



**CITY OF PHOENIX PLANNING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 14, 2015 5:30PM
1000 SOUTH B STREET, PHOENIX OREGON**

I. CALL TO ORDER/ROLL CALL/INTRODUCTION. Chair Summerhays called the Planning Commission meeting to order at 5:37PM. In attendance were Commissioners Atkin, Lewin, Eisenhauer, Couch, Weiss, Farlow and Chair Summerhays. There was a quorum. Staff in attendance was Planning Director Matt Brinkley.

II. CHANGES TO THE AGENDA: None.

III. Consent Calendar:

A. Approval of Minutes from March 23, 2015 – Regular Planning Commission Meeting.

MOVED BY COMMISSIONER EISENHAUER, SECONDED BY COMMISSIONER COUCH, TO APPROVE THE MINUTES, FROM MARCH 23, 2015 – REGULAR PLANNING COMMISSION MEETING WITH ONE CHANGE.

ROLL CALL VOTE AS FOLLOWS:

AYES: SEVEN (7)

NAYS: NONE (0)

ABSTENTIONS: NONE (0)

IV. NEW BUSINESS: NONE.

V. OLD BUSINESS:

A. STUDY SESSION ON MARIJUANA CULTIVATION.

Mr. Brinkley introduced the concept of regulating marijuana cultivation through the Land Development Code. This approach would give the City more authority.

He added that cultivation in residential neighborhoods can create “intense” land use incompatibilities and conflicts arising from outdoor grow sites and the odor that comes with it, as well as intensive water and power usage.

Mr. Brinkley said that the draft version of the cannabis cultivation regulations follows an ordinance from Arcata, CA quite closely. Arcata dealt with the same issues several years ago. Problems to be looked at are for example: Do we (the City of Phoenix) allow outdoor cultivation in residential neighborhoods or do we want to restrict it or not allow it at all; do we want to allow outdoor cultivation for MMP card holders but not for recreational purposes; if we would allow for outdoor cultivation of marijuana, should it be restricted to a certain number of plants, a certain amount of area, and/or should there be setbacks for the area that is being cultivated; if we allow indoor cultivation, what should the regulations be?

Mr. Brinkley described several examples on how the City of Arcata, CA has dealt with marijuana cultivation in residentially zoned neighborhoods.



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He added that the way the draft ordinance is written right now, it would allow for outdoor cultivation in residentially zoned areas. The total area to be cultivated, indoor or outdoor or a combination of both could not exceed 100 square feet. Outdoors, there would be a 50 square feet maximum and a height maximum of 10 feet. There would also be standards for the amount of energy consumption. He added that, as of now, the City of Phoenix does not allow for urban agricultural uses in commercial and industrial zones. Only Nurseries are permitted, assuming they get permitted via a Conditional Use Permit. There was discussion of those standards.

Mr. Brinkley explained that one has to differentiate between personal and commercial grows and added that the draft ordinance would not allow for a commercial grow in a residential zone. For recreational purposes, it would not be allowed to grow outdoors. There was further discussion about commercial grows and medical marijuana dispensaries.

Mr. Brinkley summarized that the way the Ballot Measure is currently written, the City could only regulate nuisances caused by cultivation, but it is unclear as of now what that means. The State of Oregon is still working on the details. As of July 1, 2015, every citizen in the State will be able to grow marijuana for recreational consumption at a private residence. The Commissioners agreed that the City cannot take away any rights that the State has given to the individuals to grow or purchase marijuana and that details will have to be discussed further at the next meeting.

Mr. Brinkley said that he would like the Commissioners to take a look at what was presented to them and study the standards for the next Planning Commission meeting.

B. STUDY SESSION ON FOOD CART COURTS WAS POSTPONED UNTIL THE NEXT MEETING

VI. PUBLIC COMMENTS: NONE.

VII. COMMENTS FROM COMMISSIONERS: NONE.

VIII. PLANNING DIRECTOR'S REPORT: Mr. Brinkley said that there will be a community open house on Thursday. He said that the draft ordinance of the updated Transportation System Plan looks very promising.

Chair Summerhays recessed the meeting at approximately 6:25PM to allow the City Council and Urban Renewal Board to convene their respective meetings. She then called the Planning Commission meeting to order again shortly after 6:30PM.

IX. JOINT MEETING WITH THE CITY COUNCIL AND URBAN RENEWAL BOARD:

The members of the Planning Commission, City Council, and Urban Renewal Board and staff discussed upcoming projects including the lane reduction and restriping of OR-99 within the



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couplet area, the South Couplet Pedestrian Crossing project, wetland restoration in Bicentennial Park, and the City Center redevelopment project.

- X. ADJOURNMENT:** Chair Summerhays adjourned the meeting at 8:30PM.

Micki Summerhays, Chair

Matt Brinkley, Planning Director