

**Central Point
City Hall
541-664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dingler

Ward II
Kelly Geiger

Ward III
Ellie George

Ward IV
Allen Broderick

At Large
David Douglas
Rick Samuelson

Administration
Chris Clayton, City
Manager
Deanna Casey, City
Recorder

**Community
Development**
Tom Humphrey,
Director

Finance
Bev Adams, Director

Human Resources
Barb Robson, Director

**Parks and Public
Works**
Matt Samitore,
Director
Jennifer Boardman,
Manager

Police
Kris Allison Chief

**CITY OF CENTRAL POINT
City Council Meeting Agenda
February 13, 2014**

Next Res. 1390
Next Ord. 1982

- I. **REGULAR MEETING CALLED TO ORDER – 7:00 P.M.**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC APPEARANCES** - *This time is reserved for citizens to comment on items that are not on the agenda.*
- V. **SPECIAL PRESENTATION**
Fire District No. 3 Quarterly Report

VI. CONSENT AGENDA

- Page 2 - 6 A. Approval of January 23, 2014 Council Minutes
7 - 8 B. 2013 Safety Committee Report

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- 10 - 14 A. First Reading and Public Hearing – An Ordinance Amending the Central Point Municipal Code Section 11.20.050 Transportation Utility Fees (Samitore)
- 16 - 29 B. First Reading and Public Hearing – An Ordinance Adding Section 5.40 Medical Marijuana Dispensaries to the Central Point Municipal Code (Humphrey)

IX. BUSINESS

- 31 A. 332 N. 2nd Street Update (Samitore)
- 33 - 37 B. 75 Bush Street Update (Clayton)
- 39 C. Planning Commission Report (Humphrey)

X. MAYOR'S REPORT

XI. CITY MANAGER'S REPORT

XII. COUNCIL REPORTS

XIII. DEPARTMENT REPORTS

XIV. EXECUTIVE SESSION

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XV. ADJOURNMENT

Consent Agenda

**CITY OF CENTRAL POINT
City Council Meeting Minutes
January 23, 2014**

I. REGULAR MEETING CALLED TO ORDER

Mayor Williams called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

Mayor: Hank Williams
Council Members: Bruce Dingler, Kelly Geiger, Rick Samuelson, David Douglas, and Ellie George were present. Allen Broderick was excused.

City Manager Chris Clayton; City Attorney Dan O'Connor; Police Chief Kris Allison; Community Development Director Tom Humphrey; Finance Director Bev Adams; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES - None

V. SPECIAL PRESENTATION

A. Multicultural Committee Scholarship Award

Multicultural Committee Chair Fran Cordeiro-Settell introduced the 2014 MAYA Scholarship Award winner Rebecca Lynn Petty and explained the projects she worked on through her high school career to promote the teachings of Martin Luther King, Jr. It is always a pleasure to meet our youth that promote diversity within their community.

B. Enterprise Zone Presentation

SORED I representative Ron Fox presented an overview of Enterprise Zones in Oregon. SORED I is very interested in getting Central Point involved in the Enterprise Zone to help promote businesses build and expand in Central Point. Jackson County is the most successful Enterprise Zone in the State of Oregon. He stated that he would act as the zone manager and help businesses with the paperwork when they are ready. Enterprise zones can provide new or expanding businesses with tax exemption for three to five years as long as they continue to follow the zone guidelines.

Council members were in favor of moving forward with this project. Mr. Clayton stated that we will revisit this item in the near future.

CONSENT AGENDA

- A. Approval of January 9, 2014 City Council Minutes

B. December Financial Statement/Midyear Report

Kelly Geiger made a motion to approve the Consent Agenda as presented. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; David Douglas, yes; Rick Samuelson, yes; and Ellie George, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. **Ordinance No. 1981, Amending the Central Point Municipal Code Zoning Sections 17.16.020; 17.57.020; 17.60.030; 17.60.100; 17.65.050; and 17.77.070 to Correct errors and Inconsistencies**

Community Development Director Tom Humphrey explained the recommended changes from the first reading have been incorporated into the exhibits. Council discussed the minimum and average lot areas for multifamily and senior housing. Changes were made making the TOD District Zoning Standards consistent throughout.

Ellie George moved to approve Ordinance No. 1981, Amending the Central Point Municipal Code Zoning Sections 17.16.020; 17.57.020; 17.60.030; 17.60.100; 17.65.050; and 17.77.070 to Correct errors and Inconsistencies. Kelly Geiger seconded. Roll call: Hank Williams, yes; Bruce Dingler, abstain; Kelly Geiger, yes; David Douglas, yes; Rick Samuelson, yes; and Ellie George, yes. Motion approved.

B. **A Resolution Increasing the Street and Storm Drain Utility Fees and Water Repair and Replacement Base Fee (Tabled)**

Parks and Public Works Director Matt Samitore presented a resolution increasing the Street Fund, Storm Water Fund and Water Repair and Replace Fund. These have been dwindling and will not be able to sustain the loss for much longer. There was hope that the Urban Renewal District funds could help cover the cost of some of the downtown water line issues but that does not look like it will happen for several years. The increase is not to the water rates, but to the base fees billed monthly. The attached resolution has two options.

Option A: A more aggressive increase for three years to help get these funds back in a solvent position. This option will enable the city to add the downtown failing waterlines to the CIP. The continued practice of patching the waterlines downtown is not a financially sound choice.

Option B: This option accomplishes the same thing but is spread out over 10 years. This option recommends a \$0.12 cent increase. This option Council discussed in September.

Staff recommends option A because it allows for funding the replacement of waterlines in the downtown areas starting in the 2015/16 budget year. At this time he would not be comfortable approving any new construction projects that would put more stress on these very old water lines. He did state that one of the options should be implemented because the Street Fund cannot withstand another year at the current rate. It also allows the city to start major street maintenance issues that exist on Highway 99.

Council would like to review the Public Works Capital Improvement Plan and review the UR project list before deciding on an increase. Mr. Samitore and Mr. Clayton expressed the need to increase the Street Utility fee this year. They stated that the city can continue to patch broken water lines but that is not a fiscally responsible thing to do for the long term. Staff will need to return to Council before the budget process begins to discuss increases.

Rick Samuelson made a motion to table this Resolution Increasing the Street and Storm Drain Utility Fees and Water Repair and Replacement Base Fee until more review is conducted. David Douglas seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; David Douglas, yes; Rick Samuelson, yes; and Ellie George, yes. Motion approved.

C. Resolution No. 1383, Adopting the Telecommunications Franchise Agreement between Central Point and Hunter Communications.

Mr. Clayton explained that Hunter Communications requested the City to consider a franchise agreement that would permit them to continue offering telecommunication services within the City. The proposed agreement includes a 7% Franchise fee, will be for a period of five years, with three five year options.

There was discussion regarding other cities and the amount of fees that are charged in other areas. Most cities are at the 7% fee rate. The Utilities that are charged franchise fees prefer to have a level playing field across the board; this is in line with what the City of Grants Pass and the City of Klamath Falls are charging. Revenue that is generated by the terms of this agreement will be allocated to the general fund.

Kelly Geiger made a motion to approve Resolution No. 1383, Adopting the Telecommunications Franchise Agreement between Central Point and Hunter Communications. David Douglas seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; David Douglas, yes; Rick Samuelson, yes; and Ellie George, yes. Motion approved.

VIII. BUSINESS

A. Discussion regarding Potential Driving Range, Jackson County Expo.

Mr. Samitore explained that staff has been researching the idea of running a for-profit driving range in association with the Jackson County Expo and the Family

Fun Center. Staff has been informed by the expo that they are currently marketing the property for commercial use so the options may be limited. He presented four different layout options. Staff is looking for feedback to see if they should continue the discussions with the Expo.

Several driving ranges around the valley are closing so there may be nets and equipment available at discounted rates. Any revenue generated from a driving range would go into the general fund or be used for park equipment replacement.

Council directed staff to work on a business plan and cost estimates for review at their goal setting session.

IX. MAYOR'S REPORT

Mayor Williams reported that he attended:

- the Cities Water Coalition meeting yesterday. They have been reviewing the recommended agreement from the Medford Water Commission.
- the cities are going to submit a letter to the MWC informing them that we will no longer be involved in the rate study.
- He attended a TRADCO meeting.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- Walgreens has completed their environmental issues and have submitted their building permits.
- He and the Mayor are still working with RCC and Asante to bring a new campus to Central Point.
- He has received a call from the Lars Larson show. They are available if anyone would like to be on their show.
- Staff has started working on the budget.
- There will be a professional photographer in City Hall on Tuesday. Council members are welcome to attend and get their photo updated for the website and newsletter.

XI. COUNCIL REPORTS

Council Member Rick Samuelson reported that he attended an RVCOG Board meeting. They are going over their goals and objectives which is to help cities with regional problems. They have been asked to work with the cities and the MWC.

Council Member David Douglas reported that he:

- Attended the Medford Chamber Forum where the speaker talked about the economy.
- Attended a Greenway meeting. They are working on their budget and revising how the cities will be participating.

- Will be meeting with Samantha Steele next week to discussion partnerships. He has also been asked to participate on the committee to review security at the schools.

XII. DEPARTMENT REPORTS

Police Chief Kris Allison updated the Council on the armed robbery at the Holiday Inn Express. She will also be talking with Samantha Steele regarding the security for the schools.

Community Development Director Tom Humphrey stated that John Schallert will be in town next week. He will be meeting with business owners and have a session on Tuesday at Twin Creeks.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

Kelly Geiger moved to adjourn, Rick Samuelson seconded, all said "aye" and the Council Meeting was adjourned at 8:47 p.m.

The foregoing minutes of the January 23, 2014, Council meeting were approved by the City Council at its meeting of February 13, 2014.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

CITY OF CENTRAL POINT



SAFETY COMMITTEE

REPORT FOR 2013 TO ADMINISTRATION

Chairperson

Rick Bartlett

The Safety Committee is pleased to report to the City's Administration that this Committee achieved several meaningful accomplishments during 2013.

Co-Chair

Bobbie Pomeroy

The following is a summary of the activities in which your Safety Committee was engaged during 2013:

Recorder

Debbie Dunlap

- An observation by a Public Works employee in 2012 and subsequent recommendation by that employee, the Safety Committee made recommendation to the Police Department that an AED unit be installed inside their facility.
- On that recommendation, the Police Department acquired an AED unit and the AED was wall mounted in the spring of 2013.
- Investigated seven employee accidents, one citizen's accident.
- Planned and oversaw the Evacuation drill in January of 2013. The drill went quite well, as observed and critiqued by a FD3 official.
- Over saw and confirmed that the bookcase/credenza anchoring was completed.
- Mapped out all Fire Extinguishers and First Aid Kits in facilities, for the committee members to better locate during quarterly inspections.
- An internal recommendation was made to list the "recommended contents" lists for small, medium, large First Aid kits for reference during inspections. The lists were completed and inserted in First Aid Kits.
- Recommendation to Admin concerning the ability of PD's front counters personnel to hear the alarm. Recommendation was accepted and an audible alarm and an additional pull station were installed due to the recommendation.
- Added another facility for quarterly inspections (Vilas Water facility).
- The SC conducted a total of 36 facility Quarterly Safety Inspections.
- The Safety Committee members attended 10 meetings in 2013.
- With the assistance of the City's GIS Department, updated mapping of emergency evacuation routes and posting was completed in 2013.
- All new SC members were obliged to complete the two required training courses, Hazard Identification and Mitigation and Accident Investigation.

Safety Committee

Bev Adams

Mark Brindle

Debbie Dunlap

Brian Munoz

Matt Samitore

Troy Tibbets



Your Safety Committee reviewed all accident reports during the regular meetings. The Safety Committee continues to make every effort to help reduce the number of accidents and near misses by recommendations, through quarterly inspections, interviews with employees and by observation throughout the workplace.

Those efforts also include looking at the overall safety program, individual training topics, inspecting workplaces, and analyzing characteristics of employee's activities to further reduce the frequency of accidents and near misses. It is quite evident that there is now a robust Safety Culture which has made a difference in the mind set of many of the employees who are keeping their personal safety at the forefront of their work days.

As a personal observation; having been employed for nearly 4 decades here at the city, it is a night and day comparison to how safety is viewed by the employee. I can also say that the number of lost time accidents was much greater and more severe in those days when safety sometimes took a back seat to the job and the bottom line. This serves as a yardstick and demonstration on how safety dedicated employees can make a huge difference in how on the job safety is viewed. These employees are not only the Safety Committee, but throughout the workplace. However, I believe that serving on the Safety Committee adds fuel to the cause of safety on the job and turns many who might view safety as an "over-rated bother", into safety minded employees far beyond their time of serving on the Safety Committee.

On behalf of the entire Safety Committee, I wish to thank the city's Administration for demonstrating its full support and its mutual attitude toward safety in the workplace.

Sincerely,

Rick Bartlett

Safety Committee Chairperson
Safety Trainer/Emergency Planning Coordinator
CP CERT Program Manager

Ordinance

Transportation Fee Amendment

STAFF REPORT

DATE: JANUARY 14, 2014
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MATT SAMITORE, DIRECTOR

SUBJECT: First Reading of an ordinance to eliminate the minimum and maximum from the street utility fee; put the rates for the utility fee in resolution format; and eliminate the sunset for the utility fee.

SUMMARY: In 2007 the City adopted a street utility fee that bills residential and commercial customers for the number of trips associated with their use. The fee had a clause added to it to have a minimum charge of \$10.00 and a Maximum for \$100.00 for commercial and industrial users. By eliminating the min/max the fee would generate approximately \$22,000 a year annually to the street fund. Residential customers currently pay \$.52 cents per trip and commercial customers pay \$.22 cents. A comparison table is attached to show the affected users who would pay more from the maximum charge being eliminated. A second table also shows what the same user would be paying in the other Rogue Valley cities.

Additionally, the prior ordinance put the fee schedule within the ordinance. Typically rates are set via resolution so council can adjust them without going through the three month ordinance revision process. This ordinance revision eliminates the fees from the ordinance and will have an accompanying resolution setting the rates.

Lastly, the fee had a sunset clause added to it. The clause was added with the hope that two things would occur. First the state would adjust the DMV and Fuel Tax rates and, second, that the economy would start to generate revenue for the street department again. Since that time the state did make a modest increase in their fees which has helped stabilize the fund, however the increase was less than what was needed to make up the difference in the fee. Unfortunately, the city is only generating around \$15,000 in fees for development currently. The sunset clause was extended once in 2010 and will sunset this year without a further extension or elimination of the clause.

RECOMMENDATION: Staff recommends moving the ordinance revisions to a second reading.

Table A

Business	Monthly	Annually	Difference No Cap
Texaco/Bi-Mor	\$ 160.95	\$1,931.43	\$ 731.43
Rays Foodplace	\$ 253.73	\$3,044.76	\$ 1,844.76
76 station	\$ 201.19	\$2,414.28	\$ 1,214.28
dollar tree shopping	\$ 121.61	\$1,459.36	\$ 259.36
Crater H.S.	\$ 325.67	\$3,908.01	\$ 2,708.01
Scenic M.S.	\$ 176.78	\$2,121.37	\$ 921.37
Post Office	\$ 159.61	\$1,915.36	\$ 715.36
Pilot Gas	\$ 321.90	\$3,862.85	\$ 2,662.85
Pilot Fast Food	\$ 145.34	\$1,744.10	\$ 544.10
Chevron	\$ 160.95	\$1,931.43	\$ 731.43
Building behind Dutch Bros on 99	\$ 105.64	\$1,267.67	\$ 67.67
Reddaway	\$ 115.22	\$1,382.60	\$ 182.60
Albertsons	\$ 224.15	\$2,689.79	\$ 1,489.79
Grange	\$ 111.04	\$1,332.53	\$ 132.53
Asante Clinic	\$ 177.00	\$2,124.05	\$ 924.05
Furniture Row	\$ 199.93	\$2,399.15	\$ 1,199.15
Super 8	\$ 137.04	\$1,644.44	\$ 444.44
Sonic	\$ 126.62	\$1,519.46	\$ 319.46
Holiday Inn	\$ 151.46	\$1,817.54	\$ 617.54
providence	\$ 253.57	\$3,042.84	\$ 1,842.84
Shell Station	\$ 160.95	\$1,931.43	\$ 731.43
Burger King	\$ 116.27	\$1,395.28	\$ 195.28
Fair City market	\$ 114.98	\$1,379.82	\$ 179.82
Crossing Building	\$ 253.63	\$3,043.59	\$ 1,843.59
Fedex	\$ 128.40	\$1,540.84	\$ 340.84
Fairfield Inn	\$ 122.61	\$1,471.35	\$ 271.35
Mcdonalds	\$ 128.40	\$1,540.74	\$ 340.74
	\$4,654.67		\$ 23,456.07

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Table B – Rogue Valley City Comparisons

Business	Current	Central Point - No Cap	Medford	Talent	Phoenix	Eagle Point	Ashland
Texaco/Bi-Mor	\$ 100.00	\$ 160.95	\$403.29	\$ 277.13	\$167.73	\$335.47	\$297.00
Rays Foodplace	\$ 100.00	\$ 253.73	\$635.76	\$ 436.87	\$264.42	\$528.84	\$344.10
76 station	\$ 100.00	\$ 201.19	\$504.11	\$ 346.41	\$209.67	\$419.34	\$154.44
dollar tree shopping	\$ 100.00	\$ 121.61	\$304.72	\$ 209.39	\$126.74	\$253.48	\$229.77
Crater H.S.	\$ 100.00	\$ 325.67	\$816.01	\$ 560.73	\$339.39	\$678.78	\$584.00
Scenic M.S.	\$ 100.00	\$ 176.78	\$442.95	\$ 304.38	\$184.23	\$368.46	\$438.00
Post Office	\$ 100.00	\$ 159.61	\$399.94	\$ 274.82	\$166.34	\$332.68	\$116.80
Pilot Gas	\$ 100.00	\$ 321.90	\$806.58	\$ 554.25	\$335.47	\$670.94	\$541.49
Pilot Fast Food	\$ 100.00	\$ 145.34	\$364.18	\$ 250.25	\$151.47	\$302.93	\$146.00
Chevron	\$ 100.00	\$ 160.95	\$403.29	\$ 277.13	\$167.73	\$335.47	\$156.42
Building behind Dutch Bros on 99	\$ 100.00	\$ 105.64	\$264.70	\$ 181.89	\$110.09	\$220.18	\$79.92
Reddaway	\$ 100.00	\$ 115.22	\$288.69	\$ 198.38	\$120.07	\$240.14	\$524.70
Albertsons	\$ 100.00	\$ 224.15	\$561.64	\$ 385.94	\$233.59	\$467.19	\$666.00
Grange	\$ 100.00	\$ 111.04	\$278.24	\$ 191.19	\$115.72	\$231.45	\$241.98
Asante Clinic	\$ 100.00	\$ 177.00	\$443.51	\$ 304.77	\$184.46	\$368.93	\$219.78
Furniture Row	\$ 100.00	\$ 199.93	\$500.96	\$ 344.24	\$208.35	\$416.71	\$596.07
Super 8	\$ 100.00	\$ 137.04	\$343.37	\$ 235.95	\$142.81	\$285.62	\$221.92
Sonic	\$ 100.00	\$ 126.62	\$317.27	\$ 218.02	\$131.96	\$263.92	\$125.56
Holiday Inn	\$ 100.00	\$ 151.46	\$379.51	\$ 260.79	\$157.84	\$315.69	\$245.28
providence	\$ 100.00	\$ 253.57	\$635.36	\$ 436.59	\$264.25	\$528.51	\$356.40
Shell Station	\$ 100.00	\$ 160.95	\$403.29	\$ 277.13	\$167.73	\$335.47	\$135.63
Burger King	\$ 100.00	\$ 116.27	\$291.34	\$ 200.20	\$121.17	\$242.35	\$116.80
Fair City market	\$ 100.00	\$ 114.98	\$288.11	\$ 197.98	\$119.83	\$239.66	\$277.50
Crossing Building	\$ 100.00	\$ 253.63	\$635.52	\$ 436.70	\$264.32	\$528.64	\$231.25
Fedex	\$ 100.00	\$ 128.40	\$321.74	\$ 221.08	\$133.81	\$267.63	\$218.30
Fairfield Inn	\$ 100.00	\$ 122.61	\$307.22	\$ 211.11	\$127.78	\$255.56	\$198.56
Mcdonalds	\$ 100.00	\$ 128.40	\$321.71	\$ 221.07	\$133.81	\$267.61	\$128.48
	\$2,700.00	\$ 4,654.67	\$ 11,663.04	\$8,014.39	\$4,850.81	\$9,701.63	\$7,592.15

ORDINANCE NO. _____

**AMENDING CENTRAL POINT MUNICIPAL CODE SECTION 11.20.050
TRANSPORTATION UTILITY FEES**

Recitals:

A. Ordinance 1910 established the Street Utility Fee section of our ordinance with a rate structure built into the ordinance.

B. It is the only fee left in the current municipal code that is not established by resolution.

C. The ordinance also included a sunset clause that has been extended once and needs removal in order to provide stable long term transportation funding.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. Section 11.20.050 of the Central Point Municipal Code is amended to read:

11.20.050 Unit rate established.

Rates shall be established by resolution of the City Council in accordance to the provisions set forth in 11.20.040.

~~The residential unit rate, to be applied to residential land uses, is hereby established at \$0.5203 per adjusted average daily trip. The nonresidential unit rate, to be applied to all other land uses, is hereby established at \$0.2207 per adjusted average daily trip. Nonresidential unit rate per month shall be a minimum of ten dollars with a maximum of one hundred dollars. Unit rates may be revised by resolution of the city council from time to time.~~

~~Example Rate for a Single Family Home:~~

~~Unit Rate x Average Daily Trips (ADT) = Monthly Charge~~

~~\$0.5203 x 9.57 = \$4.98~~

~~Example Rate for a 3,000 Square Foot Office Building:~~

~~Unit Rate x Average Daily Trips (ADT) x gross sq. ft./1,000 = Monthly Charge~~

~~\$0.2207 x 11.01 x 3 = \$7.29~~

Section 2. This Ordinance removes the Sunset Clause as outlined in Ordinance 1910 Section 6, and provided as a foot note in the Central Point Municipal Code Chapter 11.20.

~~“Section 6. Sunset Clause. The rates and charges identified in this resolution [ordinance] shall become effective on April 1, 2008 and shall remain effective for a period of three years (until February 28th, 2011). Any extension of the rates and charges must be granted by a City of Central Point City Council continuing resolution.”~~

Passed by the Council and signed by me in authentication of its passage this ____ day of _____, 2014.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (021314)

Public Hearing/First Reading

Ordinance Creating Section 5.40



STAFF REPORT

February 13, 2014

AGENDA ITEM:

Consideration of an Amendment to the Municipal Code to Add Chapter 5.40, Regulations for Medical Marijuana Dispensaries in Central Point

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

The Community Development Department has prepared municipal code amendments to regulate the establishment of medical marijuana dispensaries in Central Point (Attachments A & B). The code amendments were considered by the Planning Commission on February 4, 2014 and they have provided a recommendation to the City Council (Attachment C). The Citizens Advisory Committee (CAC) was also asked to provide their input to this municipal code amendment and a summary of their discussion follows.

The state has been involved in rulemaking that is aimed at implementing House Bill 3460 which establishes a registration system for medical marijuana facilities. The locational standards called out in HB 3460: 1) limit dispensaries to areas zoned for commercial or industrial use or as agricultural lands; 2) limit dispensaries to within 1000 feet of public, private elementary, secondary or career schools attended primarily by minors; 3) limit dispensaries to within 1000 feet of another medical marijuana facility; 4) permit service to persons with medical marijuana cards and their registered caregivers; and 5) require conduct with stringent security and safety rules. The Bill does not preempt cities from adopting further restrictions on Medical Marijuana dispensaries and there may be follow-on legislation that reinforces this position.

DISCUSSION:

The City's approach to HB 3460, which is endorsed by the City Manager and the City Attorney, is to add Chapter 5.40 (Attachment A) which would define medical marijuana dispensaries and specify the conditions under which they would be allowed as a *conditional use*. Amendments to Chapter 5 would be limiting but not prohibit dispensaries in Central Point. The City has elected to add additional buffers which limit dispensaries to within 500 feet of the nearest residential (R) zoning district. The attached maps (Attachment B) illustrate where the dispensaries would be allowed in commercial zones with all of the buffers in place. Sites would be limited to Pine Street in the vicinity of the I-5 Interchange. The City believes that prohibiting dispensaries outright would simply invite expensive and unnecessary litigation.

The CAC raised the following issues which the Department has investigated further. They were concerned that both growers *and* suppliers be qualified, which rules found in the Oregon Medical Marijuana Act will require. Other questions revolved around product delivery, disposal and air quality. The Oregon Health Authority will be regulating these aspects of the dispensaries.

The following section changes being advocated are summarized as follows:

1. **Section 5.40 Medical Marijuana Dispensaries.** This section is completely new and is intended to follow criteria in the state law and to add additional local requirements. Some of the material was borrowed from code language that is used successfully in Kingman, Arizona. The changes to this section are presented in Attachment “A”.

ISSUES:

As discussed, the primary issue is whether to have an outright prohibition on dispensaries or to allow them under limited circumstances. The current belief is that allowing them under limited circumstances minimizes city liability. Another issue that has come up involves a dispensary’s compatibility with other uses in a zoning district, specifically child care. In order to avoid this conflict the ‘first in’ business will take precedence. It is unlikely that a child care facility would choose to locate next to a dispensary once one is established particularly when a child care facility has many more options than does a dispensary.

As has been mentioned, state law allows dispensaries in *both* commercial and industrial zones. However, Central Point does not typically allow *any* retail businesses in industrial zones unless they are incidental to the industrial use. Therefore, the City is not advocating any changes to industrial zoning districts at this time. Changes to the C-2(M), C-4 and C-5 zoning districts will be brought to the City Council next month as a land use amendment which is subject to different noticing requirements than those being made to Chapter 5.

ATTACHMENTS:

Attachment “A” – CPMC Chapter 5.40 Medical Marijuana Dispensaries

Attachment “B” – Maps of Buffer Areas/Usable Commercial Areas for Dispensaries

Attachment “C” – Planning Commission Resolution No. 798

Attachment “D” – Ordinance No. ____ An Ordinance Adding Section 5.40 Medical Marijuana Dispensaries to the Central Point Municipal Code

ACTION:

Take public comment, discuss proposed ordinance amendments and move ordinance to a second reading to 1) adopt the ordinance as is; 2) adopt the ordinance with changes; or 3) deny the ordinance.

RECOMMENDATION:

Move Ordinance No. ____ , to a second reading on February 27, 2014.

**Title 5
BUSINESS LICENSES AND REGULATIONS¹**

Chapters:

[5.04](#) Business Licenses

[5.06](#) Yard Sales

[5.08](#) Public Dances

[5.10](#) Sidewalk Cafes

[5.12](#) Electrical Contractors

[5.16](#) Plumbing

[5.20](#) Solicitors, Canvassers and Peddlers

[5.24](#) Adult Businesses

[5.32](#) Mobile Home Parks

[5.33](#) Merchant Police and Private Detectives

[5.34](#) Pawnbrokers and Secondhand Dealers

[5.38](#) Drug Paraphernalia

[5.40](#) Medical Marijuana Dispensaries

[5.42](#) Special Event Permits

Chapter 5.40 MEDICAL MARIJUANA DISPENSARIES

Sections:

[5.40.010 Purpose.](#)

[5.40.020 Definitions.](#)

[5.40.030 Regulations for Dispensaries.](#)

[5.40.040 License--Required.](#)

[5.40.050 License--Period.](#)

[5.40.060 License--Fees.](#)

5.40.010 Purpose.

It is recognized that the presence of “marijuana dispensaries” within the community of Central Point may result in adverse social and economic impacts, increased crime incidents, and physical deterioration in the general areas of such businesses. It is evident that regulations applicable to such dispensaries are necessary to protect minors and to preserve the character, safety and stability of residential areas that are in proximity to such commercial businesses. The purpose of this section is to establish regulations applicable to marijuana dispensaries, as defined in the Oregon Revised Statutes and in Section [5.40.020](#) of this chapter.

5.40.020 Definitions.

For purposes of this chapter, the following terms and business types are defined in this section:

- A. Medical Marijuana; Means of all parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient’s debilitating medical condition or symptoms associated with the patient’s debilitating medical condition.
- B. Cultivation: Means a location where marijuana is produced or cultivated for use by a Medical Marijuana Qualifying Patient including within a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary.
- C. Medical Marijuana Dispensary: A medical marijuana facility registered by the Oregon Health Authority under ORS 475.300 to 475.346 and that sells, distributes, transmits, gives, dispenses or otherwise provides medical marijuana to qualifying patients.
- D. Infusion: A facility or business that incorporates medical marijuana (cannabis) by means of cooking, blending, or incorporation into consumable/edible goods.
- E. Medical Marijuana Qualifying Patient: A registry identification cardholder (person who has been diagnosed by a physician as having a debilitating medical condition) as further defined by ORS 475.302(3) or the designated primary caregiver of the cardholder as defined by ORS 475.302(5).

5.40.030 Regulations for Medical Marijuana Dispensary.

A. Medical Marijuana Dispensary businesses may be granted a conditional use permit by the planning commission in accordance with the requirements of the zoning district in which the business is proposed, and in accordance with the following regulations:

1. Evidence that the business is currently registered under the state of Oregon's medical marijuana facility registration system under ORS 475.300-ORS 475.346.
2. The proposed use complies with all requirements set forth for the issuance of a conditional use permit (CPMC 17.76);
3. The lot on which the business is proposed to be located is classified commercial and includes the following designations; C-2(M) Commercial Medical District, C-4 Tourist and Office Commercial District, and C-5 Thoroughfare Commercial District;
4. The business shall be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle;
5. The subject lot is not within five hundred feet of the nearest residential (R) zoning district;
6. The lot is not within one thousand feet of any lot upon which there is located a church, educational institution primarily attended by minors, a public park or recreational facility, a day nursery or child care center, or any other public facility which is customarily utilized by minors;
7. The lot is not within one thousand feet of any lot upon which there is located another marijuana dispensary business;
8. The exterior appearance of the structure shall be consistent with the appearance of existing commercial structures on abutting lots or within the immediate neighborhood, so as not to cause blight, deterioration, or avoidable depreciation in property values within the general vicinity;
9. The business shall be permitted an identification sign but shall not exhibit advertisements, displays, or any other promotional or advertising materials that may be visible to the public outside the structure;
10. All doorways, windows and other openings shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area;

11. No marijuana dispensary business, as defined in this chapter, shall have operating hours earlier than 8:00 a.m. or later than 6:00 p.m. of the same day and only Monday through Saturday, except as specifically permitted by the terms of the conditional use permit.

12. Cultivation or infusion of medical marijuana at the site of the dispensary is prohibited.

13. The business shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers.

14. Drive-through services are prohibited.

B. The planning commission may, at its discretion, conduct a poll or survey of residents and property owners in the vicinity of a proposed medical marijuana dispensary business if such poll or survey is determined to be necessary to adequately assess the social, economic or other impacts of the proposed business.

C. Applicants for licenses under this chapter must file with the city recorder a sworn application in writing for the license which shall give the following information:

1. The name of the applicant;
2. Permanent home address and full local address of the applicant;
3. A brief description of the nature of the business and goods to be sold, if any;
4. Length of time for which the right to do business is desired;
5. The location of the proposed medical marijuana dispensary business.

D. Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine as defined by Section 1.16.010.

5.40.040 License-Registration-Required.

No person, or his employee or agent, shall engage in or conduct within the city any medical marijuana dispensary business unless the license fee has been paid and a license issued as provided herein. No person, his employee or agent shall engage in or conduct within the city any medical marijuana dispensary business unless the person possesses a current registration under the state's medical marijuana facility registration system.

5.40.050 License--Period.

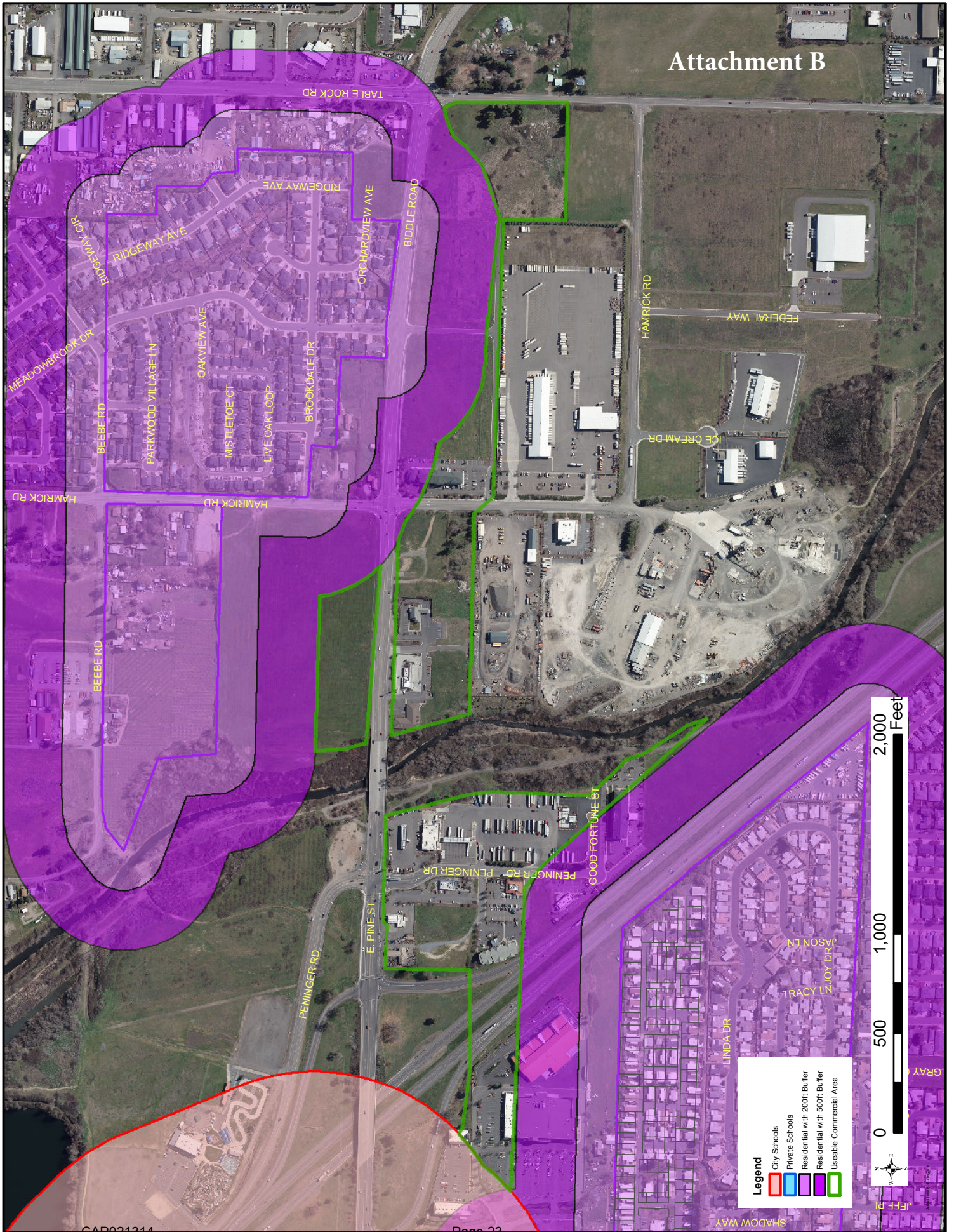
License for dispensaries shall be for annual periods commencing on July 1st of each year. License renewals shall be consistent with criteria established in CPMC Section 5.04.092.

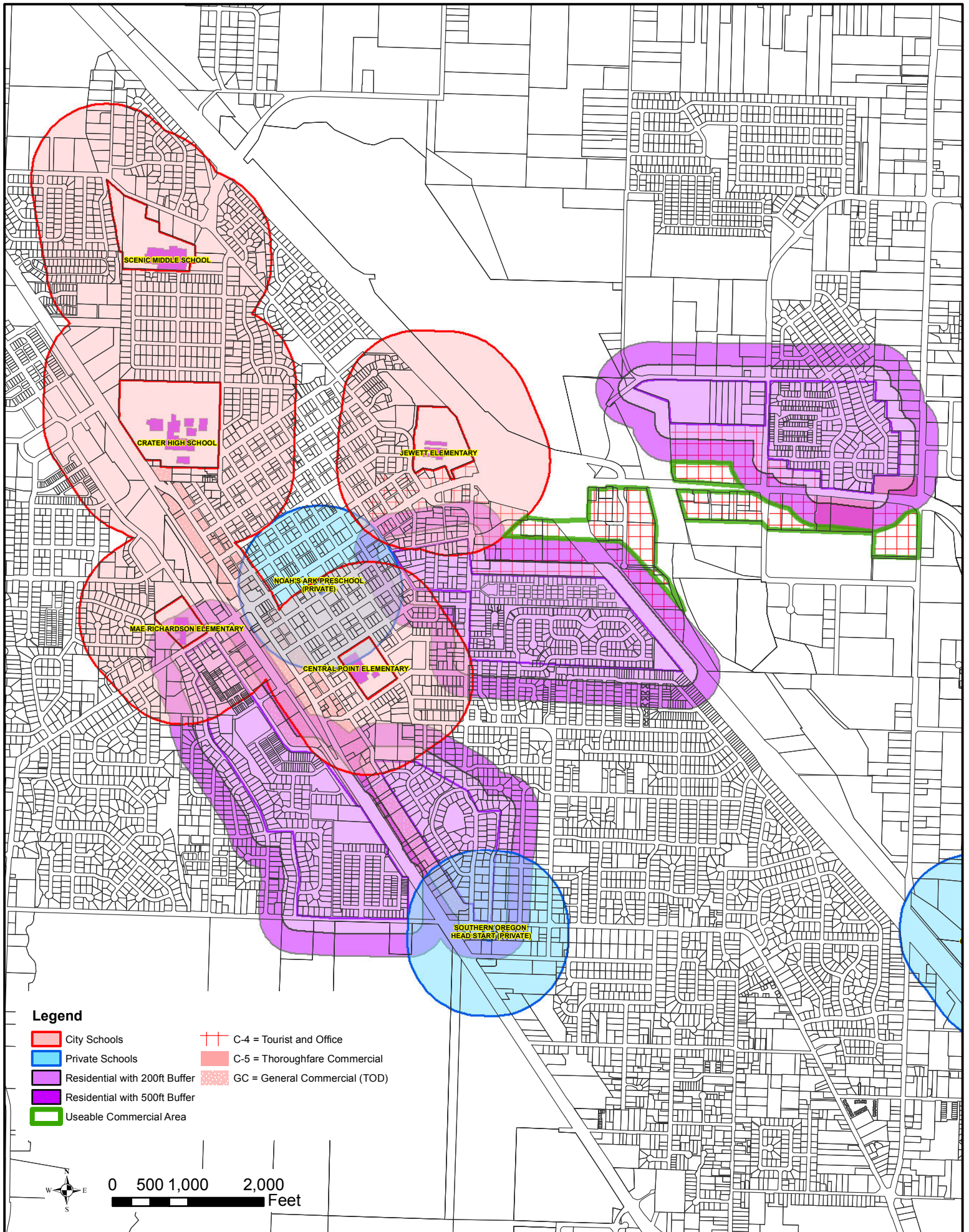
5.40.060 License--Fees.

The license fee to be charged by the city designee for a medical marijuana dispensary business license shall be as set forth in the City of Central Point Business License Fee Schedule as set in 5.04.120.

DRAFT

Attachment B





Legend

- City Schools
- Private Schools
- Residential with 200ft Buffer
- Residential with 500ft Buffer
- Useable Commercial Area
- C-4 = Tourist and Office
- C-5 = Thoroughfare Commercial
- GC = General Commercial (TOD)



0 500 1,000 2,000
Feet

PLANNING COMMISSION RESOLUTION NO. 798

**A RESOLUTION RECOMMENDING APPROVAL OF AMENDMENTS TO THE
CENTRAL POINT MUNICIPAL CODE CHAPTER 5.40 REGULATING MEDICAL
MARIJUANA DISPENSARIES**

WHEREAS, the State of Oregon has passed legislation (HB 3460) establishing a registration system for medical marijuana facilities and has provided general guidance with regard to the location of said facilities; and

WHEREAS, HB 3460 does not preempt cities from adopting further restrictions on medical marijuana dispensaries; and

WHEREAS, the Community Development Department in concert with the City Manager and the City Attorney prepared amendments to the Central Point Municipal Code by adding a Chapter 5.40 to regulate medical marijuana facilities within the City of Central Point; and

WHEREAS, on February 4, 2014 the City of Central Point Planning Commission reviewed and discussed code amendments to Chapter 5 and their implementation with the new state law;

NOW, THEREFORE, BE IT RESOLVED, the City of Central Point Planning Commission by Resolution No. 798 does hereby forward to the City of Central Point City Council a favorable recommendation to approve amendments to the municipal code found in Exhibit "A"; and

BE IT FURTHER RESOLVED, that the Central Point Planning Commission directs staff to schedule a public hearing for amendments to Chapters 17.37, 17.44, and 17.46 to add medical marijuana dispensaries as a conditional use in the C-2, C-4, and C-5 zoning districts.

PASSED by the Planning Commission and signed by me in authentication of its passage this 6 day of February, 2014.



Planning Commission Chair

ATTEST:



City Representative

**Exhibits are available in the
Community Development Department**

Approved by me this 6 day of February, 2014.



Planning Commission Chair

ORDINANCE NO. _____

**AN ORDINANCE ADDING SECTION 5.40 MEDICAL MARIJUANA DISPENSARIES
TO THE CENTRAL POINT MUNICIPAL CODE**

RECITALS:

- A.** Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B.** On February 4, 2014, the Central Point Planning Commission recommended approval of a code amendment to Title 5 Business Licenses and Regulations; Chapter 5.40 Medical Marijuana Dispensaries.
- C.** On February 13, 2014, the City of Central Point City Council held a property advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Municipal Code Amendment.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 5.40, adds regulations for Medical Marijuana Dispensaries to Title 5 Business Licenses and Regulations in the Central Point Municipal Code in response to the passage of House Bill 3460 which become effective on March 3, 2014.

**Chapter 5.40
MEDICAL MARIJUANA DISPENSARIES**

Sections:

5.40.010 Purpose.

5.40.020 Definitions.

5.40.030 Regulations for Dispensaries.

5.40.040 License--Required.

5.40.050 License--Period.

5.40.060 License--Fees.

5.40.010 Purpose.

It is recognized that the presence of "marijuana dispensaries" within the community of Central Point may result in adverse social and economic impacts, increased crime incidents, and physical deterioration in the general areas of such businesses. It is evident that regulations applicable to such dispensaries are necessary to protect minors and to preserve the character, safety and stability of residential areas that are in proximity

Ordinance No. _____ (022714) pg. 1

to such commercial businesses. The purpose of this section is to establish regulations applicable to marijuana dispensaries, as defined in the Oregon Revised Statutes and in Section 5.40.020 of this chapter.

5.40.020 Definitions.

For purposes of this chapter, the following terms and business types are defined in this section:

- A. Medical Marijuana; Means of all parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient’s debilitating medical condition or symptoms associated with the patient’s debilitating medical condition.**
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- C. Medical Marijuana Dispensary: A medical marijuana facility registered by the Oregon Health Authority under ORS 475.300 to 475.346 and that sells, distributes, transmits, gives, dispenses or otherwise provides medical marijuana to qualifying patients.**
- D. Infusion: A facility or business that incorporates medical marijuana (cannabis) by means of cooking, blending, or incorporation into consumable/edible goods.**
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- 2. The proposed use complies with all requirements set forth for the issuance of a conditional use permit (CPMC 17.76);**
- 3. The lot on which the business is proposed to be located is classified commercial and includes the following designations; C-2(M) Commercial Medical District, C-4 Tourist and Office Commercial District, and C-5 Thoroughfare Commercial District;**

Ordinance No. _____ (022714) pg. 2

4. The business shall be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle;
5. The subject lot is not within five hundred feet of the nearest residential (R) zoning district;
6. The lot is not within one thousand feet of any lot upon which there is located a church, educational institution primarily attended by minors, a public park or recreational facility, a day nursery or child care center, or any other public facility which is customarily utilized by minors;
7. The lot is not within one thousand feet of any lot upon which there is located another marijuana dispensary business;
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9. The business shall be permitted an identification sign but shall not exhibit advertisements, displays, or any other promotional or advertising materials that may be visible to the public outside the structure;
10. All doorways, windows and other openings shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area;
11. No marijuana dispensary business, as defined in this chapter, shall have operating hours earlier than 8:00 a.m. or later than 6:00 p.m. of the same day and only Monday through Saturday, except as specifically permitted by the terms of the conditional use permit.
12. Cultivation or infusion of medical marijuana at the site of the dispensary is prohibited.
13. The business shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers.
14. Drive-through services are prohibited.

B. The planning commission may, at its discretion, conduct a poll or survey of residents and property owners in the vicinity of a proposed medical marijuana dispensary business if such poll or survey is determined to be necessary to adequately assess the social, economic or other impacts of the proposed business.

C. Applicants for licenses under this chapter must file with the city recorder a sworn application in writing for the license which shall give the following information:

Ordinance No. _____ (022714) pg. 3

1. The name of the applicant;
2. Permanent home address and full local address of the applicant;
3. A brief description of the nature of the business and goods to be sold, if any;
4. Length of time for which the right to do business is desired;
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5.40.060 License--Fees.

The license fee to be charged by the city designee for a medical marijuana dispensary business license shall be as set forth in the City of Central Point Business License Fee Schedule as set in 5.04.120.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February 2014.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (022714) pg. 4

Business

Update on 332 N. 2nd Street



February 4, 2014

TO: Honorable Mayor and City Council
FROM: Matt Samitore, Parks & Public Works Director
RE: 332 North Second

SUMMARY:

Since the October City Council meeting the owners have installed a new back door and appear to be renovating the inside of the building. No building permits have been requested at this time. The mechanical, electrical and plumbing issues associated with habitation of the structure have still not been dealt with. Prior to occupancy these will need an associated permit and inspection.

The exterior of the house is being maintained.

RECOMMENDATION:

Staff recommends removing this from the derelict structure process as the outside appearance of the building have been consistently dealt with. Prior to occupancy the mechanical, electrical and plumbing issues will be required to be dealt with per Oregon building code.

Business

75 Bush Street Update

Memo

To: The Honorable Mayor and City Council

From: Kris Allison, Police Chief

SUBJECT: 75 Bush Street, Central Point

Date: February 10, 2014

On January 29, 2014 Justice Court issued the attached disposition regarding the citations that were issued for unlawful accumulation of junk for the period of July 1, 2013 to October 16, 2014 regarding the City of Central Point. In the disposition you can see that he found Mr. Clark guilty of the violations and imposed a suspended fine.

This disposition will allow us to explore the option of the chronic nuisance ordinance regarding this residence if this becomes an issue in the future.

Please see attachment from Judge Joe Charter



**JACKSON
COUNTY**
Oregon

JACKSON COUNTY JUSTICE COURT

505 OAK STREET CENTRAL POINT, OREGON 97502

Phone: (541) 774-1286

Fax: (541) 774-1288

Jackson County Justice of the Peace Joe Charter

January 29, 2014

Mr. Bud Taylor
466 S. 1st Street
Central Point, OR 97502

Re: Various Citations for Unlawful Accumulation of Junk

Dear Mr. Taylor:

This matter came for trial on October 16, 2013. Central Point Municipal Code (CPMC) section 8.04.035 provides that "No person shall cause or allow an unsightly or malodorous accumulation of junk, *garbage*, animal feces, scrap metal, scrap lumber, *used tires*, discarded building material, *discarded vehicles or parts thereof, appliances* or fixtures, or *dismantled machinery* on public or private property unless the property is in lawful use for junk storage or recycling in compliance with applicable state and federal laws and this code." (Emphasis added). Section 1.16.010 of the Municipal Code provides that each violation of the Code "shall be punished by a fine of not more than two hundred fifty dollars." "Each such person is guilty of a separate offense for *each and every day* during any portion of which any violation of any provision of the ordinances of Central Point is *committed, continued or permitted* by any such person." *Id.*, see also section 8.04.150: "Each day of such violation constitutes a new offense." The ordinance does not define what might comprise an "unsightly or malodorous accumulation." However, the rest of the ordinance, which lists specific actions which are at issue here, is not impermissibly vague.

Citations were written on the following dates: 7/1/13, 8/1/13, 8/2/13, 8/3/13, 8/4/13, 8/5/13, 8/6/13, 8/7/13, 8/8/13, 8/9/13, 8/12/13 (three separate citations), 8/13/13, 8/14/13, 8/15/13, 8/16/13, 8/19/13 (three separate citations), 8/20/13, 8/22/13 (two separate citations), 8/26/13 (four separate citations), 9/3/13, (seven separate citations), 9/4/13, 9/5/13, 9/10/13 (four separate citations), 9/16/13, 9/23/13, 9/24/13 (five separate citations), 9/27/13 (three separate citations), 10/4/13 (five separate citations), 10/28/13, 10/31/13 (three separate citations). Trial was held on October 16, 2013. The last four of the citations were not at issue at the trial. Mr. Taylor has not entered a plea on these four citations. Mr. Taylor agreed at trial that all prior citations were at issue as of the 10/16/13 date of trial. Therefore, the maximum fine amount for all these citations under the CPMC is \$14,500.00 (58 x \$250.00). The sequential order of the citations indicate that CSO Moore was writing citations for few others than Mr. Taylor during the referenced period of time. When there were multiple citations written on a single day, the alleged offense dates included preceding days (except for CP 09778 & 09779, which both allege

a violation on 8/21/13).

In the 1990s, the property was used as Central Point Radiator Service. See attached diagram from Jackson County property records. On First Street, properties are residential. However, across Bush Street there is a shopping plaza, and next to the former Radiator Service on Bush is a partially vacant lot. At one point, the shop was operated as "Dan & Joyce's (Carrell) Tires," and the sign still remains. Mr. Taylor is listed on the property records, along with Ms. Carrell. The Carrells acquired the property in 1992. According to the County Property Online records, the zoning for the parcel is General Commercial ("GC"). An internet search indicates that the City's issues with the property stretch over the past several years. See <http://www.tirebusiness.com/article/20111010/ISSUE/310109979/0/SEARCH&template=printart>; <http://www.mailtribune.com/apps/pbcs.dll/article?AID=/20111016/NEWS/110160325&cid=sitesearch>. (Cost to City of removing scrap tires "around \$3,000.00"). Part of the City's safety concern in the past has been the potential fire hazard for nearby residences due to the accumulation of tires. Both the articles and Mr. Taylor's testimony at trial allude to Mr. Taylor's son as a source of the junk accumulation. Both the *Tire Business* article and Mr. Taylor's testimony at trial noted a prior lien on the property related to the City's removal costs. Mr. Taylor testified at trial that amount owed to the City is some \$4,870. He testified that his income is \$1028 per month, from which he pays \$586 per month on the lien. Mr. Taylor's driver's license is suspended for unpaid fines to the City of Central Point. Central Point records show the balance due has been sent to collections.

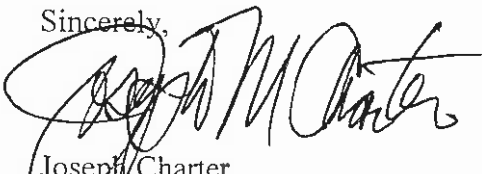
The evidence at trial included photographs. The 8/7/13 photos show tires stacked against the fence and shop; wheel rims, appliances, shopping carts, etc. The 8/30/13 photos show the same, plus various other debris. The 10/15/13 photos show an accumulation of tires, a television, ATV, riding lawn mower, chairs, a covered trailer, two pick-up trucks, one on the property and filled with garbage bags, and one on the street and filled with more tires. The 10/16/13 (date of trial) photos show that the riding lawn mower was gone, but an additional box of hub caps was outside the shop. The Court asked CSO Moore to provide additional photographs showing the condition of the property on 10/18/13. Those photos show the pick-up truck with the tires was gone, but the one with garbage bags remained. However, the 10/23/13 photos show an additional trailer with more tires, and that the pick-up truck with garbage bags remained.

I find the violations proven by a preponderance of the evidence. The remaining issue is the appropriate remedy to the City. Although it is apparent that Mr. Taylor does not have much ability to pay, so also is it apparently that the City has gone to considerable lengths to enforce its ordinance. The City has the ability to assess a lien for the cost of abatement under the Code, which is not at issue here. See CPMC section 8.04.130. The City has apparently done so in the past. I assess a fine amount of \$5,000, but suspend the imposition of \$4,000 of that amount on the following conditions: that Mr. Taylor pay \$50.00 per month, beginning on or before March 1, 2014, and pay \$50.00 each month thereafter for a period of 20 months, to and until October 1,

Mr. Bud Taylor
January 29, 2014
Page Three

2015; and upon the further condition that Mr. Taylor is not cited for any further violations under this Code section during that period. Should Mr. Taylor fail to fulfill these conditions, the entire \$5,000 shall be immediately due and payable. Mr. Taylor shall further enter his plea on the 10/28/13 and 10/31/13 (CP 10118 – 10121) citations by March 1, 2014.

Sincerely,



Joseph Charter
Jackson County Justice of the Peace

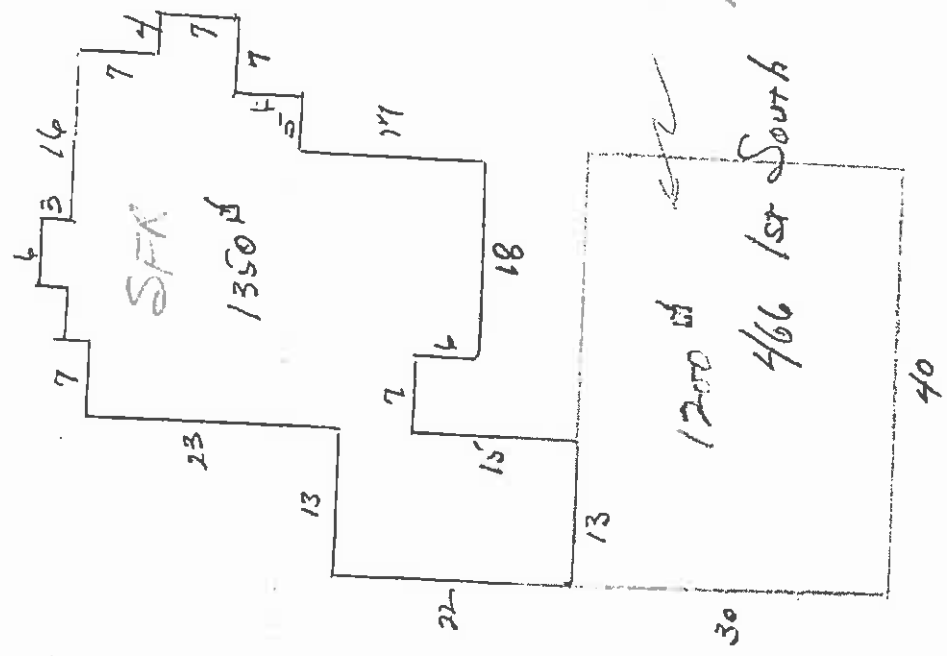
cc: CSO Moore

37-2W-1130-3800
 1" x 20'
 9-5-84
 RD

1st St

BUSH ST

CENTRAL FRONT
 RADIATOR SERVICE



Business

**Planning Commission
Report**



PLANNING DEPARTMENT MEMORANDUM

Date: February 4, 2014
To: Honorable Mayor & Central Point City Council
From: Tom Humphrey AICP, Community Development Director
Subject: Planning Commission Report

The following items were presented by staff and discussed by the Planning Commission at a regularly scheduled meeting on February 4, 2014.

- A. **Consideration of Municipal Code Amendments to Chapter 5.40, Regulations for Medical Marijuana Dispensaries.** The Community Development Department introduced new code language that amends CPMC Chapter 5, Business Licenses and Regulations to address Medical Marijuana Dispensaries (Section 5.40) in response to the passage of HB 3460. The Planning Commission elected to consider and make a recommendation on Chapter 5 in February and to entertain changes in the zoning code in March once *land use notifications* have been made. They discussed the pros and cons of the new regulations and also gave audience members an opportunity to comment. A prospective dispensary owner expressed concern that the City's regulations were too restrictive. The Commission discussed minor revisions to the text and then recommended the Council approve the new code language.

In a separate motion the Commission suggested the City Council consider regulating medical marijuana grow sites in the city limits because of the disruption they are causing in some residential neighborhoods. A joint study session was discussed and will be proposed to the City Manager.

Under general discussion, the Planning Commission was informed that the Department is making changes to **Sections 17.05, Applications and Types of Review Procedures** and **Section 17.96, Amendment to Comprehensive Land-Use Plan** because internal inconsistencies in the code language have raised questions with Jackson County who is currently processing two Urban Growth Boundary (UGB) applications. Amendments will be introduced to the Commission within the next two months.