

Minutes of the Veneta Planning Commission

May 5, 2014

Present: James Eagle Eye, Kevin Conlin, and Calvin Kenney

Absent: Len Goodwin and Lily Rees

Others: Kay Bork, Community Development Director; and Darci Henneman, Assistant City Recorder

I. Review Agenda

Chair James Eagle Eye called the Veneta Planning Commission to order at 7:06 p.m. He reviewed the agenda and asked for public comment.

II. Public Comment

None

III. Approval of Minutes

MOTION: Calvin Kenney made a motion to approve the April 1, 2014 Planning Commission minutes. Kevin Conlin seconded the motion which passed with a vote of 3-0.

IV. Land Use Approval Extension Request for Bolton Hill Ranch 1st Addition (S-1-08)

Bork said Phil Velie submitted his request for a one year extension for the Bolton Hill Ranch 1st Addition. If approved, the extension would expire May 9, 2015. Bork said they were part of that original group that got the three year extension which allowed them to request two one year extensions. She said this is the final extension for this land use decision.

In response to a question from Kevin Conlin, Bork said the applicant is following through with previous extension approval. Staff recommends adding one condition that their final subdivision plat complies with current stormwater standards as was required for the other subdivisions.

In response to a question from James Eagle Eye, Bork said the applicant was informed that this is their last extension.

In response to a question from Calvin Kenney, Bork said they haven't started this subdivision yet. She said someone is building a house on a single lot on Bolton Hill and some logging was done a while ago, just below the water tank. She said a gravel road was put in to remove the trees but it wasn't part of this subdivision.

In response to a question from Kevin Conlin, Bork said in requiring they meet the stormwater requirements, we do nothing more than insisting on the same thing that every other applicant has to comply with.

MOTION: Kevin Conlin made a motion to approve a final one year extension for Bolton Hill Ranch 1st Addition (S-1-08) with the new expiration date of May 9, 2015 and with the condition final construction drawings will be in conformance with the City's current Stormwater Quality Standards. Calvin Kenney seconded the motion which passed with a vote of 3-0.

V. Summary of City Council Action on Medical Marijuana Dispensaries

Bork provided the Planning Commissioners with the bulk of the materials the Council received regarding Medical Marijuana Dispensaries (MMDs) and the outcome of the two Council Work Sessions and the direction the Council wants to proceed. She said Oregon Health Authority (OHA) rules were reviewed and the City attorney provided several options to pursue if the Council wanted to place additional regulations on MMDs. Legal counsel also addressed our business registration code language because there were several jurisdictions that were preventing MMDs from locating in their community by relying on their business license language saying businesses have to comply with federal, state, and local law

and because selling marijuana violated the federal law they couldn't operate in the City. She said legal counsel reviewed the pros and cons of that approach and suggested that it wasn't the soundest way to move forward. But legal counsel did point out some problems with the business registration language that needed to be addressed. The City Council did not pass the moratorium but did want to pursue regulations that prohibit MMDs from locating within 1000 ft. from parks, which is consistent with the 1000 ft. buffers around schools. She referenced the map showing the MMDs boundaries.

Bork said a dispensary has submitted a dispensary license application with the Oregon Health Authority (OHA) to locate in the West Lane Shopping Center. She said OHA rules also prohibit MMDs from locating within 1000 ft. of another MMD. She said based on all those exclusion zones, there aren't many places in the City that MMDs can locate, other than along Highway 126, east of Hope Lane and one commercial zone property to the south.

Bork said the City Council directed staff to draft the park exclusion amendments which will come to the Planning Commission at a public hearing in June. Bork said she attended a MMD workshop sponsored by the League of Oregon Cities. She said based on information presented it appears cities are left up to their own devices to deal with this. She said legal opinion can't really tell cities if passing time, place, and manner regulations are excessive or not. She said only time or litigation will tell. She said the park exclusion seems reasonable.

James Eagle Eye said it seems most cities are adopting the moratorium and waiting to see what happens.

In response to a question from Kevin Conlin, Bork said the Council did not pass the moratorium mainly because the eligible space for MMDs is so narrow. She said the Council felt if there is going to be an MMD in Veneta, it makes the most sense for it to be located in the West Lane Shopping Center because it is so removed from residential areas. She said the OHA has several regulations addressing surveillance and security and with our own regulations going in place, the Council felt comfortable not passing the moratorium.

Bork said the backyard chicken ordinance is going to the Council on Monday, May 12th and Hayden Homes submitted a tentative subdivision application for Phase III of the Applegate Landing. A developer of property next to that subdivision is getting closer to submitting an application as well.

Kevin Conlin said he may not be attending the July and August meetings.

Bork said if Hayden Homes moves forward with Applegate Landing Phase III subdivision, the application may come to the Planning Commission in July.

Calvin Kenney said he will be on vacation from June 20th to July 20th.

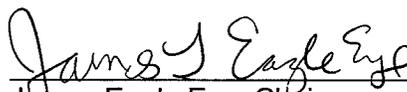
James Eagle Eye asked staff to send an email requesting Planning Commissioners' summer schedule.

VI. Other

None

VII. Adjourn

Chair James Eagle Eye adjourned the Veneta Planning Commission to order at 7:20 p.m.


James Eagle Eye, Chairman

ATTEST:


Darci Henneman, Assistant City Recorder