



CITY of LA PINE PLANNING COMMISSION AGENDA

Tuesday, February 28, 2017

5:30 p.m. Regular Meeting & Public Hearing

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

A. Regular Meeting & Public Hearing – 5:30 pm

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Added Agenda Items
Any matters added at this time will be discussed during the “Other Matter” portion of this agenda.
5. Public Comments
6. 2017-01F: An ordinance amending Ordinance 2012-05: amending the definition of “medical marijuana dispensary” to “marijuana dispensary” and permitting marijuana dispensaries as a principal use in the traditional commercial (C) and mixed use commercial (CMX) zones, and expressly excluding marijuana dispensaries in the transitional areas (TA).
 - a) Open Public Hearing
 - b) Staff Comments
 - c) Public Comments
 - d) Close Public Hearing
 - e) Commissioner’s Deliberations
7. Recommend Applicant for Planning Commission Vacancy
8. Other Matters: Only those matters properly added to this Agenda under line item No. 4
9. Staff Comment
10. Planning Commissioner Comments
11. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend. The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session. The 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 at least 48 hours before the meeting to Patti Morgan (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY

CITY of LA PINE PLANNING COMMISSION MINUTES

Tuesday, February 28, 2017

5:30 p.m. Regular Meeting & Public Hearing

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

A. Regular Meeting & Public Hearing – 5:30 pm

1. Call to Order

Chair Agan called the meeting to order.

2. Establish Quorum

Chairman Kathy Agan

Vice-Chairman Norman McClung – absent by prior arrangement

Commissioner Mary Hatfield

Commissioner Russell Smith

City Manager Cory Misley

City Planner Tammy Wisco

Accounting Clerk Ashley Williams

Quorum Established

3. Pledge of Allegiance

Tom Bradler led the Pledge of Allegiance.

4. Added Agenda Items

Any matters added at this time will be discussed during the “Other Matter” portion of this agenda.

None.

5. Public Comments

None.

6. 2017-01F: An ordinance amending Ordinance 2012-05: amending the definition of “medical marijuana dispensary” to “marijuana dispensary” and permitting marijuana dispensaries as a principal use in the traditional commercial (C) and mixed use commercial (CMX) zones, and expressly excluding marijuana dispensaries in the transitional areas (TA).

a) Open Public Hearing

Chair Agan opened the Public Hearing.

b) Staff Comments

City Planner Tammy Wisco stated that the staff report addresses the procedures ordinance, how the City goes about the process and regulations required for review. The zoning ordinance was adopted as a single ordinance and every time a change is made to it an amendment needs to be done. Ms. Wisco said the amendment for medical marijuana dispensaries is being revised to include all marijuana dispensaries. Transitional area zones will be excluded from any dispensaries. Dispensaries will be allowed in the CMX zone (commercial/mixed use) and the traditional commercial zone. Ms. Wisco

then reviewed the noticing that had been done for this Legislative Hearing. Notice of this meeting had been advertised in the Bend Bulletin and Wisebuys newspaper. Ms. Wisco discussed the amendment as it addresses the economic goals in the Comprehensive Plan.

c) Public Comments

Matt Topher, area resident, read a statement. This statement discussed the small business he operates within the City. He said he felt the decision making of the City, regarding marijuana, had been poor. Mr. Topher currently operates a medical marijuana dispensary along with his greenhouse/gardening business. He said his main argument is the tax on the recreational marijuana sales. Mr. Topher said his marijuana business has suffered from these poor decisions. He said his business is losing a lot of money because they can still not sell recreational marijuana. Mr. Topher supports the cannabis producing businesses staying in the Industrial Zone. He also said he would like to see the dispensaries allowed to be operated on Sundays.

Ms. Wisco said there will be two hearings before the City Council on the proposed amendment if it is approved by the Planning Commission to move forward. She said she thinks that the hearings will happen in April. Mr. Misley said that a dispensary will also have to go through the marijuana permitting process with the City which will include an approval processing and a fee.

d) Close Public Hearing

Chair Agan closed the public hearing.

e) Commissioner's Deliberations

A motion was made by Commissioner Smith and seconded by Commission Hatfield to accept the amendments that amend Zoning Ordinance 2012-05.

| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
|---------------------------------|------------|------------|
| <i>Chair Kathy Agan</i> | <i>X</i> | |
| <i>Commissioner Russ Smith</i> | <i>X</i> | |
| <i>Commission Mary Hatfield</i> | <i>X</i> | |

Motion passed unanimously.

7. Recommend Applicant for Planning Commission Vacancy

A motion was made by Commissioner Hatfield and seconded by Commissioner Smith to Nominate John Cameron to the Planning Commission.

| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
|---------------------------------|------------|------------|
| <i>Chair Kathy Agan</i> | <i>X</i> | |
| <i>Commissioner Russ Smith</i> | <i>X</i> | |
| <i>Commission Mary Hatfield</i> | <i>X</i> | |

Motion passed unanimously.

Mr. Misley said that the planning commission recommendation will be on the March 8th Council Meeting to approve the appointment of John Cameron.

8. Other Matters: Only those matters properly added to this Agenda under line item No. 4

None

9. Staff Comment

Mr. Misley discussed the need to reschedule the proposed garage amendment. It will need to be publicly noticed. He said he would like to recommend March 21st for the Hearing and will send out an e-mail regarding it. The staff report will be updated as well. Mr. Misley said that he would like the planning commissioners to attend a meeting with the City Attorney and the City Council that will provide an overview of how the Council, the Commission and the City Manager work together. Mr. Misley said it would be an afternoon meeting starting at 2:30 pm on March 15th. He said it would be a public meeting.

Ms. Wisco said that the planning commissioners are always welcome to review the new planning applications that come into the City. Mr. Misley said the Transportation Growth Management grant (TGM) will evolve and there will be some joint meetings with the council and planning commission in regard to that grant.

10. Planning Commissioner Comments

Commissioner Smith requested that the commissioners receive updates on building permits in the City. Mr. Misley said he will forward them to the commissioners.

11. Adjourn

A motion was made by Commissioner Smith and seconded by Commissioner Hatfield to adjourn the meeting.

| | | |
|---------------------------------|------------|------------|
| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Chair Kathy Agan</i> | <i>X</i> | |
| <i>Commissioner Russ Smith</i> | <i>X</i> | |
| <i>Commission Mary Hatfield</i> | <i>X</i> | |

Motion passed unanimously.


Chair Kathy Agan

Attest


City Manager Cory Misley
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Planning Commission