CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

TROUTDALE PLANNING COMMISSION
REGULAR MEETING

Troutdale City Hall Council Chambers
219 E. Historic Columbia River Hwy. (lower level, rear entrance)
Troutdale, Oregon 97060

Wednesday, February 25, 2015
7:00 p.m.

1. **ROLL CALL/PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

   January 21, 2015 Work Session

3. **CITIZEN COMMUNICATION – NON-AGENDA ITEMS**

4. **HEARING PROCEDURE**

   Tanney Staffenson, Planning Commission Chair

5. **PUBLIC HEARING**

   A – Amendments to the Development Code Concerning Medical Marijuana Dispensaries

6. **NEW BUSINESS**

   A - Deliberation and Recommendation to Council on T.D.C. Amendments Concerning Medical Marijuana Dispensaries

7. **OLD BUSINESS**

   A - None

8. **WORK SESSION (if needed)**

9. **DEPARTMENT REPORTS**

10. **COMMISSION INITIATIVES AND CONCERNS**

11. ADJOURN

This meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made in writing at least 48 hours prior to the meeting to Elizabeth Walstead, 503-674-7228, or by email at liz.walstead@troutdaleoregon.gov

DRAFT

MINUTES
TROUTDALE PLANNING COMMISSION
Work Session
Council Chamber
217 E. Historic Columbia River Highway
Troutdale, Oregon 97060
January 21, 2015

1. **Roll Call/ Pledge of Allegiance** – The session was called to order at 7:00 p.m.

Commissioners Present:	Sandy Glantz, Frank Grande, Shirley Prickett, Brian Sheets, Tanney Staffenson and Marv Woidyla
Commissioners Absent:	Kevin Coulton
Staff:	John Morgan, Planning Director Mark McCaffery, Planner
Guests (see list):	Carol Allen, 1202 SE Kibling St., Troutdale 97060 Rich Allen, 1202 SE Kibling St., Troutdale 97060 Claude Cruz, 1097 E. Historic Columbia River Highway, #123, Troutdale 97060 Martin & Bev Frank, 1911 E. Historic Columbia River Highway, Troutdale 97060 Jon Lowell, 2304 SW Indian Mary Ct., Troutdale 97060 Diane & Glenn White 1225 E. Historic Columbia River Highway, Troutdale 97060 Eric Anderson, 963 SE 30th Pl., Troutdale 97060 John Wilson, 1306 SW 24th St., Troutdale, OR 97060 Jamie Schaeffner, 342 SE Kibling St., Troutdale, OR 97060 Jay Ellis, 1715 SE Palmblad Rd., Gresham, OR 97080 Penny Cruz, 1097 E. Historic Columbia River Highway, Troutdale 97060 Paul Wilcox, 1030 SW 17th Way, Troutdale 97060 Bev Frank, 1911 E. Historic Columbia River Highway, Troutdale 97060

2. **Work Session**
Consideration of Development Code update and medical marijuana code amendment.

Medical and Recreational Marijuana Facility Text Amendments. Chair Staffenson made clear there will not be a public hearing as this is a work session only. The public will be invited to comment, all comments will be recorded, minutes will be taken and published, and the audio of this meeting will be posted on the City's website. Any comments the public makes will not be part of the public record for any appeal or decision making going forward.

Mark McCaffery presented his report on this item (a copy is included in the agenda packet) which gives an overview and summary of the time, place, manner, location and procedure that needs to be followed in order to process a text amendment to the Development Code. There is also draft language for an amending ordinance which would be the vehicle used if the Commission makes such a proposed amendment. Mr. McCaffery included a summary from the League of Oregon Cities on Measure 91 and what it means to local governments. A timeline was included in the staff summary to give an idea of when this measure will take place and when it could impact local governments. He then reviewed the State legislation for the Commission and audience.

The idea of why this is presented this evening is to begin the conversation for when the change comes, Mr. McCaffery said. The Planning Commission reviews proposed text amendments as they amend the Development Code; their recommendation will go to the City Council; the Council is the entity that would enact the ordinance. They can accept the recommendation, accept a partial recommendation, refer back to the Commission for more consideration, etc. There are several options, as outlined in Chapter 15 of the Code.

Because the Code states that these marijuana facilities must be located in an area owned by the local governing agency in specific zones, the proposed text amendments would allow them as Conditional Uses in these zones; recreational marijuana would also be allowed in the same locations as medical marijuana. HB 3460 regulates the locations of medical marijuana facilities in Oregon and the language we must pay attention to is that they may not be located within 1,000 feet of real property which is the site of a public or private school or within 1,000 feet of another medical marijuana facility. Staff took this into account when we wrote the amendments.

Mr. McCaffery asked the Commission to review the material and he offered to answer any questions. Commissioner Sheets asked where the information came from regarding the park buffers; Mr. McCaffery said it is based on information about gathering areas, density of younger population locations, and schools. The maps used are about a year old and staff tried to get an idea of what the buffer would be and how it would play out. Mr. Morgan said when this was initiated by the City Council it was done with the intent that the parks would be included on the list, hence this draft. That is not in the legislation but the cities can go farther. Does this also apply to the rationale for the schools, the Commissioner asked, and Mr. Morgan said it does. A brief discussion followed on adult and/or trade schools and Mt. Hood Community College.

Commissioner Sheets also asked why we have an ordinance on recreational marijuana before the OLCC (Oregon Liquor Control Commission) has taken a stab at it. Mr. Morgan said this was done at staff level and discussed with the management team. Our sense in bringing it to the Commission is that by including recreational marijuana at this time and making it subject to the same things as medical marijuana, in a sense establishes a position by the City for locations which might guide investment decisions, etc., by those who want to pursue this. It clearly recognizes that once the OLCC rules are adopted it may compel us to change this. This is just to lay out the intent now.

Commissioner Sheets asked if, besides those he mentioned, there are any other policy concerns. Mr. McCaffery said there was on establishment of a medical marijuana dispensary that in itself almost begs to create its own buffer. This was discussed relative to the State legislation.

Commissioner Woidyla brought up the difficulty of future enforcement of this ordinance with the inclusion of public parks and asked what the provisions for that would be. Mr. Morgan said these are businesses that will be established; hence they will need a business license to operate.

Commissioner Glantz said her understanding is that recreational marijuana is tied to the OLCC, so she asked why our liquor laws also govern recreational marijuana. Mr. Morgan said that is up to the OLCC to decide; it's within their purview to come up with the rules by sometime in 2016. We cannot predict what conclusions they'll reach. The Commissioner asked why, if the timeline is July 1st when this comes into effect, the OLCC doesn't rule until six months later. Mr. Morgan said two things come into play: first, personal possession of marijuana is legal as of July 1; second, that is different from the retail store that sells it and that's what the OLCC is working on. The Commissioner commented that Troutdale as a pretty big majority voted in favor of this measure and she said she is not sure that a lot of extra embellishments are really necessary. Mr. Morgan said the Commission has an interesting task ahead to decide on an appropriate recommendation to the Council.

Commissioner Grande asked if the 1,000-foot setbacks apply to liquor stores; he was told it does not. He said he assumed the medical marijuana stores would become medical facilities and asked if the term "medical facility" would apply and why it would be different from a dental office regarding setbacks. Mr. Morgan said the legislature established the 1,000-foot buffers. The Commissioner

noted that even though recreational marijuana will be legal in Oregon on July 1st it is still illegal under Federal law.

Chair Staffenson said we do not define recreational marijuana in an Industrial zone; it is only defined in a Commercial zone. Mr. Morgan said that for the medical dispensaries, which are not open storefronts and you cannot go into them without a medical marijuana card, the legislature established the law that said it can go into Industrial / Commercial zones. To kind of preempt that, the local authorities say which of those it can go into. It can go into both. Recreational marijuana is a different animal, more like a tavern or a bar, perhaps, which we do not allow in the Industrial zone but we do in the Commercial zone. This draft ordinance does not speak to a production facility but to the retail storefront. We'll have to wait to see what the OLCC does on that.

Commissioner Grande said p. 1 of the draft ordinance under Exhibit A, 1.020 General Definitions, .80, i., he doesn't get why there is a reference to immature marijuana plants. Mr. Morgan said this was taken right out of the statute. The Commissioner asked if there is a definition of 'immature'. Mr. Morgan repeated that staff just used the statutory language. Brief discussion followed.

Commissioner Sheets brought up the dispensation of marijuana at storefronts versus current pharmaceutical dispensaries; again, Mr. Morgan said State law would dictate that. The three maps in Attachment A (to the staff summary) were also discussed.

Public Testimony – Chair Staffenson invited anyone in the audience to comment.

Paul Wilcox, Troutdale, said the City has added the parks which are not restricted locations in the statute but the City has added them. He said he supposes part of the rationale for that could be on p. 1 of the summary document, 2nd paragraph, in the sentence, ". . . providing for a safe separation between places where children congregate and the marijuana facility." The State statute applies directly to schools; the city parks restriction is to essentially keep the marijuana facilities out of the main street, specifically Depot Park and Mayors Square. Chair Staffenson said he cannot speak to the Council's intent here, but there are a number of city parks in close proximity to our schools, and he believes this is was facilitated that. Mr. Wilcox said the ordinance (item 5.) also says, " . . . unless sooner repealed or extended by City Council ordinance" and he did not think it could be extended since the April 30, 2015, repeal date of the original moratorium is listed there as well. Mr. McCaffery said he took that from the original moratorium as his understanding is that it lasted a full year to the extent that it could be extended. Regarding p. 2 of the draft ordinance, Exhibit A, .81 new text, Mr. Wilcox said this is the first time he's learned that consumption on the premises of a facility is permitted, and asked for an explanation of that statement. Mr. McCaffery said he did not know and will look into it. Mr. Morgan said that item is for recreational marijuana; still, Mr. Wilcox said, he questions consumption on the premises.

Carol Allen, Troutdale, said she is concerned that even though a marijuana facility could be 1,000-feet from schools in Troutdale, kids do play in the parks especially on First Fridays and on weekends, as well. While she knows the voters passed this, it's a personal issue for her because growing up she has seen marijuana ruin her family. She expressed concern about marijuana being available to kids, and she specifically mentioned the packaging of product that is or could be sold to them; she knows 18-year olds can get it recreationally and we need to be aware of where we allow it. We need to be aware of where we want it in our city. If it comes to our main street, she will not shop there. She wanted her voice to be heard.

Commissioner Grande said, based on Ms. Allen's comments, that we are not just talking about smoking marijuana but other ways of ingesting it, as well. Unfortunately a lot of those ways will be kid friendly and the marketing people will come up with 'cool' names for their product. He said he was not saying it was good, bad, or indifferent but this is part of what is going on and the law of unintended consequences.

Commissioner Woidyla said the final decision on this is not the Planning Commission's but they will refer it on to the City Council. The decision we are asking them to make is if Troutdale should

have these establishments within the city limits. We can make a recommendation to them or can move this forward to them without a recommendation. Within its framework and the statute as it is written now, the question is if we allow it in the city where are we going to regulate it and where are we going to put it.

Mr. Morgan said the expiration of the moratorium is a key drop-dead date; working backwards from that, the Commission needs to hold a public hearing on this in February which means that hopefully this evening the Commission can change this language in any way they may wish to, and then that language will come to the hearing. We need to send out tomorrow public notices of the February hearing, so staff will need some direction on this from the Commission this evening. Ultimately the Council will hold its own hearing in March prior to their decision.

Claude Cruz, Troutdale, said he and his wife own their business right across from Mayors Square, a favored congregation spot for a lot of skateboarders so that is an issue. He also said he wondered why he doesn't hear much from a planning perspective about the grow sites and retail. He spoke of a ruckus he heard about going on at one current site that maybe could have been avoided through better management (this through one of his staff who lives near the grow site). He said the West Columbia Gorge Chamber of Commerce is going to host a speaker that specializes in marijuana law for a lunch next Wednesday between noon and 1:30 in the Community Center by the police station. He also spoke of one of his staff who lives near a grow site that has a severe impact on her personal life and he explained why and how. His concern was discussed. There was a brief discussion on personal recreational use vs. medical use, and that this was about dispensaries and not private or commercial grow operations.

Bev Frank, Troutdale citizen for 25 years, said one of the reasons she moved here was the wonderful outdoor wholesome community where she wanted to live with her children. She and her husband bought a wonderful property and opened a business, Bev's Antiques, and have been there successfully for 15 years. She does not like the thought of having a dispensary next to her business. It doesn't make sense to her. Her customers are wonderful people, and she has high school girls there every day. She would not be proud of Troutdale if this city allows a marijuana dispensary. She wants to feel good and proud of living here. Pot changes people's thinking and their mood.

Penny Cruz, Troutdale told of a grow site, not in the City of Troutdale, with its huge fans running all night, huge security lights blasting into bedroom windows of nearby residences because this was set up as close as they could to the property line. It is on a suburban cul de sac in what looks like a shop building in a residential neighborhood. Her other point is that she sees a lot of alcohol use and how it changes how people behave, and she asks herself how this is different. It feels different, she said, because it's new, maybe. One thing to consider is that now is the opportunity to set boundaries and bigger safety zones and regulations. If we do that now, we can relax those in the future more easily if people are obedient now. It's harder to go the other way. Commissioner Grande asked if the 1,000-foot setback sounds okay to her. She said she would not want to sit in his seat; her point is that the school clearly has the 1,000-foot setback now. One of the major points of decision here is whether to also include the parks. She was saying it would be easier to include the parks now and can relax that setback later, if we want to. If it's not set out now, it will be more difficult to get it later.

Diane Castillo (White) of Troutdale said she agrees far as boundaries and opportunities go, and said she had the privilege of going to Eugene last year where marijuana was being discussed. Some officials from Washington State attended, and she told of a City Councilor from Kirkland, WA, who spoke when they were trying to decide what boundaries they might set for the dispensaries. When they were done they had to think about it because they'd created so many restrictions. She said right now Washington State has decided that 25 miles is a hardship at this time. What we're talking about is a moving target, and she believes laws will be changed and there will be further restrictions and certain challenges. There are five lawsuits going on now. Things will pan out there within the next year, she said she believes. She said our downtown has a certain look and was created with a certain

feel; it lends itself to tourism. It's just a few little blocks so she advocates the marijuana facilities not be in that area. She also addressed parks and schools as well as churches.

Jon Lowell, Troutdale citizen, spoke of tonight's evening news about a lady who overdosed from eating marijuana candy and had to get hospital treatment in Sun River. He wanted to encourage the Commission to establish the regulations as presented this evening with the inclusion of the 1,000-foot buffer for parks, including Mayors Square.

A few Commissioners asked about specific properties and if they were included in the 1,000-foot buffer; they all are, Mr. Morgan told them, either by physical location or by zoning. Commissioners Grande and Sheets asked about any liability under Federal law; Mr. Morgan said there is always that possibility and even if the City regulates more strictly than the State, there is still the question of Federal law not only in Oregon but in every state that has enacted this legislation. Chair Staffenson said he knows that what is in front of the Commission now has been passed by other municipalities.

Mr. Morgan said the question this evening is does the Commission want to change this proposed ordinance in any way, and if not then will they accept this, and it will be what we publish for the public hearing. Mr. McCaffery said staff is looking for guidance on the actual language as they have it within each of the zones, and if they want any changes in the proposed ordinance itself. Commissioner Glantz asked about the moratorium; Mr. Morgan said that relates only to the issuing of permits for medical marijuana, not recreational marijuana. Commissioner Sheets asked that the Commission only deal with the medical marijuana dispensaries because there is a very high likelihood that we may take an incorrect direction that may not be compatible with the OLCC. It would be prudent to let the State set the rules and then we can decide how we want to do that. Bundling recreational and medical together can inflate the issue, he added. Mr. Morgan said he expects the League of Oregon Cities to be developing model language based on the OLCC rules. There is a good chance that every city in the state will adopt the same language.

People are already looking at sites, Chair Staffenson said, and they want to know what the rules are. That is one reason to try to be proactive. Commissioner Sheets said he thinks that is a poor business decision on their part to speculate on that. They can speculate all they want, and push the City Council for clear direction on something that might not even be compatible with State law, but it's not the City's burden to look into a crystal ball for that kind of thing. It's not appropriate.

How much of demand is there for these facilities, Commission Woidyla asked. Will we have one every block? There was no answer to this. He said he did not want to see Troutdale become a hub of this type of activity. Recreational marijuana businesses/dispensaries were discussed. We are trying to write rules for recreational marijuana, Commissioner Glantz said, even though it is not yet legal and the OLCC has yet to weigh in. Why would we do that, she asked. There was discussion on what would need to be done when they publish their rules and whether or not the Commission should act now or later. Again, Commissioner Sheets said the two should be discussed separately, taking medical first and then recreational at a later time. Chair Staffenson said since the language in the proposed ordinance would hold true for both, he asked if the Commission can enact the recreational piece when that legislation comes forward. There will be at least a year before that will have to be considered, assuming the OLCC rules are ready by then, Mr. Morgan said. He added that he would like to think there will be enough lead time and input at the local level for local governments to adopt extemporaneously appropriate zoning at the same time. There is no compelling reason to adopt this now. We could either decide to not adopt this or we could elect to change it, at some point in the future, Chair Staffenson said. He said almost every municipality he's studied has adopted language for both and said he wonders why everyone else is doing this one way and we are looking at doing something different; not that we shouldn't, but (unfinished sentence). There was another discussion on medical versus recreational marijuana, and what the Commission wanted to do with this proposed ordinance. Commissioners Glantz and Grande said this ordinance is a good start.

Commissioner Sheets moved that the Planning Commission not consider recreational marijuana sales in this proposed text amendment; Commissioner Grande seconded the motion. There was no discussion. **The motion passed – 5 yes, 1 no (Prickett), 1 absent (Coulton).** Commissioner Sheets asked for a discussion on the addition of park buffers and expanded definition of a school. He said he believes there is a rational understanding about schools and he thinks that is where the compromise came in HB 3460 for not coming within 1,000-feet of real property comprising a public, private elementary, secondary or career school primarily attended by minors; he understands that, he said, and it makes sense. They must also not be within 1,000-feet of another medical marijuana facility so that says there will not be a strip mall of dispensaries; he understands that. He said he thinks about places like Cannery Park which is a strip of property with a bench on it, and other similar places, and where he sees children going into Walgreen's and other places, maybe walking down the grocery aisles, the wine aisles, and he does not think he wants to necessarily put up a big fear flag to his children, He said he is stumped because it's out there and we don't need to parent the entire community by telling people that within 1,000-feet of a park is where you can't have a place for people to go to for their medicine. He has an issue with the addition of the park buffer because it is not in the State legislation. This is a bit much, but he does agree with what comes out of HB 3460. He has heard people say things to the contrary and he's okay with that. Part of this discussion is about what kind of community we want to have and he respects other opinions. Chair Woidyla asked if he would not object to a recreational marijuana facility near a park. Commissioner Sheets said he does not see why we would treat recreational marijuana any different from a bar or a restaurant or a pharmacy, a brewery or any other thing that does not have a 1,000-foot buffer zone to a park. Commissioner Woidyla asked if Commissioner Sheets thought there would be litigation if we do have that prohibition; Commissioner Sheets said he was not speaking to any legal piece here, simply policy. Commissioner Prickett said Cannery Park is close to her house and the high school kids come through Cannery Park; it looks like it's not used but it is. Fair enough, Commissioner Sheets said. He was asked what he wanted, and he said he would just like to discuss it before anyone makes any motions on it. Commissioner Glantz asked if there is a way to create a special zone or district that says that is where recreational marijuana can go. Chair Staffenson said no, but we have a map showing the areas/zones where it could be located. Specific areas and properties and zoning were discussed.

Chair Staffenson said this is something we haven't seen before but it seems like a Conditional Use. Commissioner Sheets said he thinks the Conditional Use is a great tool to be able to understand how to put this together. This, too, was briefly discussed. Mr. Morgan said a Conditional Use has conditions of approval intended to mitigate impacts of the use, whatever they might be. The criteria does not turn it into a popularity contest, you will still be looking at what the impacts are and how we can mitigate them. Every new facility, then, would require its own hearing, notice and decision, Mr. McCaffery said. The criteria will be set, Commissioner Prickett added, and our job would be to decide if it could be mitigated enough to meet that criteria. If there are impacts that cannot be mitigated, that is a case for denial, Mr. Morgan said, but that is pretty rare.

There was a discussion on making the decision now versus changing it at a later time; Commissioner Sheets said it's harder to change or repeal a law than it is to create it; what we're doing now is creating versus changing. Chair Staffenson it would very difficult if not impossible to increase the standard if we decided later it was necessary. Chair Staffenson asked if the Commission wanted to follow the letter of the State statute or to customize it for Troutdale. After discussion, Mr. Morgan suggested that for the hearing, staff bring both display and handout maps that show each of these areas (parks) that will identify the properties that are zoned for and can potentially be impacted by the two different overlays. This was agreeable to the Commission. After discussion, Mr. Morgan said staff will publish the notice of the public hearing on this ordinance without the medical marijuana portion, and the balance of the proposed text stands, and the illustration maps will be brought to that hearing.

Commissioner Glantz moved, with a second by Commissioner Grande, to approve this current draft as edited (minus the recreational marijuana portion). There was no discussion. **The motion passed – 4 yes, 1 no (Prickett), and 1 absent (Coulton); the motion passed.** The Commission took a break.

Consideration of Development Code Updates. The staff memo of January 14, 2015, included in the agenda packet, listed the changes made in the first five chapters of the Development Code (in red ink); other changes were made later but are not included here, Mr. Morgan said. These recommended changes are at this point based on clarifying language and on best practices in other places that we have learned about. He suggested the Commission take a brief look at these. Chair Staffenson said some of the revisions from the last meeting are not incorporated into this document, and some of the numbers and definitions don't match. Mr. Morgan said staff could reconcile that; things like numbering will not help us now because of all the changes that will occur in the very last draft. What is important now is the substance but he said he will walk through this with Chair Staffenson so those corrections can be reconciled and easily made ready for the first meeting in February. He again asked if the Commission will look at this version this evening to see if they have any questions, adding that this does not show every change made. We could look at his, Chair Staffenson said, but there are things that need to be added to it and things that need to be taken out. It was agreed that a pre-meeting to update this version would take place. The majority of the comments and questions posed related to changes made but not yet incorporated into this version. Commissioner Glantz had comments on the definition of a Duplex Dwelling and not making judgments on definitions (p. 4) and if there is another way to do this; and on Home Occupation why there is not language about being disruptive to the neighborhood (p. 5,j.). She also asked about p. 5, g. Fence, third paragraph; saying that sentence is not complete. This is the amended portion only, she was told. On p. 12, 2.a.A.., she asked if it is required to have zero lot lines; Mr. Morgan said it was the Commission's choice. This was discussed briefly. This is existing language that simply adds flexibility, Mr. Morgan said. On p. 13, 4.a., the Commissioner asked what residential density has to do with family day care. It is defined there given the density since it is in a Single-Family Residential zone. This was discussed. The Commissioner asked what an R4 zone is; it was explained. If we eliminate it, Mr. Morgan said, then we need to do a remap and we don't want to do that now as part of this process.

Commissioner Prickett suggested that Chair Staffenson and Mr. Morgan review this document together and bring an amended document back to the Commission. If anyone has questions, Mr. Morgan said, they will need to raise them at the next discussion; he added that he and Commissioner Glantz could also get together to review her questions. Mr. Morgan said the Commission will have a work session on their regular meeting date on February 18th and staff will bring this amended document back, and because of public hearing notice requirements there will be a hearing on February 25th for medical marijuana.

Jay Ellis, Gresham, thanked the Commission for working so hard.

3. **Adjourn. Commissioner Woidyla moved, with a second by Commissioner Sheets, to adjourn. The motion passed unanimously and the meeting adjourned at approximately 9:19 p.m.**

_____
Tanney Staffenson, Chair

_____
Date

Attest: _____
Rooney Barker, Transcriptionist

CITY OF TROUTDALE
PLANNING AND COMMUNITY DEVELOPMENT
STAFF REPORT
TYPE IV LEGISLATIVE PROCEDURE

MEDICAL MARIJUANA FACILITY TEXT AMENDMENTS FILE NO. T15-008

INTRODUCTION

In November 1998, Oregon voters passed Measure 67 into law. The law, known as the Oregon Medical Marijuana Act (ORS 475.300), provides legal protections for qualified patients; requires a physician-written statement of the patients qualifying debilitating medical condition; allows for a caregiver to provide assistance; and mandates an Oregon Health Authority (OHA) registration system.

During the 2013 Special Session, the Oregon legislature passed HB 3460 which allows for the establishment and licensing of medical marijuana facilities. The bill prompted the Oregon Health Authority to formulate administrative rules governing the licensing of medical marijuana facilities. The Oregon Health Authority began accepting applications for medical marijuana facilities in March of 2014.

During the 2014 Regular Session, the Oregon Legislature passed SB 1531, which provided cities or counties the power to adopt "reasonable regulations" on facilities including limitations on hours, limitations where facilities may be located and conditions in which a facility may dispense medical marijuana. SB 1531 also gives local governments the ability to impose certain regulations and restrictions on the operation of medical marijuana dispensaries, including the ability to impose a moratorium for a period of time up until May 1, 2015.

The City Council adopted Ordinance 821 in April of 2014, effectively prohibiting medical marijuana facilities and marijuana retail premises in the City. Ordinance 821 automatically expires and is deemed to be repealed at 11:59:59pm on April 30, 2015, unless sooner repealed or extended by City Council ordinance.

PROCEDURE

Text amendments to the Troutdale Development Code (TDC) require a Type IV legislative procedure in accordance with TDC Chapter 15 Amendments (Attachment 1). The Planning Commission will evaluate the proposed amendments based on approval criteria and provide a recommendation to the City Council.

PROCESS

On January 21, 2015 the Planning Commission held a work session to review proposed text amendments to the Troutdale Development Code (TDC) prepared by Planning staff. The text amendments proposed to establish locational criteria related to medical marijuana facility facilities and recreational marijuana facilities. Staff provided an overview of the state regulations pertaining to medical and recreational marijuana facilities and proposed a definition for medical and recreational marijuana facility facilities. Staff proposed amendments to the general industrial, light industrial and general commercial zones. Text language included the state requirement that the facilities are not to be located within 1,000 feet of real property which is the site of a public or private school or within 1,000 feet of another medical marijuana facility. . Maps depicting the buffered areas in the City were provided to the Planning Commission and shared with the public in attendance. The proposed text amendments received public testimony and were deliberated by the Planning Commission. A motion to remove the recreational marijuana language from the proposed text amendments was passed unanimously. A motion directing staff to create additional maps depicting the school and park buffers was passed (see Map Section at end of report).

PROPOSED TEXT AMENDMENTS

Refer to Attachment 1 for the text amendments proposed by staff for the Planning Commission's review. HB 3460 regulates the location of medical marijuana facilities in Oregon (see Attachment 2) The facilities are not to be located within 1,000 feet of real property which is the site of a public or private school or within 1,000 feet of another medical marijuana facility (see Map Section to view the school buffers applied to the City).

Per OAR 333-008-1110, registered medical marijuana facilities must be located in an area that is zoned by the local governing agency for commercial, industrial or mixed use or as agricultural land. The following zones in Troutdale may be considered under this rule:

- General Commercial
- Community Commercial
- Neighborhood Commercial
- General Industrial
- Light Industrial
- Industrial Park
- Central Business District
- Mixed Office Housing

Conditional permitting of medical marijuana facility facilities in the General Industrial (GI), Light Industrial (LI), and General Commercial (GC) zones was initially proposed by staff for consideration at the Planning Commission Work Session on January 21, 2015. The Commission may wish to address adding or removing other eligible zones where facilities could be located through the course of the public hearing.

REQUIREMENTS

Medical marijuana facilities will be required to adhere to the provisions under each zone including any zoning overlays that may apply. The facilities may be subject to additional land use requirements as indicated in each code section including but not limited to site and design review. Prior to submitting an application for a medical marijuana facility, the applicant will be required to attend a pre-application conference in accordance with the conditional use provisions of the Development Code. Conditional Use permits are a Type III procedure requiring approval from the Planning Commission as outlined in Troutdale Development Code 6.300. As the proposed definition indicates, facilities will be required to have a current and active registration to conduct business as a facility from the Oregon Health Authority. A current City business license will also be required.

APPLICABLE CRITERIA

Troutdale Comprehensive Plan

- Goal 1: Citizen Involvement
- Goal 2: Land Use
- Goal 9: Economic Development

Troutdale Development Code

- Chapter 6 Conditional use
- Chapter 15 Amendments

Oregon Revised Statutes

- ORS 197.610(1)

FINDINGS - COMPREHENSIVE PLAN

Goal 1 Citizen Involvement

- The proposed text amendments are consistent with Goal 1 because the Planning Commission hearing public hearing (see Attachment 3) was noticed in the paper prior to the hearing as required by state law, published in the Gresham Outlook. The City also keeps the City's website up to date on when the city meetings are held and materials for the Planning Commission and City Council meetings are posted on the website a week prior to the meeting. The agendas are also posted in City Hall.

Goal 2 Land Use

- The proposed medical marijuana facility land use designation and proposed locational opportunities originate from a change in state laws permitting the sale

in accordance with state law. The text amendment to allow medical marijuana facilities is consistent with the Comprehensive Plan's land use policy to implement the Comprehensive Plan through zoning and development ordinances.

Goal 9 Economic Development

- By releasing the moratorium on medical marijuana facilities and establishing policies permitting and guiding their location the city is providing the opportunity for a new retail activity that will promote new employment opportunities both in the sale and preparation of product for sale. By permitting medical marijuana facilities within the city, the employment generating land use policies of Goal 9 Economic Development is met.

FINDINGS - TROUTDALE DEVELOPMENT CODE

6.300 CONDITIONAL USE
6.310 Purpose. This section provides for uses specified in the zoning districts as conditional uses. A conditional use permit may be considered under the Type III procedure provided that any such conditional use would not be detrimental to the adjoining properties or to the purpose and intent of the Comprehensive Land Use Plan. [Adopted by Ord. 550, ef. 9/25/90]

- The conditional use chapter's purpose is to give special consideration to certain types of uses prior to being permitted in a particular district. The reasons for requiring special consideration involve, among other things, the effect such uses have on any adjoining land uses. All uses permitted conditionally are in possession of unique and special characteristics as to make impractical their being permitted outright. The authority for the location and operation of certain uses is subject to review by the Planning Commission and issuance of a conditional use permit. Staff recommends that medical marijuana facilities undergo a conditional use permitting process.

15.010 Action under This Code.
A. Amendments to the Comprehensive Land Use Plan text, Comprehensive Land Use Plan Map, Development Code text, and Zoning District Map shall be processed as a Type IV legislative or quasi-judicial procedure.
B. Amendments to the Comprehensive Land Use Plan and Development Code text shall be processed as a legislative procedure. These types of amendments may be initiated in any one of the following ways:
1. By motion of the City Council.
2. By motion of the Planning Commission.
3. Private citizens or groups may recommend specific Comprehensive Land Use Plan or Development Code text changes to either the City Council or Planning Commission, but may not initiate a change to either text.

- The proposal to amend the TDC to address medical marijuana facility facilities are legislative changes that were initiated by the City Council at a regularly scheduled meeting held on April 8, 2014.

15.020 Hearing Notice.
A. Legislative Type IV Procedure. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property. Where such mailing or posting is omitted, the Director shall prepare a notice program designed to reach persons believed to have a particular interest, and to provide the general public with a reasonable opportunity to be aware of the hearings on the proposal.

- Notice of the public hearing was made in accordance with state laws (see next section).

FINDINGS - OREGON REVISED STATUTES

ORS 197.610: Local Government Notice of Proposed Amendment or New Regulation; Exceptions; Report to Commission.
(1) A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land and Conservation and Development at least 35 days before the first evidentiary hearing on adoption. The proposal forward shall contain the text and any supplemental information that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing.

- The proposal is consistent with ORS 197.610(1) because notice to DLCD was sent on January 22, 2015 at least 35 days prior to the February 25, 2015 Planning Commission public hearing and the notice contained the information required in this statute (see Attachment 4).

CONCLUSION

The proposed text amendments to the Development Code would allow medical marijuana facilities as conditional uses in the General Commercial (GC), Light Industrial (LI) and General Industrial (GI) districts on tax lots that are not within 1,000 feet of a school or park property. The 3 zones are amended accordingly to define the facilities and required parameters. The proposed text amendments also add a definition of medical marijuana facilities to the Definitions section of Chapter 1 of the Development Code.

The amendments to the Troutdale Development Code are consistent with the applicable criteria in the City's Comprehensive Plan, Development Code and Oregon Revised Statutes, and staff recommends the Planning Commission discuss the proposed text amendments with input from the staff report, attached maps and public testimony in order to make a policy recommendation to the City Council.

MAP SECTION

The following is a description of the attached maps:

Map 1: Identifies the 1000 foot buffer around the boundaries of public and private school properties in compliance with state law.

Map 2: Identifies the eligible zones to establish medical marijuana facilities per OAR 333-008-1110, which requires registered medical marijuana facilities to be located in an area that is zoned by the local governing agency for commercial, industrial or mixed use or as agricultural land.

Map 3: Overlays the 1000 foot buffer around the boundaries of public and private school properties with the eligible zones to establish medical marijuana facilities.

Map 4: Overlays the 1000 foot buffer around the boundaries of public and private school properties and overlays a 1000 foot buffer around park properties.

Map 5: Eligible tax lots in Troutdale with school and parks buffers applied.

ATTACHMENT 1

ORDINANCE NO. 8XX

AN ORDINANCE AMENDING CHAPTERS 1.020, 3.123, 3.163 AND 3.173 OF THE TROUTDALE DEVELOPMENT CODE BY ALLOWING MEDICAL MARIJUANA FACILITIES AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL, LIGHT INDUSTRIAL AND GENERAL INDUSTRIAL DISTRICTS.

1. **WHEREAS**, during the 2013 Special Session, the Oregon legislature passed HB 3460, which allows for the establishment and licensing of medical marijuana facilities; and
2. **WHEREAS**, the Oregon Health Authority has formulated administrative rules governing the licensing of medical marijuana facilities and began accepting applications for their operation on March 3, 2014; and
3. **WHEREAS**, during the 2014 Regular Session, the Oregon Legislature passed SB 1531, which limits the ability of cities and counties to regulate medical marijuana facilities to the time, place and manner in which a facility may dispense medical marijuana; and
4. **WHEREAS**, Ordinance 821 adopted by City Council on April 22, 2014, effectively prohibits medical marijuana facilities in the City; and
5. **WHEREAS**, Ordinance 821 automatically expires and is deemed to be repealed at 11:59:59pm on April 30, 2015, unless sooner repealed by City Council ordinance;
6. **WHEREAS,** medical marijuana facilities are not defined in the Troutdale Development Code (TDC); and
7. **WHEREAS,** Chapters 3.123, 3.163 and 3.173 of the TDC specifies those uses requiring a Conditional Use Permit review prior to approval in the City's General Commercial (GC), Light Industrial (LI), and General Industrial (GI) Zoning Districts; and
8. **WHEREAS**, the addition of medical marijuana facilities as a conditional use in the GC, LI, and GI zones will only apply if the Troutdale City Council repeals Ordinance 821 prior to April 30, 2015; and
9. **WHEREAS**, if the Council repeals Ordinance 821 in the future, medical marijuana facilities (licensed and authorized under state law) will be permitted as a conditional use in the GC, LI, and GI Zoning districts and no other zone; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

- **Section 1.** Chapter 1.020 General Definitions of the TDC shall be amended as set forth in the attached Exhibit A.
- **Section 2.** Chapter 3.123 of the TDC shall be amended as set forth in the attached Exhibit A.
- **Section 3.** Chapter 3.163 of the TDC shall be amended as set forth in the attached Exhibit A.

- **Section 4.** Chapter 3.173 of the TDC shall be amended as set forth in the attached Exhibit A.
- **Section 5.** A medical marijuana facility will only exist as a conditional use in the GC, GI and LI zoning districts and no other zoning district if the Troutdale City Council repeals Ordinance 821 prior to April 30, 2015. Therefore, the amendments in Section 1 through 4 of this ordinance will only be effective if Ordinance 821 is repealed and the amendments will not be codified until that time.
- **Section 6.** This ordinance is effective upon and from 30 days after its enactment by the Council.

EXHIBIT A

1.020 GENERAL DEFINITIONS

.79 May. As used in this code, MAY is permissive and SHALL is mandatory.

.80 Medical Marijuana Facilities. A facility registered with the Oregon Health Authority under ORS 475.314 and OAR 333-008-1050 to:

i. Accept the transfer of usable marijuana and immature marijuana plants from a registry identification cardholder, the designated primary caregiver of a registry identification cardholder, or a person responsible for a marijuana grow site to the medical marijuana facility; or

ii. Transfer usable marijuana and immature marijuana plants to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

~~.80~~ 82. Mixed-Use Development. The development of a tract of land, building, or structure with a variety of uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form. See Dwelling, Mixed-Use.

GENERAL COMMERCIAL DISTRICT

3.123 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the GC district:

A. Wholesale distribution outlets, including warehousing.

B. Off-street parking, and storage of truck tractors and/or semi-trailers.

C. Heliport landings.

D. Outdoor stadiums and race tracks.

E. Automobile and trailer sales areas.

F. Community service uses.

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G. Utility facilities, major.

H. Medical Marijuana Facilities licensed and authorized under state law, when not located within 1,000 feet of real property which is the site of a public or private school or a public park or public space. For purposes of this subsection, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park or public space. This buffer shall not apply to new schools or parks located within 1,000 feet of an existing Medical Marijuana Facility.

~~H.~~ I. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90]

LIGHT INDUSTRIAL DISTRICT

3.163 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within a LI district:

A. Heliports accessory to permitted or approved conditional uses.

B. Retail, wholesale, and discount sales and services, including restaurants, banks, dry-cleaners, and similar establishments, with or without drive-up or drive-through window service, subject to the provisions of subsection 3.165(E) of this chapter.

C. Community service uses.

D. Utility facilities, major.

E. Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home sales, rentals, and repair shops.

F. Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.

G. Motels or hotels, including banquet rooms, conference, or convention centers.

H. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.

I. Child care facilities, kindergartens, and similar facilities.

J. Medical Marijuana Facilities licensed and authorized under state law, when not located within 1,000 feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park or public space. This buffer shall not apply to new schools or parks located within 1,000 feet of an existing Medical Marijuana Facility.

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~~J.~~K. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98; Amended by Ord. 724, ef. 11/8/02; Amended by Ord. 792, ef. 9/25/08]

GENERAL INDUSTRIAL DISTRICT

3.173 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within the GI district:

A. Child care facilities, kindergartens, and similar facilities.

B. Community service uses.

C. Concrete or asphalt manufacturing plants.

D. Sanitary landfills, recycling centers, and transfer stations.

E. Sewage treatment plants and lagoons.

F. Telecommunication towers and poles.

G. Junk yards.

I. Residential dwelling/hangar mixed uses when the hangars are served by a taxiway with direct access to the Troutdale Airport Runway. The use shall be subject to the following requirements:

1. Approval from the Port of Portland.

2. Approval from the Federal Aviation Administration.

3. No separate accessory structures are allowed.

I. Heliports accessory to permitted or approved conditional uses.

J. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.

K. Commercial uses within industrial flex-space buildings, subject to the provisions of subsection 3.175(D) of this chapter.

L. Processing facilities whose principal use involves the rendering of fats, the slaughtering of fish or meat, or the fermentation of foods such as sauerkraut, vinegar, and yeast.

M. The manufacturing or storing of toxic or hazardous materials when done in compliance with federal and state regulations.

N. Medical Marijuana Facilities licensed and authorized under state law, when not located within 1,000 feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet in every direction from any point on

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the boundary line of the real property comprising an existing public or private school or public park or public space. This buffer shall not apply to new schools or parks located within 1,000 feet of an existing Medical Marijuana Facility.

~~N.~~ O. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98; Amended by Ord. 724, ef. 11/8/02; Amended by Ord. 792, ef. 9/25/08]

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77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled
House Bill 3460

Sponsored by Representative BUCKLEY, Senator PROZANSKI; Representative FREDERICK, Senator DINGFELDER

CHAPTER .....

AN ACT

Relating to medical marijuana; creating new provisions; amending ORS 475.302, 475.304, 475.309, 475.320, 475.323 and 475.331; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 475.300 to 475.346.

SECTION 2. (1) The Oregon Health Authority shall establish by rule a medical marijuana facility registration system to authorize the transfer of usable marijuana and immature marijuana plants from:

(a) A registry identification cardholder, the designated primary caregiver of a registry identification cardholder, or a person responsible for a marijuana grow site to the medical marijuana facility; or

(b) A medical marijuana facility to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

(2) The registration system established under subsection (1) of this section must require a medical marijuana facility to submit an application to the authority that includes:

(a) The name of the person responsible for the medical marijuana facility;

(b) The address of the medical marijuana facility;

(c) Proof that the person responsible for the medical marijuana facility is a resident of Oregon;

(d) Documentation, as required by the authority by rule, that demonstrates the medical marijuana facility meets the qualifications for a medical marijuana facility as described in subsection (3) of this section; and

(e) Any other information that the authority considers necessary.

(3) To qualify for registration under this section, a medical marijuana facility:

(a) Must be located in an area that is zoned for commercial, industrial or mixed use or as agricultural land and may not be located at the same address as a marijuana grow site;

(b) Must be registered as a business or have filed a pending application to register as a business with the Office of the Secretary of State;

(c) Must not be located within 1,000 feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors;

(d) Must not be located within 1,000 feet of another medical marijuana facility; and

(e) Must comport with rules adopted by the authority related to:

(A) Installing a minimum security system, including a video surveillance system, alarm system and safe; and

(B) Testing for pesticides, mold and mildew and the processes by which usable marijuana and immature marijuana plants that test positive for pesticides, mold or mildew must be returned to the registry identification cardholder, the cardholder's designated primary caregiver or the cardholder's registered grower.

(4)(a) The authority shall conduct a criminal records check under ORS 181.534 of a person whose name is submitted as the person responsible for a medical marijuana facility under subsection (2) of this section.

(b) A person convicted for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be the person responsible for a medical marijuana facility for five years from the date the person is convicted.

(c) A person convicted more than once for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be the person responsible for a medical marijuana facility.

(5) If a person submits the application required under subsection (2) of this section, the medical marijuana facility identified in the application meets the qualifications for a medical marijuana facility described in subsection (3) of this section and the person responsible for the medical marijuana facility passes the criminal records check required under subsection (4) of this section, the authority shall register the medical marijuana facility and issue the person responsible for the medical marijuana facility proof of registration. The person responsible for the medical marijuana facility shall display the proof of registration on the premises of the medical marijuana facility at all times when usable marijuana or immature marijuana plants are being transferred as described in subsection (1) of this section.

(6)(a) A registered medical marijuana facility may receive usable marijuana or immature marijuana plants only from a registry identification cardholder, designated primary caregiver or person responsible for a marijuana grow site if the registered medical marijuana facility obtains authorization, on a form prescribed by the authority by rule and signed by a registry identification cardholder, to receive the usable marijuana or immature marijuana plants.

(b) A registered medical marijuana facility shall maintain:

(A) A copy of each authorization form described in paragraph (a) of this subsection; and

(B) Documentation of each transfer of usable marijuana or immature marijuana plants.

(7) A medical marijuana facility registered under this section may possess usable marijuana and immature marijuana plants in excess of the limits imposed on registry identification cardholders and designated primary caregivers under ORS 475.320.

(8) The authority may inspect:

(a) The premises of an applicant for a medical marijuana facility or a registered medical marijuana facility to ensure compliance with the qualifications for a medical marijuana facility described in subsection (3) of this section; and

(b) The records of a registered medical marijuana facility to ensure compliance with subsection (6)(b) of this section.

(9)(a) A registry identification cardholder or the designated primary caregiver of a registry identification cardholder may reimburse a medical marijuana facility registered under this section for the normal and customary costs of doing business, including costs related to transferring, handling, securing, insuring, testing, packaging and processing usable marijuana and immature marijuana plants and the cost of supplies, utilities and rent or mortgage.

(b) A medical marijuana facility may reimburse a person responsible for a marijuana grow site under this section for the normal and customary costs of doing business, including costs related to transferring, handling, securing, insuring, testing, packaging and processing usable marijuana and immature marijuana plants and the cost of supplies, utilities and rent or mortgage.

(10) The authority may revoke the registration of a medical marijuana facility registered under this section for failure to comply with ORS 475.300 to 475.346 or rules adopted under ORS 475.300 to 475.346. The authority may release to the public a final order revoking a medical marijuana facility registration.

(11) The authority shall adopt rules to implement this section, including rules that:

(a) Require a medical marijuana facility registered under this section to annually renew that registration; and

(b) Establish fees for registering and renewing registration for a medical marijuana facility under this section.

SECTION 3. ORS 475.302 is amended to read:

475.302. As used in ORS 475.300 to 475.346:

(1) "Attending physician" means a physician licensed under ORS chapter 677 who has primary responsibility for the care and treatment of a person diagnosed with a debilitating medical condition.

(2) "Authority" means the Oregon Health Authority.

(3) "Debilitating medical condition" means:

(a) Cancer, glaucoma, agitation due to Alzheimer's disease, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, or treatment for these conditions;

(b) A medical condition or treatment for a medical condition that produces, for a specific patient, one or more of the following:

(A) Cachexia;

(B) Severe pain;

(C) Severe nausea;

(D) Seizures, including but not limited to seizures caused by epilepsy; or

(E) Persistent muscle spasms, including but not limited to spasms caused by multiple sclerosis; or

(c) Any other medical condition or treatment for a medical condition adopted by the authority by rule or approved by the authority pursuant to a petition submitted pursuant to ORS 475.334.

(4)(a) "Delivery" has the meaning given that term in ORS 475.005.

(b) "Delivery" does not include transfer of:

(A) Marijuana by a registry identification cardholder to another registry identification cardholder if no consideration is paid for the transfer[.];

(B) Usable marijuana or immature marijuana plants from a registry identification cardholder, the designated primary caregiver of a registry identification cardholder or a marijuana grow site to a medical marijuana facility registered under section 2 of this 2013 Act; or

(C) Usable marijuana or immature marijuana plants from a medical marijuana facility registered under section 2 of this 2013 Act to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

(5) "Designated primary caregiver" means an individual 18 years of age or older who has significant responsibility for managing the well-being of a person who has been diagnosed with a debilitating medical condition and who is designated as such on that person's application for a registry identification card or in other written notification to the authority. "Designated primary caregiver" does not include the person's attending physician.

(6) "Marijuana" has the meaning given that term in ORS 475.005.

(7) "Marijuana grow site" means a location where marijuana is produced for use by a registry identification cardholder and that is registered under the provisions of ORS 475.304.

(8) "Medical use of marijuana" means the production, possession, delivery, or administration of marijuana, or paraphernalia used to administer marijuana, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's debilitating medical condition.

(9) "Production" has the meaning given that term in ORS 475.005.

(10) "Registry identification card" means a document issued hy the authority that identifies a person anthorized to engage in the medical use of marijuana and the person's designated primary caregiver, if any.

(11) "Usable marijnana" means the dried leaves and flowers of the plant Cannabis family Moraceae, and any mixture or preparation thereof, that are appropriate for medical use as allowed in ORS 475.300 to 475.346. "Usable marijuana" does not include the seeds, stalks and roots of the plant.

(12) "Written documentation" means a statement signed by the attending physician of a person diagnosed with a debilitating medical condition or copies of the person's relevant medical records.

SECTION 4. ORS 475.304 is amended to read:

475.304. (1) The Oregon Health Authority shall establish by rule a marijuana grow site registration system to authorize production of marijuana by a registry identification cardholder, a designated primary caregiver who grows marijuana for the cardholder or a person who is responsible for a marijuana grow site. The marijuana grow site registration system adopted must reqnire a registry identification cardholder to snbmit an application to the authority that includes:

(a) The name of the person responsible for the marijuana grow site;

(b) The address of the marijuana grow site;

(c) The registry identification card number of the registry cardholder for whom the marijuana is being produced; and

(d) Any other information the authority considers necessary.

(2) The authority shall issue a marijuana grow site registration card to a registry identification cardholder who has met the requirements of subsection (1) of this section.

(3) A person who has been issued a marijuana grow site registration card under this section must display the registration card at the marijuana grow site at all times when marijuana is being prodnced.

(4) A marijnana grow site registration card must be obtained and posted for each registry identification cardholder for whom marijuana is being produced at a marijnana grow site.

(5) All usable marijnana, plants, seedlings and seeds associated with the production of marijuana for a registry identification cardholder by a person responsible for a marijuana grow site are the property of the registry identification cardholder and must be provided to the registry identification cardholder, **or, if the marijuana is usable marijuana or an immature marijuana plant, transferred to a medical marijuana facility registered under section 2 of this 2013 Act,** npon request.

(6)(a) The authority shall conduct a criminal records check under ORS 181.534 of any person whose name is submitted as a person responsible for a marijuana grow site.

(b) A person convicted of a Class A or Class B felony under ORS 475.752 to 475.920 for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be issued a marijuana grow site registration card or produce marijuana for a registry identification cardholder for five years from the date of conviction.

(c) A person convicted more than once of a Class A or Class B felony under ORS 475.752 to 475.920 for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be issued a marijuana grow site registration card or produce marijuana for a registry identification cardholder.

(7) A registry identification cardholder or the designated primary caregiver of the cardholder may reimburse the person responsible for a marijuana grow site for the costs of supplies and utilities associated with the production of marijuana for the registry identification cardholder. No other costs associated with the production of marijuana for the registry identification cardholder, including the cost of labor, may be reimbnrsed.

(8) The authority may adopt rules imposing a fee in an amount established by the anthority for registration of a marijuana grow site under this section.

SECTION 5. ORS 475.309 is amended to read:

475.309. (1) Except as provided in ORS 475.316, 475.320 and 475.342, a person engaged in or assisting in the medical use of marijuana is excepted from the criminal laws of the state for possession, delivery or production of marijuana, aiding and abetting another in the possession, delivery or production of marijuana or any other criminal offense in which possession, delivery or production of marijuana is an element if the following conditions have been satisfied:

(a)**(A)** The person holds a registry identification card issued pursuant to this section, has applied for a registry identification card pursuant to subsection (9) of this section, is the designated primary caregiver of the cardholder or applicant, or is the person responsible for a marijuana grow site that is producing marijuana for the cardholder and is registered under ORS 475.304; and

[*(b)*] **(B)** The person who has a debilitating medical condition, the person's primary caregiver and the person responsible for a marijuana grow site that is producing marijuana for the cardholder and is registered under ORS 475.304 are collectively in possession of, delivering or producing marijuana for medical use in amounts allowed under ORS 475.320[.]**; or**

(b) The person is responsible for or employed by a medical marijuana facility registered under section 2 of this 2013 Act and does not commit any of the acts described in this subsection anywhere other than at **the medical marijuana facility.**

(2) The Oregon Health Authority shall establish and maintain a program for the issuance of registry identification cards to persons who meet the requirements of this section. Except as provided in subsection (3) of this section, the authority shall issue a registry identification card to any person who pays a fee in the amount established by the authority and provides the following:

(a) Valid, written documentation from the person's attending physician stating that the person has been diagnosed with a debilitating medical condition and that the medical use of marijuana may mitigate the symptoms or effects of the person's debilitating medical condition;

(b) The name, address and date of birth of the person;

(c) The name, address and telephone number of the person's attending physician;

(d) The name and address of the person's designated primary caregiver, if the person has designated a primary caregiver at the time of application; and

(e) A written statement that indicates whether the marijuana used by the cardholder will be produced at a location where the cardholder or designated primary caregiver is present or at another location.

(3) The authority shall issue a registry identification card to a person who is under 18 years of age if the person submits the materials required under subsection (2) of this section, and the custodial parent or legal guardian with responsibility for health care decisions for the person under 18 years of age signs a written statement that:

(a) The attending physician of the person under 18 years of age has explained to that person and to the custodial parent or legal guardian with responsibility for health care decisions for the person under 18 years of age the possible risks and benefits of the medical use of marijuana;

(b) The custodial parent or legal guardian with responsibility for health care decisions for the person under 18 years of age consents to the use of marijuana by the person under 18 years of age for medical purposes;

(c) The custodial parent or legal guardian with responsibility for health care decisions for the person under 18 years of age agrees to serve as the designated primary caregiver for the person under 18 years of age; and

(d) The custodial parent or legal guardian with responsibility for health care decisions for the person under 18 years of age agrees to control the acquisition of marijuana and the dosage and frequency of use by the person under 18 years of age.

(4) A person applying for a registry identification card pursuant to this section may submit the information required in this section to a county health department for transmittal to the authority. A county health department that receives the information pursuant to this subsection shall transmit the information to the authority within five days of receipt of the information. Information received by a county health department pursuant to this subsection shall be confidential and not subject to disclosure, except as required to transmit the information to the authority.

(5)(a) The authority shall verify the information contained in an application submitted pursuant to this section and shall approve or deny an application within thirty days of receipt of the application.

(b) In addition to the authority granted to the authority under ORS 475.316 to deny an application, the authority may deny an application for the following reasons:

(A) The applicant did not provide the information required pursuant to this section to establish the applicant's debilitating medical condition and to document the applicant's consultation with an attending physician regarding the medical use of marijuana in connection with such condition, as provided in subsections (2) and (3) of this section;

(B) The authority determines that the information provided was falsified; or

(C) The applicant has been prohibited by a court order from obtaining a registry identification card.

(c) Denial of a registry identification card shall be considered a final authority action, subject to judicial review. Only the person whose application has been denied, or, in the case of a person under the age of 18 years of age whose application has been denied, the person's parent or legal guardian, shall have standing to contest the authority's action.

(d) Any person whose application has been denied may not reapply for six months from the date of the denial, unless so authorized by the authority or a court of competent jurisdiction.

(6)(a) If the authority has verified the information submitted pursuant to subsections (2) and (3) of this section and none of the reasons for denial listed in subsection (5)(b) of this section is applicable, the authority shall issue a serially numbered registry identification card within five days of verification of the information. The registry identification card shall state:

(A) The cardholder's name, address and date of birth;

(B) The date of issuance and expiration date of the registry identification card;

(C) The name and address of the person's designated primary caregiver, if any;

(D) Whether the marijuana used by the cardholder will be produced at a location where the cardholder or designated primary caregiver is present or at another location; and

(E) Any other information that the authority may specify by rule.

(b) When the person to whom the authority has issued a registry identification card pursuant to this section has specified a designated primary caregiver, the authority shall issue an identification card to the designated primary caregiver. The primary caregiver's registry identification card shall contain the information provided in paragraph (a) of this subsection.

(7)(a) A person who possesses a registry identification card shall:

(A) Notify the authority of any change in the person's name, address, attending physician or designated primary caregiver.

(B) If applicable, notify the designated primary caregiver of the cardholder, [*and*] the person responsible for the marijuana grow site that produces marijuana for the cardholder **and any person responsible for a medical marijuana facility that transfers usable marijuana or immature marijuana plants to the cardholder under section 2 of this 2013 Act** of any change in status including, but not limited to:

(i) The assignment of another individual as the designated primary caregiver of the cardholder;

(ii) The assignment of another individual as the person responsible for a marijuana grow site producing marijuana for the cardholder; or

(iii) The end of the eligibility of the cardholder to hold a valid registry identification card.

(C) Annually submit to the authority:

(i) Updated written documentation from the cardholder's attending physician of the person's debilitating medical condition and that the medical use of marijuana may mitigate the symptoms or effects of the person's debilitating medical condition; and

(ii) The name of the person's designated primary caregiver if a primary caregiver has been designated for the upcoming year.

(b) If a person who possesses a registry identification card fails to comply with this subsection, the card shall be deemed expired. If a registry identification card expires, the identification card of any designated primary caregiver of the cardholder shall also expire.

(8)(a) A person who possesses a registry identification card pursuant to this section and who has been diagnosed by the person's attending physician as no longer having a debilitating medical condition or whose attending physician has determined that the medical use of marijuana is contraindicated for the person's debilitating medical condition shall return the registry identification card and any other associated Oregon Medical Marijuana Program cards to the authority within 30 calendar days of notification of the diagnosis or notification of the contraindication.

(b) If, due to circumstances beyond the control of the registry identification cardholder, a cardholder is unable to obtain a second medical opinion about the cardholder's continuing eligibility to use medical marijuana before the 30-day period specified in paragraph (a) of this subsection has expired, the authority may grant the cardholder additional time to obtain a second opinion before requiring the cardholder to return the registry identification card and any associated cards.

(9) A person who has applied for a registry identification card pursuant to this section but whose application has not yet been approved or denied, and who is contacted by any law enforcement officer in connection with the person's administration, possession, delivery or production of marijuana for medical use may provide to the law enforcement officer a copy of the written documentation submitted to the authority pursuant to subsection (2) or (3) of this section and proof of the date of mailing or other transmission of the documentation to the authority. This documentation shall have the same legal effect as a registry identification card until such time as the person receives notification that the application has been approved or denied.

(10)(a) A registry identification cardholder has the primary responsibility of notifying the **designated** primary caregiver [*and*]**, the** person responsible for the marijuana grow site that produces marijuana for the cardholder **and any person responsible for a medical marijuana facility that transfers usable marijuana or immature marijuana plants to the cardholder under section 2 of this 2013 Act** of any change in status of the cardholder.

(b) If the authority is notified by the cardholder that a primary caregiver or person responsible for a marijuana grow site has changed, the authority shall notify the primary caregiver or the person responsible for the marijuana grow site by mail at the address of record confirming the change in status and informing the caregiver or person **responsible for the marijuana grow site** that their card is no longer valid and must be returned to the authority.

(11) The authority shall revoke the registry identification card of a cardholder if a court has issued an order that prohibits the cardholder from participating in the medical use of marijuana or otherwise participating in the Oregon Medical Marijuana Program under ORS 475.300 to 475.346. The cardholder shall return the registry identification card to the authority within seven calendar days of notification of the revocation. If the cardholder is a patient, the patient shall return the patient's card and all other associated Oregon Medical Marijuana Program cards.

(12) The authority shall revoke the registration of a medical marijuana facility registered under section 2 of this 2013 Act if a court has issued an order that prohibits the person responsible for the medical marijuana facility from participating in the Oregon Medical Marijuana Program under ORS 475.300 to 475.346.

[*(12)*] **(13)** The authority and employees and agents of the authority acting within the course and scope of their employment are immune from any civil liability that might be incurred or imposed for the performance of or failure to perform duties required by this section.

SECTION 6. ORS 475.320 is amended to read:

475.320. (1)(a) A registry identification cardholder or the designated primary caregiver of the cardholder may possess up to six mature marijuana plants and 24 ounces of usable marijuana.

(b) Notwithstanding paragraph (a) of this subsection, if a registry identification cardholder has been convicted of a Class A or Class B felony under ORS 475.752 to 475.920 for the manufacture or delivery of a controlled substance in Schedule I or Schedule II, the registry identification

cardholder or the designated primary caregiver of the cardholder may possess one ounce of usable marijuana at any given time for a period of five years from the date of the conviction.

(2) A person authorized under ORS 475.304 to produce marijuana at a marijuana grow site:

(a) May produce marijuana for and provide marijuana:

(A) To a registry identification cardholder or [*that person's*] **a cardholder's** designated primary caregiver as authorized under this section[.]; **or**

(B) If the marijuana is usable marijuana or an immature marijuana plant and the registry identification cardholder authorizes the person responsible for the marijuana grow site to transfer the usable marijuana or immature marijuana plant to a medical marijuana facility registered under section 2 of this 2013 Act, to the medical marijuana facility.

(b) May possess up to six mature plants and up to 24 ounces of usable marijuana for each cardholder or caregiver for whom marijuana is being produced.

(c) May produce marijuana for no more than four registry identification cardholders or designated primary caregivers concurrently.

(d) Must obtain and display a marijuana grow site registration card issued under ORS 475.304 for each registry identification cardholder or designated primary caregiver for whom marijuana is being produced.

(e) Must provide all marijuana produced for a registry identification cardholder or designated primary caregiver to the cardholder or caregiver at the time the person responsible for a marijuana grow site ceases producing marijuana for the cardholder or caregiver.

(f) Must return the marijuana grow site registration card to the registry identification cardholder to whom the card was issued when requested to do so by the cardholder or when the person responsible for a marijuana grow site ceases producing marijuana for the cardholder or caregiver.

(3) Except as provided in subsections (1) and (2) of this section, a registry identification cardholder, the designated primary caregiver of the cardholder and the person responsible for a marijuana grow site producing marijuana for the registry identification cardholder may possess a combined total of up to six mature plants and 24 ounces of usable marijuana for that registry identification cardholder.

(4)(a) A registry identification cardholder and the designated primary caregiver of the cardholder may possess a combined total of up to 18 marijuana seedliugs or starts as defined by rule of the Oregon Health Authority.

(b) A person responsible for a marijuana grow site may possess up to 18 marijuana seedlings or starts as defined by rule of the authority for each registry identification cardholder for whom the person responsible for the marijuana grow site is producing marijuana.

SECTION 7. ORS 475.323 is amended to read:

475.323. (1) Possession of a registry identification card [*or*], designated primary caregiver identification card pursuant to ORS 475.309 **or proof of registration as a medical marijuana facility under section 2 of this 2013 Act** does not alone constitute probable cause to search the person or property of the cardholder or otherwise subject the person or property of the cardholder to inspection by any governmental agency. **However, the Oregon Health Authority may inspect a medical marijuana facility registered under section 2 of this 2013 Act at any reasonable time to determine whether the facility is in compliance with ORS 475.300 to 475.346.**

(2) Any property interest possessed, owned or used in connection with the medical use of marijuana or acts incidental to the medical use of marijuana that has been seized by state or local law enforcement officers may not be harmed, neglected, injured or destroyed while in the possession of any law enforcement agency. A law enforcement agency has no responsibility to maintain live marijuana plants lawfully seized. No such property interest may be forfeited under any provision of law providing for the forfeiture of property other than as a sentence imposed after conviction of a criminal offense. Usable marijuana and paraphernalia used to administer marijuana that was seized by any law enforcement office shall be returned immediately upon a determination by the district attorney in whose county the property was seized, or the district attorney's designee, that the per-

son from whom the marijuana or paraphernalia used to administer marijuana was seized is entitled to the protections contained in ORS 475.300 to 475.346. The determination may be evidenced, for example, by a decision not to prosecute, the dismissal of charges or acquittal.

SECTION 8. ORS 475.331 is amended to read:

475.331. (1)(a) The Oregon Health Authority shall create and maintain a list of the persons to whom the authority has issued registry identification cards, the names of any designated primary [*caregivers and the addresses of authorized marijuana grow sites.*] **caregivers, the names of persons responsible for a medical marijuana facility registered under section 2 of this 2013 Act, the addresses of authorized marijuana grow sites and the addresses of registered medical marijuana facilities.** Except as provided in subsection (2) of this section, the list shall be confidential and not subject to public disclosure.

(b) The authority shall develop a system by which authorized employees of state and local law enforcement agencies may verify at all times that: [*a person is a lawful possessor of a registry identification card or the designated primary caregiver of a lawful possessor of a registry identification card or that a location is an authorized marijuana grow site.*]

(A) A person is a lawful possessor of a registry identification card;

(B) A person is the designated primary caregiver of a lawful possessor of a registry identification card;

(C) A location is an authorized marijuana grow site;

(D) A location is a registered medical marijuana facility; or

(E) A person is the person listed as the person responsible for a registered medical marijuana facility.

(2) Names and other identifying information from the list established pursuant to subsection (1) of this section may be released to:

(a) Authorized employees of the authority as necessary to perform official duties of the authority.[*; and*]

(b) Authorized employees of state or local law enforcement agencies, **who provide to the authority adequate identification, such as a badge number or similar authentication of authority,** only as necessary to verify that: [*a person is a lawful possessor of a registry identification card or the designated primary caregiver of a lawful possessor of a registry identification card or that a location is an authorized marijuana grow site. Prior to being provided identifying information from the list, authorized employees of state or local law enforcement agencies shall provide to the authority adequate identification, such as a badge number or similar authentication of authority.*]

(A) A person is a lawful possessor of a registry identification card;

(B) A person is the designated primary caregiver of a lawful possessor of a registry identification card;

(C) A location is an authorized marijuana grow site;

(D) A location is a registered medical marijuana facility; or

(E) A person is the person listed as the person responsible for a registered medical marijuana facility.

(3) Authorized employees of state or local law enforcement agencies that obtain identifying information from the list as authorized under this section may not release or use the information for any purpose other than verification that: [*a person is a lawful possessor of a registry identification card or the designated primary caregiver of a lawful possessor of a registry identification card or that a location is an authorized marijuana grow site.*]

(a) A person is a lawful possessor of a registry identification card;

(b) A person is the designated primary caregiver of a lawful possessor of a registry identification card;

(c) A location is an authorized marijuana grow site;

(d) A location is a registered medical marijuana facility; or

(e) A person is the person listed as the person responsible for a registered medical marijuana facility.

SECTION 9. (1) Sections 1 and 2 of this 2013 Act and the amendments to ORS 475.302, 475.304, 475.309, 475.320, 475.323 and 475.331 by sections 3 to 8 of this 2013 Act become operative on March 1, 2014.

(2) The Oregon Health Authority may take any action before the operative date specified in subsection (1) of this section to enable the authority to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the authority by sections 1 and 2 of this 2013 Act and the amendments to ORS 475.302, 475.304, 475.309, 475.320, 475.323 and 475.331 by sections 3 to 8 of this 2013 Act.

SECTION 10. Notwithstanding any other law limiting expenditures, the amount of $803,276 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Health Authority for administrative and operating expenses incurred in implementing section 2 of this 2013 Act and the amendments to ORS 475.302, 475.304, 475.309, 475.320, 475.323 and 475.331 by sections 3 to 8 of this 2013 Act.

SECTION 11. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House June 24, 2013

Repassed by House July 6, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 3, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

.....
Kate Brown, Secretary of State

CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

ATTACHMENT 3

NOTICE OF PUBLIC HEARING

Development Code Amendments concerning Medical Marijuana

Notice is hereby given the Troutdale Planning Commission will be conducting a public hearing to receive input on proposed amendments to the Troutdale Development Code to provide for medical marijuana, in the General Commercial (GC) zone.

The hearing will be held at 7:00 PM on Wednesday, February 25, 2015 in the City Council Chambers located behind 219 E Historic Columbia River Highway.

Copies of the proposed ordinance amendments and decision-making criteria can be viewed or obtained at the Building and Planning Office at 2200 SW 18th Way in Troutdale, or by sending a request to liz.walstead@troutdaleoregon.gov or calling 503-674-7262.

The criteria the Planning Commission will use in evaluating the proposed amendments and any testimony received is found in the Troutdale Development Code Section 15.050.A – Approval Criteria, Text Amendment. The criteria can also be viewed at www.ci.troutdale.or.us/planning/developmentcode.html and clicking on Chapter 15.

Oral and written testimony will be received at the hearing. Written testimony can also be submitted in advance by delivering or mailing it to the Planning Commission, City of Troutdale, 219 E Historic Columbia River Highway, Troutdale OR 97060.

The location of the hearing is accessible to citizens with disabilities. If you need any other accommodation contact Liz Walstead at liz.walstead@troutdaleoregon.gov or calling 503-674-7262 at least one week before the hearing.

Questions about the proposed amendments can be directed to John Morgan, Planning Director, at john.morgan@troutdaleoregon.gov or 503-674-7261.

219 E. Hist. Columbia River Hwy. • Troutdale, Oregon 97060-2078 • (503) 665-5175
Fax (503) 667-6403 • TDD/TEX Telephone Only (503) 666-7470

DLCD FORM 1

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (*See* OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Troutdale**

Local file no.: **15-001**

Please check the type of change that best describes the proposal:

☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **UGB amendment** over 100 acres by a metropolitan service district

☐ **Urban reserve designation,** or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **Periodic review task** – Task no.:

☒ **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): John Morgan
Phone: 503-674-7261 E-mail: john.morgan@troutdaleoregon.gov
Street address: 2200 SW 18th Way City: Troutdale Zip: 97060-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Amendmdments to Development Code to establish location standards for medical marijuana dispensaries

Date of first evidentiary hearing: 02/25/2015
Date of final hearing: 03/10/2015

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

☐ Comprehensive Plan text amendment(s)

☐ Comprehensive Plan map amendment(s) – Change from to
Change from to

☒ New or amended land use regulation

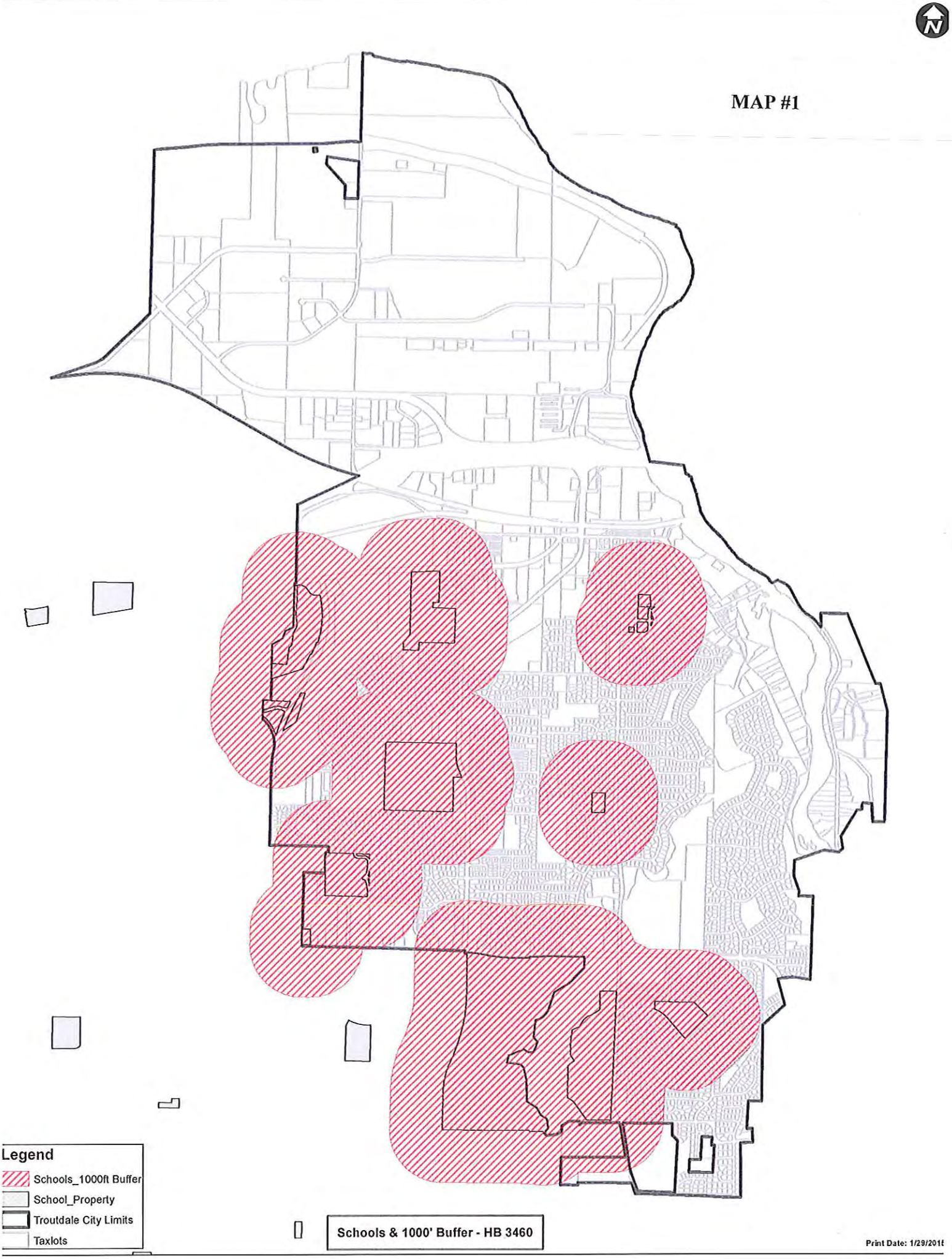
☐ Zoning map amendment(s) – Change from to
Change from to

☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:

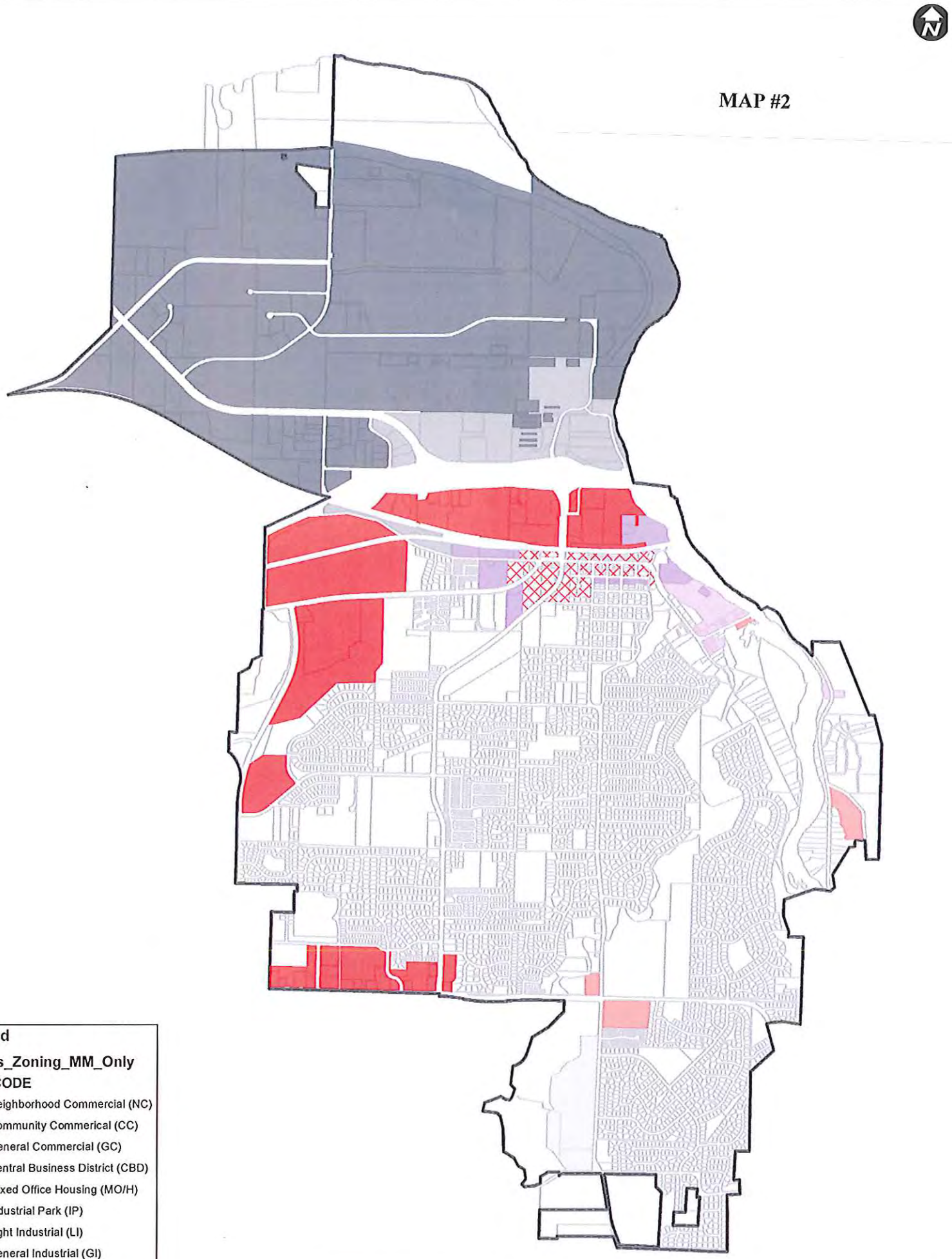
☐ Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts: None

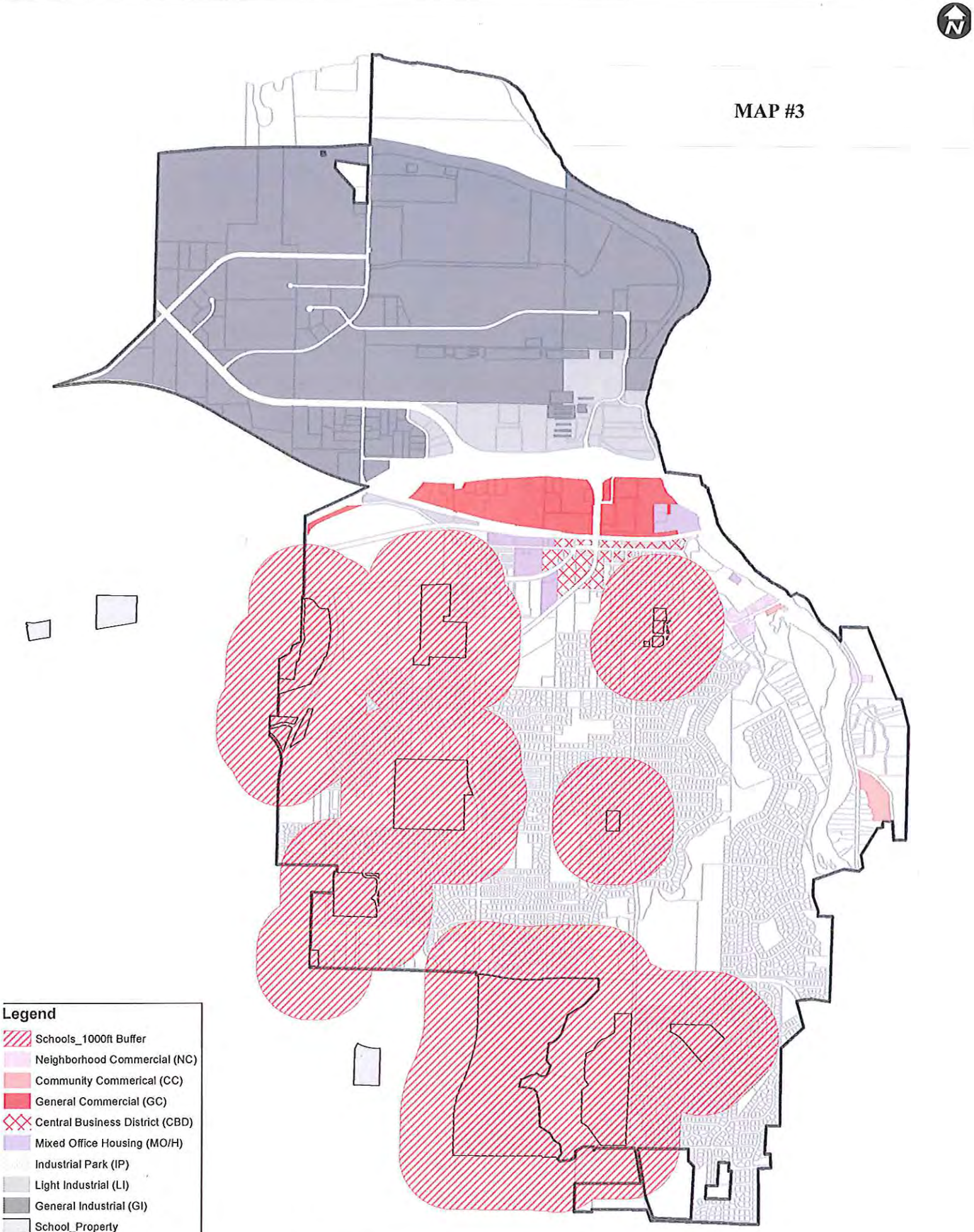

MAP #1
Legend
Schools_1000ft Buffer
School_Property
Troutdale City Limits
Taxlots
Schools & 1000' Buffer - HB 3460
Print Date: 1/29/2011

MAP #2

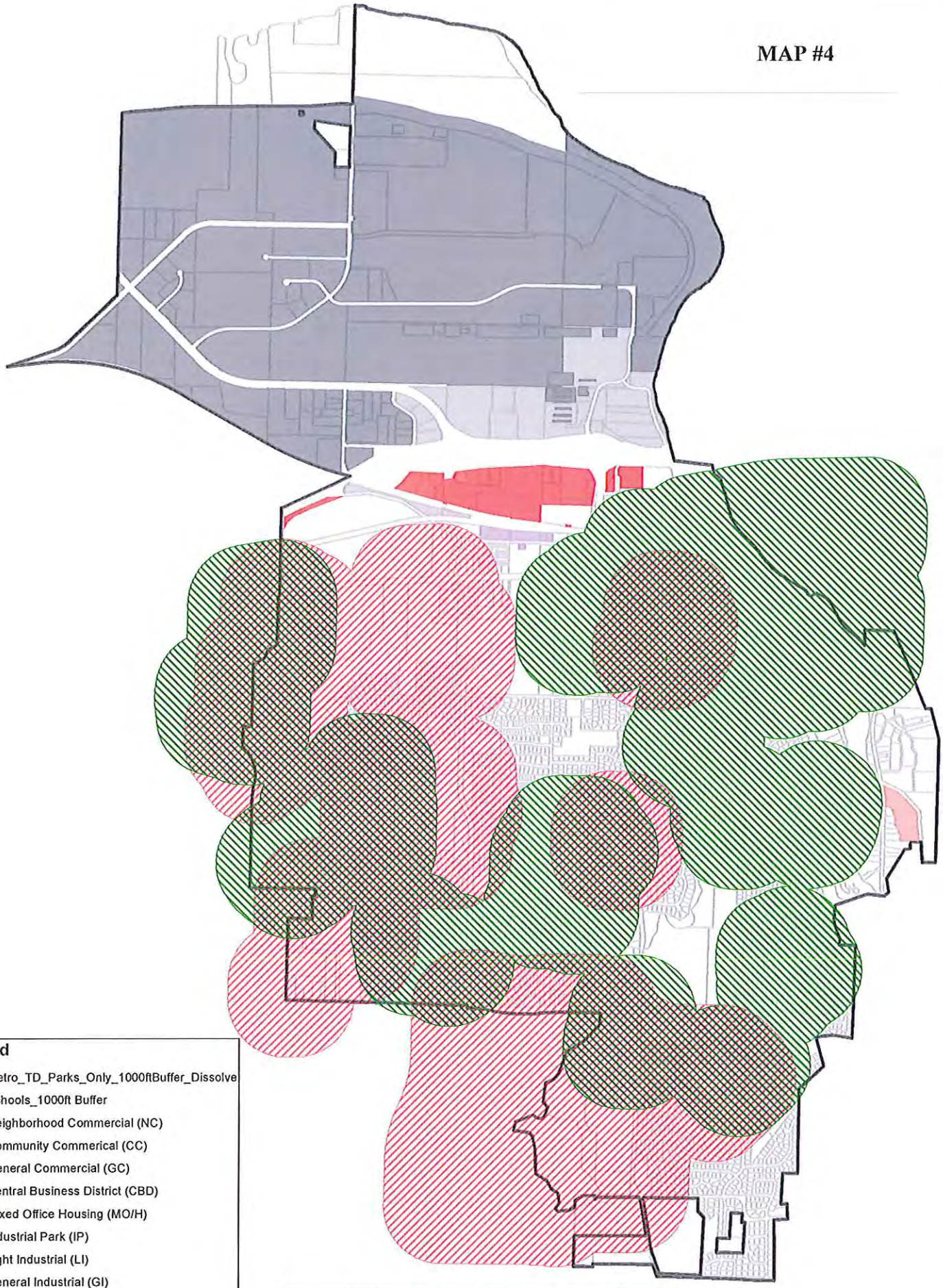


Eligible Zones - HB3460

Print Date: 1/29/201


MAP #3
Legend
Schools_1000ft Buffer
Neighborhood Commercial (NC)
Community Commerical (CC)
General Commercial (GC)
Central Business District (CBD)
Mixed Office Housing (MO/H)
Industrial Park (IP)
Light Industrial (LI)
General Industrial (GI)
School_Property
Troutdale City Limits
Taxlots
Eligible Zones with School Buffer - HB3460
Print Date: 1/29/2018

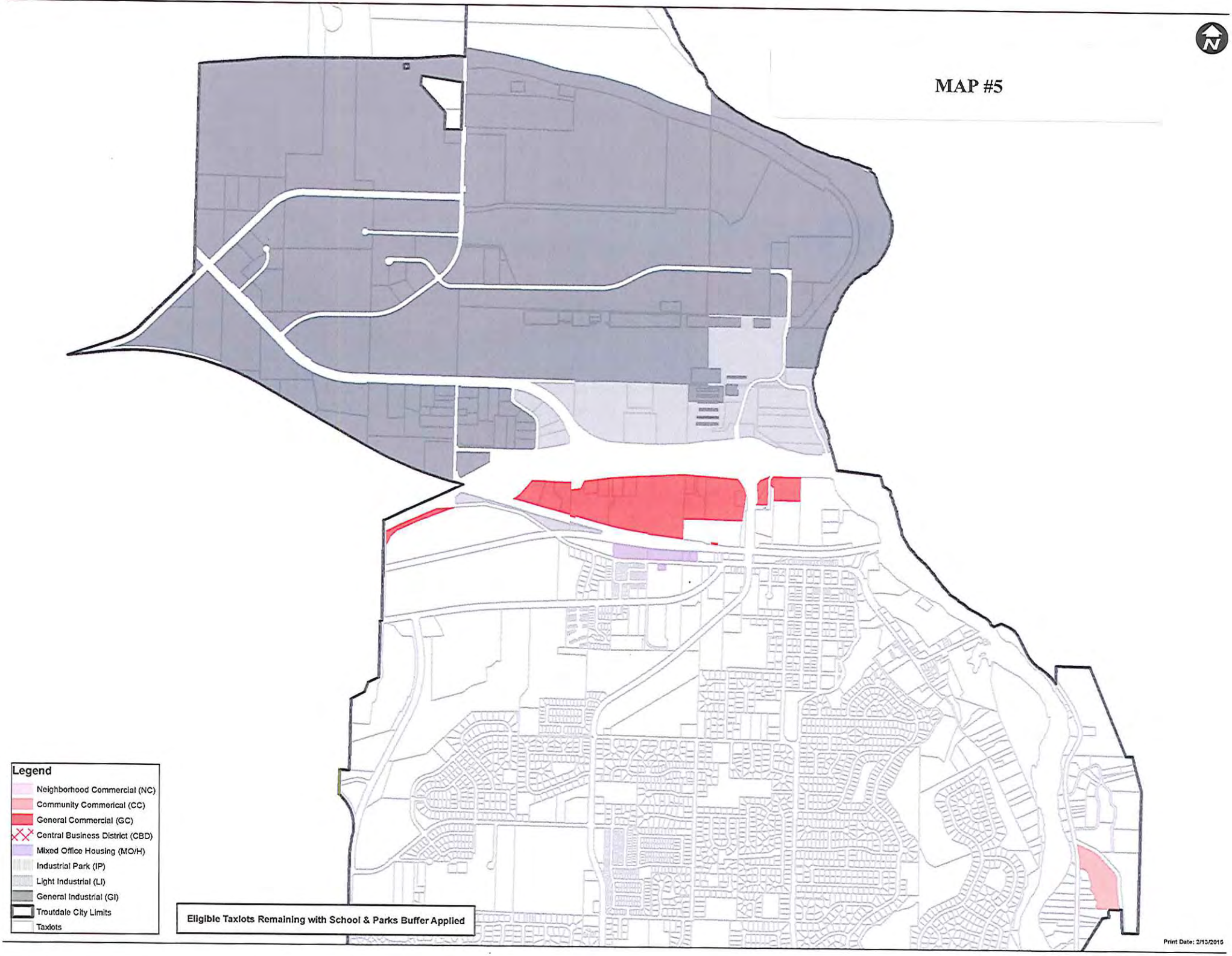
MAP #4



Eligible Zones with School & Parks (City & Metro) Buffer

Print Date: 2/13/2015

MAP #5


Legend
Neighborhood Commercial (NC)
Community Commerical (CC)
General Commercial (GC)
Central Business District (CBD)
Mixed Office Housing (MO/H)
Industrial Park (IP)
Light Industrial (LI)
General Industrial (GI)
Troutdale City Limits
Taxlots
Eligible Taxlots Remaining with School & Parks Buffer Applied
Print Date: 2/13/2015