

ESTACADA PLANNING COMMISSION MINUTES
THURSDAY, AUGUST 4, 2016 – 7:00 PM
CITY HALL

1. CALL TO ORDER

The meeting was called to order at 7:00pm.

2. ROLL CALL

Present: Cm. Richard Hawkes, Cm. Michael Ennis, Cm. Tom Sager, Cm. Richard Hartwig, Chrm. Ben Wheeler, Cm. Jason Meier, CP Scott Hoelscher, CM Denise Carey, DCR Traci Hovda.

Absent: Cm. Dave Piper.

3. APPROVAL OF APRIL 28, 2016 MINUTES

Consensus was to approve the minutes as presented.

4. PUBLIC HEARINGS

- A. Ordinance series of 2016, no. 005 - An Ordinance amending sections in the zoning code relating to marijuana production, marijuana processing, marijuana wholesaling, and marijuana retailing.

Chrm. Wheeler opened the public hearing and asked for exparte contact, there was none.

CM Carey reviewed the staff report and explained this ordinance outlines where production, processing, wholesaling and retailing are allowed and not allowed and the manner in which they can operate. All residential zones are banned per state law. CM explained that this does not have any bearing on personal recreational use or personal medical marijuana. She also explained that this doesn't change anything that has been previously adopted; uses still have to be 1,000 feet from any school, park, etc.

Chrm. Wheeler read a statement regarding evidence.

Marsha Stevens - feels this is a very positive thing for Estacada and if it's done right there shouldn't be any problems.

Kate Raimer - asked for the logic in restricting retailing to the C-1 zone where there are no buildings available. She would like to utilize vacant buildings in the Downtown zone. CM Carey explained that once we identified the properties outside the 1,000 requirement it didn't leave any in the C-1 zone. Also, the City Council was against having it in the Downtown zone. Ms. Raimer asked if she found a property in the downtown zone that was met the 1,000 foot

requirement if the City would be open to a rezone application. CM said they would look at it.

Dwight Kim, Eagle Creek - asked who makes up the rules regarding where it can or cannot be. CM Carey explained the process for implementing ordinances that become the City Code that governs anything in the City limits.

Lonnie Cranston - stated he is in favor of the ordinance and thinks it will be good for the economy and will generate tax revenue.

Corey Brownlee - asked if he built a building in a C-1 zone if it would be guaranteed for approval. CM Carey explained that he would have to go through the conditional use process and he should do that before he purchases the property to be safe. She explained the conditional use process takes 6-8 weeks. Mr. Brownlee asked if the City had any plans to implement a sales tax like the County has. CP Hoelscher said the County has placed the sales tax issue on the November ballot. CM Carey said the City doesn't have any plans for such a tax, but if they did it would also have to go to a vote of the citizens.

Dwight Kim - asked if someone could still have their 4 plants in their backyard. CM explained that this ordinance doesn't have anything to do with personal recreation use or growth.

Lonnie Cranston asked if the rules would apply to someone just starting nursery stock to sell. CM stated that would be production and the rules would apply.

Chrm. Wheeler closed the public hearing and reopened the Planning Commission meeting.

Cm. Hartwig moved to approve Ordinance 2016-5. Cm. Hawkes seconded the motion.

Cm. Hawkes asked if this ordinance copied the counties ordinance. CM Carey stated it did.

Chrm. Wheeler asked if there were any properties along the old Eagle Creek Highway that could be used for retailing. CM stated that because of the 1,000 rule from parks, schools & churches that there aren't any.

Cm. Hawkes asked why churches were included that are outside the city limits if the Timber Park wasn't included because it was outside the city limits. CM Carey said because the Timber Park is privately owned and because the Council decided to not include it because if they had there would not have been any available property in the City.

Cm. Hawkes asked if there have been any challenges to the Counties ordinance. CP stated there has not. He said there were a lot of mixed responses at the County hearings.

CM Carey stated that there are 15-20 production facilities within 5 miles of the city limits.

Cm. Wheeler asked if there were concerns with the possible impact on the wastewater treatment plant. Cm. Carey explained that these production facilities typically recycle their waste but that it will be monitored.

CM Carey stated that PGE has been involved with the pre-app meetings that have taken place because of the impact on the power grid.

Roll Call Vote: Cm. Hawkes - yes, Cm. Ennis - yes, Cm. Sager - yes, Cm. Hartwig - yes, Cm. Meier- yes, Chrm. Wheeler - yes. Motion passed 6-0.

CM Carey stated the Ordinance will now go to a public hearing before the City Council on August 22, 2016. Then notice is sent to DLCDC who has a 21 day appeal period before it becomes effective.

Next meeting will be September or October.

5. ADJOURNMENT

The meeting was adjourned at 7:40pm.