



# City of Oregon City

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## Staff Report

File Number: PC 16-083

**Agenda Date:** 8/9/2016

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3b.

**From:** Community Development Director Laura Terway

**File Type:** Land Use

### **SUBJECT:**

Time, Place and Manner Regulations for Marijuana Businesses and Personal Cultivation

### **RECOMMENDED ACTION (Motion):**

Staff recommends the City Commission provide feedback on the draft regulations for Planning File LE-16-0001.

### **BACKGROUND:**

Staff recommends the City Commission provide feedback on Legislative file LE-16-0001, Adoption of Time, Place and Manner Regulations for Marijuana Businesses and Personal Cultivation. The City Commission passed Ordinance 15-1017 on November 4, 2015 to ban marijuana businesses. The City Commission will refer the question of whether to prohibit recreational marijuana producers, processors, wholesalers and retailers, as well as medical marijuana processors and medical marijuana dispensaries to the voters of Oregon City. This shall be referred to the electors of the City of Oregon City at the next statewide general election on Tuesday, November 8, 2016. If the citizens of Oregon City vote in favor of these types of businesses, the City may have in place "time place and manner" regulations to provide a legal process for permitting and regulating marijuana businesses as well as personal cultivation. If the voters elect not allow these businesses in the city, these regulations will not go into effect. The proposed regulation does not distinguish between medical and recreational marijuana.

Staff completed the attached draft of time, place and manner regulations for marijuana businesses. The code revisions are based on extensive public outreach, staff research, and input from a variety of sources including the Oregon Liquor Control Commission, League of Oregon Cities, reviews of various other municipal regulations, and City Attorney legal analysis. The Planning Commission reviewed the draft regulations at the July 11, 2016 Work Session and at the July 25, 2016 and August 8, 2016 Planning Commission hearings.