

JACKSON COUNTY PLANNING COMMISSION

PUBLIC MEETING

February 26, 2015

MINUTES

MEMBERS PRESENT: Don Greene
Joel Ockunzzi
Richard Thierolf Jr.
Brad Bennington
Tom Lavagnino

MEMBERS EXCUSED:

GUESTS PRESENT: Zac Moody, Matt Ropp, Cory Falls, Bill Philps, 20 plus additional guests

STAFF PRESENT: Director Kelly Madding
Planner Michael Mattson
Office Assistant Laura Marshall

The meeting was called to order by Chair Don Greene at 9:10 a.m. The roll was called.

APPROVAL OF MINUTES:

The February 12, 2015 meeting minutes will be presented at the next meeting.

POTENTIAL BUSINESS FROM THE AUDIENCE: None

NEW BUSINESS:

Public Hearing – Consideration of Text Amendments to the Jackson County Land Development Ordinance amending Chapter 6 Use Regulations, Section 6.2.2, Table 6.2-1, Table of Permitted Uses for Base Zoning Districts, establishing Medical Marijuana Facilities as a permitted use, Section 6.3 Additional Use-Specific Regulations, Subsection 6.3.3 Commercial/Office Uses establishing regulations related to Medical Marijuana Facilities, Section 6.4 Accessory Uses and Structures, Subsections 6.4.3 Accessory Uses Prohibited, Subsection 6.4.4 (C) Home Occupations and Subsection 6.4.4 (D) Home Business as they relate to Medical Marijuana Facilities, and Section 13.3 Definitions, incorporating a definition related to Medical Marijuana Facilities as permitted in Table 6.2-1. File: 439-15-00003-LRP.

Commissioner Don Greene read Summary and Admonishment. Asked Commissioners if they have had any ex-parte contact. No ex-parte contact for Commissioners. Called on Staff for the Staff Report.

Commissioner Thierolf stated that he has had several conversations over the years regarding medical marijuana but not about this topic.

Kelly Madding, Development Services Director spoke to the audience regarding today's hearing, importance of public signing in, BOC public hearing and why she will only be discussing medical marijuana facilities today. She gave a power point presentation and reviewed the following topics:

- Background
- LDO 3.8.2(A) Initiation – BOC initiated LDO text amendments via Board Order 13-15
- ORS 475.314 – Oregon Medical Marijuana Act, Medical Marijuana Facility Registration; Qualifications; Inspections; Revocation; Rules; Fees.
- OAR 333-008-1010 – Medical Marijuana, Marijuana Facilities, Definitions
- OAR 333-008-1110 – Medical Marijuana, Marijuana Facilities, Locations of Medical Marijuana Facilities.
- Chapter 6 – Use Regulations: Table 6.2-1 Use Table
 - LDO Section 3.1.4 – Type 3 Land Use Permits
 - Proposed zones allowing and proposed areas not allowed. Discussion followed regarding drug stores, who would hear cases, zone change for siting of facilities, regulations specific to application, non-profit organizations in EFU, Rural Service Zones, Cities process/regulations, issues with Federal law
- Section 6.3.3 – Commercial/Office Uses
 - T) Medical Marijuana Facility
 - Where facility may not be located. Discussion followed regarding number of allowed facilities, recreational facilities, and number of potential customers.
 - Hours of operation
 - Drive-through use prohibited
 - No remnants or by-products placed within facilities exterior refuse containers
- Section 6.4.4 – Accessory Uses & Structures Allowed
 - Home Occupations – Prohibited Home Occupations
- Section 13.3 – Terms Defined.
- Staff Recommends Approval

Commissioner Greene called for a short recess. Public hearing called back to order. Commissioner Greene opened public hearing.

Andreas Met, 1776 Old Military Rd., Central Point – longtime resident. Has several concerns about verbiage used by Staff, regulation of number of businesses allowed, county should not be more restrictive than the state, concerns with law enforcement issues, dispensaries near VA Dom, asked for a continuance and to leave the record open.

Bill Philips, 277 Coyote Run, Jacksonville – thanked staff – complex issues/findings, asked for continuance and leave record open, talked about allowing Home Occupation, lack of input by other agencies, suggested having a citizen advisory committee which he would volunteer for, read quote from Rob Patridge and urged denial of amendment's or a continuance of hearing.

Jamin Giersbach, 251 Twins Oak Rd., Jacksonville – Owner of Talent Health Club and Rogue Farmers located in Talent, one of three dispensaries opened in Talent, talked about working w/banks, high security system in his dispensary, being open on Sundays and asked for a continuance for additional public input. Answered questions from the Commissioners about banking, amount of customers on Sundays, traffic flow, amount allowed to purchase, eatables, doing as a home business, number of patients, residency requirements, let market decide how many dispensaries will be allowed, recreational use and profit/lack of profit.

Nita Lundberg, 1444 Brentwood Dr., Eagle Point. – Small business owner. Does not agree with State's buffer distance, does not support having facilities in White City or the County and wants to see maximum distance used as recommended in the Staff report. Answered questions from the Commissioners.

Zac Moody, City of Talent Community Director, 110 E. Main – provide some insight to Talent's process for MMF, had a lot of community support with process, some of the rules he used for Talents ordinance, County Code is pretty consistent with other codes, has concerns with the lack of restriction for spacing from parks, Talent has parks that are in County jurisdiction along Hwy 99. Talent does not allow processing, testing, packaging and manufacturing in MMF. Answered questions regarding security issues, existing MMF, parks, can provide analysis information should record be left open, testing and manufacturing in facilities.

Toni Branham, 10400 Sterling Cr Rd., Jacksonville talked about inclusion of MMF definition into the ordinance. Answered questions from the Commissioners.

Brent Kenyon, 2319 Hillcrest, Medford – longtime JC resident, has worked in the medical marijuana industry for 18 years, operates Southern Oregon Alternative Medicine, has been on several advisory committees, worked on MMF legislation, concerns with lack of properties which are limited, 2500 ft. distance is excessive, hours of operation limitation, manufacturing/testing, MMF in White City and having MMF and recreational facilities together. Answered questions from the Commissioners regarding testing facilities,

Sunday hours of operation, distance from parks and schools, security of MMFs and leasing properties for MMFs.

Toni Vondra – VA-SORCC – Kelly stated she had to leave but provide Kelly with written statement asking for a continuance or at least leave the record open for VA written/in person testimony.

Adam Lipsky, 4202 N. Roxy Dr., Medford – concerned about the lack of discussion regarding children on medical marijuana and how it does help people, was told by Medford City Attorney that Medford will not allow any MMF within City limits, has found that property owners do not want to rent/lease to people wanting to open dispensaries and federal laws. Answered questions.

Michael Monarch, 710 Elkader St., Ashland owner of Green Valley Wellness in Talent which was broken into. Talked about the difficulty of leasing property for MMF, influence on children, buffer distances from parks and other facilities being restrictive, traffic increase and hours of operation and allowing drive-thru. Answered questions from the Commissioners regarding bud tenders, consumption on site and benefits to economy from recreational use.

Peter Gross, 489 Euclid St., Talent, chief operating office of Green Valley Wellness, asks for a continuance, appreciates the open mindedness of the Commissioners and willing to help create good working relationship with County and MMFs. Answered questions regarding banking process, forms of payment and safety issues in zoning designation rural service.

Michael Horner, Industry consultant, talked about bud tenders training/handling of medical marijuana, federal laws, staying within State required distances, green zones and having robust regulations. Answered questions from Commissioners regarding bud tenders, approval of recreational marijuana and having both medical and recreational marijuana in the same facility.

Commissioner Greene asked if there were any others in the audience that wished to speak and had not signed up. Discussion followed regarding continuing the public hearing or close the public hearing and leave the record open.

A motion was made by Commissioner Richard Thierolf and seconded by Commissioner Tom Lavagnino to continue the public hearing to March 12, 2015 at 9 am. Vote was as follows:

| <u>Yes</u> | <u>No</u> | <u>Abstain</u> | <u>Absent</u> |
|------------------|-----------|----------------|-----------------|
| Richard Thierolf | | | |
| Joel Ockunzzi | | | |
| Tom Lavagnino | | | |
| | | | Brad Bennington |

Don Greene

UNFINISHED BUSINESS:

2015 Work Study:

Kelly talked reviewed the changes and recommendations as requested by the Commissioners. She will schedule a joint BOC and Planning Commission meeting.

BUSINESS FROM THE BOARD OF COMMISSIONERS:

BUSINESS FROM COMMISSION MEMBERS:

SORP – Kelly briefly reviewed the Task 5 report public hearing.

Joint meeting with Central Point scheduled for April 2, 2015 at 6 p.m. in Central Point.

BUSINESS FROM THE PLANNING DIVISION:

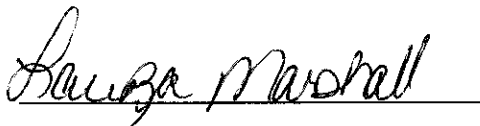
The next regular meeting is scheduled for Thursday, March 12, 2015 at 9:00 a.m;

There being no further business, the meeting was adjourned at 1:12 p.m.

Respectfully submitted,



Laura Marshall, Secretary



Laura Marshall, Recording Clerk

Approved this 12th day of March, 2015.
JACKSON COUNTY PLANNING COMMISSION



Don Greene, Chair

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You may order the CD by phone (541-774 6907; Jackson County residents outside of Medford's local calling area use 1 800 452 5021 x.6907) or you may FAX your order to (541) 774 6791. Please allow seven (7) working days.

When you place your order, please indicate that you need a CD of a Jackson County Planning Commission Public Hearing, the date of the public hearing, the file number that relates to the public hearing, your name and your daytime telephone number. You will be notified when the CD is ready to pick up at the Zoning Counter in Room 100 of the County Offices, 10 South Oakdale. It will be your responsibility to pay for the CD when it is picked up.