



**Planning Commission Minutes
Willamette Activity Center Room 8
October 20, 2015
7:00 P.M.**

1.0 Open Meeting

7:00 P.M.

Commissioners Present

George Custer, Chairperson (via phone)
Keith Brown, Vice Chair
Amy Kordosky
Teresa Freborg (absent)
James Affa
Jackie Taylor

Staff Present

Louis Gomez, City Administrator
Jackie Taylor, Assistant Planner

Vice Chair Keith Brown will be running the meeting since Chair George Custer is out of town.

2.0 Citizen Input

None

3.0 Consider Approval of Minutes

Motion: Commissioner Kordosky moved to approve the minutes from the August 18, 2015 meeting. Commissioner Affa seconded the motion.

G. Custer (Aye), J. Affa (Aye), J. Taylor (Aye), A. Kordosky (Aye), K. Brown (Aye). Motion carried 5-0

4.0 Consider Approval of Order and Findings

Motion: Commissioner Taylor moved to approve the Order and Findings from the August 18, 2015 meeting. Commissioner Affa seconded the motion.

G. Custer (Aye), K. Brown (Aye), A. Kordosky (Aye), J. Affa (Aye), J. Taylor (Aye). Motion carried 5-0.

5.0 Action Item

5.1 Conditional Use Permit for a Recreational Marijuana Grow Facility submitted by Job Hall 47409 Highway 58 Map/ Tax lot 21-35-18-00 00600

- a) Conflicts of Interest/Exparte Contacts

None

- b) Open Public Meeting

7:03 P.M.

Commissioner Brown read an email with questions submitted by Commissioner Affa to Police Chief Martin.

- c) Staff Report

Louis gave the staff report for the Marijuana Growing Facility on Map/tax lot 21-35-18-00 00600 47409 Hwy 58. They propose to grow both medical and recreational marijuana at this location. In order to operate the applicants must be appropriately licensed with the Oregon Liquor Control Commission.

- d) Statements in Favor

Reed O’Ryan PO Box 934 LaPine, Oregon – His building has sat empty for a long time, he bought it in need of repair. We had the economic downturn and he has had a hard time getting anyone to rent the building. Mr. Hall explained his plan to him and that he would hire people and cleanup the building. Mr. Hall assured him that there won’t be any odors coming from the building.

Job Hall 7675 Tamara Drive Reno, Nevada – He was a practicing attorney for the state of Oregon for seven years. He has watched the decriminalization of marijuana and he feels he has put together a good team of professionals to help him do this. This will be done professionally, they are not a bunch of kids here to play a game. They are all professionals and would like to build a long term business in Oakridge. He wants to eventually move here with this family and provide jobs.

Odors are an issue, dissipating the smell is being a good neighbor. He has someone who will do his security plan, everything will be filmed on the premises, they will have security lights and cameras that will run 24 hours a day.

- e) Statements in Opposition

Frank Carroll 47493 Hwy 58 Oakridge, Or – No one has spoken to him about this, they share an alley way. He is worried about the security and he doesn’t know what will be enforced and what will be required. Once something is in place and there is a problem it’s harder to get it fixed. He is afraid of losing customers because of this.

- f) Statements in General

Job Hall – They will not have any signage on the building. They would like to grow a vegetable garden out on the back property and they will landscape the front of the building.

Reed O’Ryan – Dispensaries are big cash businesses and there is large amounts of cash on the premises, growers sell to dispensaries. They don’t keep their money on the premises and dispensaries pay with checks, not cash. There are some banks that will work with them now.

Judy Rowland Oakridge, Or – Asked how many people he expects to employ?

Mr. Hall said within 12 months he’d like to employ 12 people, it depends on full or part time. They are more inclined to hire people that live in Oakridge.

Mr. Hall addressed the question about the alley, they are not going to use the doors on that side of the building, they are going to use the doors on East side of the building and do not want to interfere with the deliveries at Rascals Market.

Commissioner Custer wanted to make sure they know when they do any construction to the building they need to get a building permit.

Robert Johnson PO Box 831 Oakridge, Oregon – Rascals has really turned around and Tod is starting his business across the highway, he would hate to see someone come in and ruin that part of town.

g) Close Public Hearing

7:08 P.M.

h) Commission Discussion

Commissioner Kordosky asked if they looked at other locations outside of the city limits, maybe the Industrial Park?

Commissioner Affa asked why they are here, seems an off place, we are out in the middle of nowhere.

Mr. Hall said he prefers to be in a quiet area under the radar, he doesn’t want to be around the crime in bigger cities.

Commissioner Brown asked how many plants they are looking at having?

Jessie Witworth 25630 Lawrence Rd Junction City, Or – There is room in the building for about 100 plants, it isn’t set yet how many they will have.

The only time the smell could get out is when we have power failures, they will have backup generators on the premises.

Commissioner Affa asked if they had other documents they would like to share?

Mr. Hall asked what type of documents is he talking about?

Louis said they have to comply with OLCC, you won’t see anything until January.

Commissioner Brown said we will be seeing this on a number of levels in the future. Right now what we are looking at is as an idea, do we approve of them moving forward.

Louis said we could use a site plan and should be pretty easy to get to us.

Commissioner Custer said this is an indoor grow, will they be selling over the counter?

Commissioner Brown said no, they will be delivering to dispensaries.

Commissioner Kordosky asked if they have been previously licensed to do this, to grow and sell?

Mr. Hall said no, recreational marijuana is a brand new thing, the first application they can put into OLCC is in January of 2016.

Commissioner Kordosky said they are putting the cart before the horse.

Commissioner Brown said OLCC is going to require that they have this in place before they can take the next step.

Mr. Hall said they can also sell medical marijuana, Jessie has his license for medical marijuana.

Commissioner Brown asked what they are going to do with the trimmings from their plants, obviously putting it into a dumpster out back is not something they can do.

Mr. Witworth said in a perfect world they would put it in a compost out back, but it does smell and it doesn't just attract animals, but it will attract people. They can donate it or take it off site to someone who can utilize it.

Commissioner Affa asked if the city is making any money off of this deal?

Louis said we get the money from their business license, after January 4, 2016 and as the rules come in to play, it's either March or May of 2016 we can start to process for our 3% tax, that is under house bill 3400. This has been a process that has been growing and changing just about every day.

i) Findings

Louis read attachment one and the Findings.

The question is, does his proposal meet the requirements of our zoning ordinance and the answer is yes, In accordance with ordinance 907.

Louis read the Conditions of Approval.

If the commission feels that there should be additional conditions of approval you can present those at this time. One could be to ensure that a fence be placed around the property for security.

Commissioner Affa said he would greatly favor the fence.

Commissioner Brown said OLCC will have their own rules and criteria that are pretty in depth.

Mr. Hall said it is the best choice for them and it is much cheaper for them to put the infrastructure in right the first time, rather than have to redo it.

Commissioner Brown said an additional condition of approval will be the installation of fencing to completely enclose the property with gate access.

Louis said there is no doubt in his mind that Mr. Hall and his associates will be taking care of the waste products, however as they stated it smells. If you store the waste outside that will be an issue. Commissioner Brown recommended that there be no storage of waste outside of the building.

Mr. Witworth said the soil waste is a great resource to help in gardening, they will have soil to get rid of at times, it is technically a waste product, but it doesn't smell.

Commissioner Brown said what he is concerned about is waste trimmings.

Louis said we are primarily talking about odiferous waste.

Commissioner Brown said no storage of odiferous waste outside the building.

Louis read the conditions again with the two additional conditions.

Commissioner Brown asked the commissioners if that mitigates most of their concerns? The security is going to be handled by OLCC.

Louis said there are really no regulatory things that we can do about the medical marijuana grows, it is primarily OHA, as Mr. Hall said he does not have a problem if we add a condition that he have proper security measures.

Louis said he thinks it might be appropriate to ensure that security measures are applied in accordance with OHA standards for dispensary security.

j) Commission Action

Motion: Commissioner Brown moved to adopt the findings entitled Oakridge Planning Commission Findings and Decision Regarding an Application for an Indoor Marijuana Growing Facility Located at 47409 Highway 58 map/tax lot 21-35-18-00 00600 and approve the application for a Conditional Use Permit for an indoor marijuana growing facility located at 47409 Hwy 58, tax lot 21-35-18-0600 to include the five conditions on attachment one. Commissioner Taylor seconded the motion.

K. Brown (Aye), A. Kordosky (Nay), G. Custer (Aye), J. Affa (Nay), J. Taylor (Aye). Motion failed 3-2

Motion: Commissioner Brown moved to reconsider the previous vote. Commissioner Custer seconded the motion.

J. Taylor (Aye), J. Affa (Nay), G. Custer (Aye), A. Kordosky (Nay), K. Brown (Aye). Motion failed 3-2

Commissioner Brown asked what concerns there are that they can address.

Commissioner Kordosky said she is not satisfied with some of the questions she had, they didn't have answers to her questions. For instance the licensing, they should be licensed before they start a growing facility.

Mr. Hill said they can't get the license without the permit. Mr. Hill said he asked if there was anything else he should submit and he was told no.

Louis said that is correct.

Commissioner Kordosky asked if we can table this until the next meeting.

Louis said yes, they can ask to table it and he will get with Mr. Hall to produce more documentation.

Motion: Commissioner Affa moved to table this until the next meeting. Commissioner Taylor seconded the motion.

Commissioner Brown said we need to let them know what information we are looking for.

Commissioner Kordosky said you are already growing medicinal marijuana so what were your regulations to be able to do that?

Mr. Witworth said regulations for medicinal marijuana are very loose, for a production facility he is required to supply more information and he is willing to do that. These things are above and beyond what he wants to do if he doesn't know he will be able to have a business at this property.

Commissioner Kordosky said she'd like to see a business plan. She doesn't know if she is stepping out of line by asking for this.

Louis said we are, but he thinks if we get more information from House Bill 3400 which is what is dictating these changes for the recreational side. To be frank, on the medical marijuana side if they wanted to grow medical marijuana in that building right now, they could and you couldn't stop them.

Commissioner Kordosky asked why they are here then?

Mr. Hall said they are trying to be good neighbors.

Louis said on the recreational side there will be restrictions and conditions.

G. Custer (Aye), J. Affa (Aye), J. Taylor (Aye), A. Kordosky (Aye), K. Brown (Aye). Motion carried 5-0

6.0 Discussion Items

None

7.0 Positive Comments and Constructive Input

None

8.0 Announcements

None

Meeting Adjourned

Vice Chair Brown adjourned the meeting at 8:46 p.m.

Signed:

George Custer Chairman Date

Attest:

Susan LaDuke City Recorder Date