIAL USES	OC	NC	RC	GC
• Manufactures home sales and display area	N	N	N	N
Office and Professional Support services				
• Business and professional offices.	P	P	P	P
• Medical and dental offices and urgent care facilities	P	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities	P	P	P	P
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	C	C	C	C
Childcare				
• Day cares, preschools, and kindergartens, when clearly secondary to a permitted use	P	P	P	P
• Day cares, preschools, and kindergartens as a stand-alone use.	N	P	P	P
General Retail - sales oriented				
• General retail trade, not exceeding 10,000 square feet of gross square footage.	P	P	P	P
• General retail trade greater than 10,000 square feet of gross square footage	N	P	P	P
• Tool and Equipment Rental and Sales, Including Truck Rental	N	N	C	P
• Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)	N	N	P	P
• Wholesale building material sales and service	N	N	N	P
• Retail building material sales and lumberyards.	N	N	C ⁵	P
Personal Services				
• Health clubs and studios less than 5,000 square feet in size.	P	P	P	P
• Health clubs and studios greater than 5,000 square feet in size	N	N	C	P
• Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services.	N	P	P	P
• Public or commercial parking (non-accessory)	C	C	P	P
• Veterinarian offices and animal hospitals.	N	N	C	P
• Animal boarding/Kennels and daycare facilities with outdoor recreation areas ⁶	N	N	C	C
Eating and Drinking establishments				
• Restaurants, taverns, and lounges without drive-thru ⁷	P	C	P	P
• Restaurants with drive-thru services	N	N	P	P
INDUSTRIAL				
• Limited manufacturing entirely within an enclosed building that is generally secondary to a permitted or conditional commercial use	N	C	C	P
• Medical or dental laboratories	N	N	C	P
WIRELESS COMMUNICATION FACILITIES				
• Radio, television, and similar communication stations, including associated transmitters.	N	N	N	C
• Wireless communication towers and transmitters ⁸	C	C	C	C
• Wireless communication facilities on City-owned property	P	P	P	P
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P	P
OTHER				
Agricultural uses including but not limited to:				
• Farm equipment sales and rentals	N	N	P	P
• Farming and horticulture				
• Truck and bus yards	N	N	N	P

Q1

According to the state regulations, Medical Marijuana Dispensaries in Oregon must:

- A. Be licensed by the Oregon Health Authority
- B. Be located in an area zoned for commercial, industrial, mixed use, or as agricultural land.
- C. A dispensary may not be located within 1,000 feet of a school or another registered dispensary
- D. May not be at an address registered with the Oregon Medical Marijuana Program as a grow site.
- E. May not be mobile; and
- F. Patients may not smoke or consume products on the same premises as the dispensary

Should the City of Sherwood consider additional restrictions on Medical Marijuana Dispensaries? (check all that apply)

- No, implement State law
- Yes, restrict hours of operation
- Yes, impose buffers from additional uses
- Yes, require a public hearing
- Yes, Other (please specify below)

Q2

In which zones should Medical Marijuana Dispensaries be located? (see map below)

- Commercial Zones
- Industrial Zones
- Both Commercial and Industrial Zones

Q3

Please use the space below to share other ideas or concerns related to Medical Marijuana Dispensaries?

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APPROVED MINUTES

**City of Sherwood, Oregon
Planning Commission
Public Work Session Meeting Minutes
March 10, 2015**

Planning Commission Members Present: Chair Jean Simson
Vice Chair Russell Griffin
Commissioner James Copfer
Commissioner Alan Pearson
Commissioner Lisa Walker

Staff Present: Joseph Gall, City Manager
Julia Hajduk, Community Development Director
Ty Hanlon, Police Captain
Brad Kilby, Planning Manager
Michelle Miller, Senior Planner
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent: None. Two seats vacant

Legal Counsel: None

Council Members Present: Councilor Sally Robinson
Councilor Dan King

Others Present: Bob Silverforb, Police Advisory Committee member
Sean Garland, Police Advisory Committee member
Chris West, Police Advisory Committee member
Laurie Zwingli, Police Advisory Committee member

Public Work Session

Planning Commission Chair Jean Simson began the work session at 6:30 pm.

Michelle Miller, Senior Planner gave a presentation with an overview of the state Medical Marijuana Dispensary (MMDs) program, (see record, Exhibit 1).

Ms. Miller advised that dispensaries:

- Must be located in Commercial, Industrial, Mixed use or Agricultural zone (there are no agricultural zones within Sherwood)
- Cannot be in same location as a Grow site
- Cannot be 1,000 feet from a school (public or private)
- Cannot be 1,000 feet from another medical marijuana dispensary
- Must be a registered business in Oregon
- Must install a security system
- Cannot be mobile

Members of the community, Planning Commissioners, and Staff split up into four table groups. Groups discussed the state rules regarding Medical Marijuana Dispensaries, existing and additional buffer locations, where Medical Marijuana Dispensaries could be located, hours of operation, and what approval process should be used.

Participants were provided information for the discussion (see record, Exhibit 2 – Public Discussion on Medical Marijuana Dispensaries, Exhibit 3 – Commercial Properties 1000 Foot School Buffer Map,

Exhibit 4 – Industrial Properties 1000 Foot School Buffer Map, Exhibit 5 – Commercial and Industrial Properties 1000 Foot School Buffer Map, Exhibit 6 – Commercial and Industrial Properties 1000 Foot School and Parks Buffer Map, Exhibit 7 – Email from Police Chief Groth regarding Medical Marijuana Dispensaries, Exhibit 8 – Commercial and Industrial Permitted Uses grid, Exhibit 9 - Survey)

After the roundtable discussion, each Commissioner at the table group gave a summary of the ideas and concerns expressed in the dialogue.

Buffers

A majority of participants were in favor of an additional 1000-foot buffer around City parks and the YMCA. Others were in favor of no park buffers and to maintain buffers established by the State. About a quarter wanted to add residential buffers or to increase the 1000 foot school or park buffers.

Hours of Operation

A third of the participants were in favor of no regulations for hours of operation. The remaining participants wanted restrictions for hours of operation. Two scenarios offered were to be open six days a week during normal business hours or open seven days a week between 7am -10 pm. The latter is the same hours that the Oregon Liquor Control Commission (OLCC) allows.

Process

The approval process for MMDs could include a staff level decision or require a public hearing with a hearings officer, the Planning Commission or City Council. Each subsequent approval process having increased fees and public notice. The participants were in favor of a process that allowed staff level decision with clear criteria that must be met and required notification to property owners within 1000 feet of the proposed location.

Zoning

State law prescribes that MMDs are permitted in Sherwood's Industrial or Commercial Zones. Most of the participants preferred MMDs to be allowed in both Industrial and Commercial zones, with the second option of limiting dispensaries to industrial zoned property only.

3. Adjourn

Chair Simson adjourned the meeting at 8:08 pm.

Submitted by:



Kirsten Allen

Planning Department Program Coordinator

Approval Date: March 24, 2015