



**CITY OF PHOENIX PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, MAY 11, 2015 6:30PM  
1000 SOUTH B STREET, PHOENIX OREGON**

- I. **CALL TO ORDER/ROLL CALL/INTRODUCTION.** Chair Summerhays called the Planning Commission meeting to order at 6:33 PM. 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. Paul Kay, Phoenix business and property owner, was also present.
- II. **CHANGES TO THE AGENDA:** None.
- III. **Consent Calendar:**
  - A. Approval of Minutes from April 14, 2015 – Regular Planning Commission Meeting & Joint Study Session Meeting. **MOVED BY LEWIN, SUPPORTED BY FARLOW, TO APPROVE THE MINUTES WITH MINOR REVISIONS TO SYNTAX.**
  - B. Approval of Minutes from April 27, 2015 – Regular Planning Commission Meeting. **MOVED BY ATKIN, SUPPORTED BY LEWIN, TO APPROVE THE MINUTES AS PRESENTED.**
- IV. **NEW BUSINESS:** None.
- V. **OLD BUSINESS:**
  - A. **STUDY SESSION ON MARIJUANA CULTIVATION (CONTINUED FROM APRIL 27, 2015)**

The Commissioners discussed the proposed regulation of cannabis cultivation in Residential Land Use Districts. Brinkley raised the issue of growing on smaller lots, for example mobile homes. The dimensional standards would make it impossible to grow outdoors. The commissioners also discussed requiring individuals to obtain a Type I Zoning Clearance land use permit. There may be issues with patient privacy.

Lewin asked for clarification of some of the performance standards, in particular the requirement that plants would not be allowed to be visible from the public ROW. Discussion ensued.

Summerhays asked if the Commissioners had reached consensus on the regulations proposed for Residential Land Use Districts. Couch agreed with most of the provisions, but was reluctant to adopt the 20 square foot cultivation area limit. Lewin proposed 35 square feet, and the commissioners agreed on 35 square feet after Farlow and Summerhays raised concerns about odor.

The Commissioners then turned the discussion toward commercial cultivation operations. Lewin asked several questions about the proposed regulations. Brinkley expressed concern about the loss of industrial commercial space within the City as commercial cultivation operations out compete other commercial and industrial users for space. He reviewed several news articles with the Commissioners that documented the intensification of competition for industrial real estate in metropolitan Denver, as well as the rents being charged for “cannabis condos” in the Rogue Valley. Farlow asked if the number of operations could be limited. Brinkley replied by describing different ways commercial cultivation operations may be limited in a way that would protect other commercial and industrial users. Commissioner Couch advocated for the opportunity for commercial operations to use empty industrial and commercial space, but appreciated the problem of



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displacement. He proposed that such operations be reviewed on a case-by-case basis. Brinkley would like to address commercial cannabis cultivation in relation to urban agriculture. Currently, urban agriculture is only allowed for “nurseries” in the CH district, and then only with a conditional use permit. Brinkley suggested that all commercial urban agricultural uses up to a certain size would be required to meet the special standards already drafted. If an urban agricultural operation (including cannabis cultivation) exceeded the threshold, a conditional use permit would be required.

The Commissioners discussed limits on the total number of commercial cannabis cultivation operations. Brinkley believed such an approach could be used, whether it were implemented through the Land Development Code or through the City’s existing Cannabis Facility License program. At present, though, he felt that he needed more information upon which to base such a cap.

- VI. PUBLIC COMMENTS:** Paul Kay, who owns property on South Pacific Highway and is a local business owner, talked about his interest in preserving the Furry House. He stated that he was at a very preliminary stage in his assessment of the project and needed a lot more information. He considered the project a long shot, but was still interested in further exploring the opportunity.
- VII. COMMENTS FROM COMMISSIONERS:** None.
- VIII. PLANNING DIRECTOR’S REPORT:** None.
- IX. ADJOURNMENT:** Chair Summerhays adjourned the meeting at 8:00PM.

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Micki Summerhays, Chair

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Matt Brinkley, Planning Director