



# CITY COUNCIL AGENDA

**April 9, 2018, 6:30PM**

*Regular Meeting*

CITY COUNCIL CHAMBERS, CITY HALL

29592 ELLENSBURG AVE

GOLD BEACH OR 97444

Call to order:                      Time: \_\_\_\_\_

1.     **The pledge of allegiance**
2.     **Roll Call:**

	Present	Absent
Mayor Karl Popoff		
<b>Council Position #1 Melinda McVey STARTING VOTE</b>		
Council Position #2 Larry Brennan		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison Ashlee Wood		

3.     **Special Orders of Business:**
  - a.     Committee & Commission Vacancies announcement:
    - Budget – 2 vacancies
    - Planning – 2 vacancies
    - URA Advisory – 3 vacancies
  
4.     **Consent Calendar:**
  - a.     December 2017 and March 2018 meeting transcripts *(sent separately)*
  
5.     **Citizens Comments**  
*As presented to the Mayor at the beginning of the meeting*
  
6.     **Public Hearing**
  - a.     Ordinance No. 665 - Revisions to the Zoning Code conditional use standards for recreational and medical marijuana businesses
  
7.     **Citizen Requested Agenda Items**  
*None Scheduled*

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community*

8. **Public Contracts and Purchasing**  
*None Scheduled*
9. **Ordinances & Resolutions**
  - a. First Reading Ordinance No. 665 (depending on status after public hearing)
10. **Miscellaneous Items (including policy discussions and determinations)**
  - a. Update on Intake Property loan process *(no written report-update will be orally)*
  - b. Election Year Candidate and Measure Info *(no written report-info will be orally)*
  - c. Budget Calendar info only
11. **City Administrator's Report**  
*To be presented at the meeting*
12. **Mayor and Council Member Comments**
  - a. Mayor Karl Popoff
  - b. Councilors
    - 1) Melinda McVey
    - 2) Larry Brennan
    - 3) Becky Campbell
    - 4) Doug Brand
    - 5) Tamie Kaufman
  - c. Student Liaison, Ashlee Wood
13. **Citizens Comments**  
*As permitted by the Mayor*
14. **Executive Session**  
*None Scheduled*

The **Budget Committee** meeting for the FY1819 budget is scheduled for **Monday, April 23, 2018, at 5:30pm**. If needed, a second meeting is scheduled for Tuesday, April 24, 2018 at 5:30pm.

The next regularly scheduled City Council meeting is **Monday, May 14, 2018, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. **Adjourn**      **Time:** \_\_\_\_\_

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# **PUBLIC HEARING**

## **GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. 6. a.  
Council Meeting Date: April 9, 2018

### **TITLE: PROPOSED CODE REVISION ON MJ CONDITIONAL USE STANDARDS**

#### **SUMMARY AND BACKGROUND:**

After work by the Planning Commission and Council public hearings, provisions to allow medical and recreational marijuana businesses **CONDITIONALLY** in the Commercial and Industrial zones was approved in December 2016. The amendments went into effect in January 2017.

After several hearings and meetings beginning last summer, the Council directed staff the March meeting to prepare a revision to Ordinance No. 661, to prohibit MJ businesses from located within 1000' feet of one another. The revised conditional use standards proposal is attached. A public hearing is required prior to a first reading of an ordinance.

#### **REQUESTED ACTION**

If, after the public hearing, the Council wishes to entertain the first reading of Ordinance No. 665 a sample motion is below. If changes are needed after the public hearing I can prepare those for the May meeting.

#### **SAMPLE MOTION - By title only:**

**I make the motion that the Council adopt Ordinance No 665, an ordinance amending Ordinance 634, the Gold Beach Zoning Ordinance, and Ordinance No. 661 which provided provisions for recreational and medical marijuana dispensaries within the Commercial (4-C) and Industrial (5-I) zones and approve the first reading by title only.**

If the motions passes, the City Administrator will read the Ordinance title into the record for the first reading.

**ORDINANCE NO. 665**

**AN ORDINANCE AMENDING ORDINANCE No. 634, THE GOLD BEACH ZONING ORDINANCE, and ORDINANCE No. 661 WHICH PROVIDED PROVISIONS FOR RECREATIONAL AND MEDICAL MARIJUANA DISPENSARIES WITHIN THE COMMERCIAL (4-C) AND INDUSTRIAL (5-I) ZONES**

**WHEREAS,** In 1998 the voters of the state of Oregon originally approved Measure 67 commonly known as the Oregon Medical Marijuana Act; and

**WHEREAS,** In 2014 the voters of the state of Oregon approved Measure 91 which provided for personal growing, possession, and use of limited amounts of non-medical recreational marijuana; and

**WHEREAS,** The state legislature made changes to both laws in 2015 and provided a framework for reasonable time, manner, and place restrictions by local jurisdictions on medical and recreational marijuana growers, processors, dispensaries and retailers; and

**WHEREAS,** The City Council, after several public hearings and workshops, determined reasonable time, manner, and place restrictions would be incorporated into the City Zoning Ordinance #634, specifically within the Commercial and Industrial zones, and adopted Ordinance #661 on December 12, 2016; and

**WHEREAS,** After the adoption of Ordinance #661, the City Council determined additional place restrictions shall be incorporated in Ordinances #634 and #661.

**Section 1.** The following sections of the Gold Beach Zoning Ordinance are hereby repealed:

*Section 6.042 Specific Conditional Use Standards*

*10. Medical or Recreational Marijuana Uses*

- a) The facility shall be registered and licensed through the State of Oregon and shall comply with all state regulations regarding medical or recreational marijuana facilities, depending on its type of state registration. This includes, but is not limited to: siting standards, proximity to schools or other marijuana or OLCC regulated facilities, hours of operation, security measures, etc.*
- b) The facility must be located entirely within a permanent building and may not be located in a trailer, cargo container, motor or recreational vehicle.*

**Ordinance 665**

*Amending Ordinance 634 Zoning Ordinance & Ordinance 661*

*Page 1 of 3*

- c) *Outside storage of merchandise, raw materials, or other materials associated with the facility is prohibited.*
- d) *Drive-up or walk-up window use or similar exchange of goods through a portal to the exterior of the retail establishment is prohibited.*
- e) *The facility shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers.*
- f) *Production of oil-based products or distilling of oil shall only be permitted within the Industrial (5-I) zone. Review and inspection of the facility and proposed uses by the Fire Chief shall be required prior to the commencement of business.*

**And replaced with the following:**

**Section 6.042                      Specific Conditional Use Standards**

**10.                      Medical or Recreational Marijuana Uses**

- g) The facility shall not be permitted within 1000' of a school as defined in the state medical and recreational marijuana regulations. Additionally, the facility shall not be permitted within 1000' of another property with a licensed medical or recreational marijuana facility.**
- h) The facility shall be registered and licensed through the State of Oregon and shall comply with all state regulations regarding medical or recreational marijuana facilities, depending on its type of state registration. This includes, but is not limited to: siting standards, proximity to schools or other marijuana or OLCC regulated facilities, hours of operation, security measures, etc.**
- i) The facility must be located entirely within a permanent building and may not be located in a trailer, cargo container, motor or recreational vehicle.**
- j) Outside storage of merchandise, raw materials, or other materials associated with the facility is prohibited.**
- k) Drive-up or walk-up window use or similar exchange of goods through a portal to the exterior of the retail establishment is prohibited.**
- l) The facility shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers. Burning of remnants or by-products is prohibited within the City limits.**
- m) Production of oil-based products or distilling of oil shall only be permitted within the Industrial (5-I) zone. Review and inspection of the facility and proposed uses by the Fire Chief shall be required prior to the commencement of business.**

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**Ordinance 665**

*Amending Ordinance 634 Zoning Ordinance & Ordinance 661*

*Page 2 of 3*

Section 2. All other sections and provisions of Ordinances 634 and 661 are unaltered and remain in effect.

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

**Passed and Adopted** by the City Council of the City of Gold Beach, Oregon, State of Oregon, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Karl Popoff, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Administrator

<b>1<sup>st</sup> &amp; 2<sup>nd</sup> READING</b>	<b>DATE(s)</b>
<b>AYES</b>	<b>NAYS</b>



# **ORDINANCES & RESOLUTIONS**

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**Ordinance 665**

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**Passed and Adopted** by the City Council of the City of Gold Beach, Oregon, State of Oregon, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Karl Popoff, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Administrator

<b>1<sup>st</sup> &amp; 2<sup>nd</sup> READING</b>	<b>DATE(s)</b>
<b>AYES</b>	<b>NAYS</b>



# **MISC. ITEMS**

## **INCLUDING POLICY DISCUSSIONS & DETERMINATIONS**



**MISC ITEMS** (including policy discussions & determinations)

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## **GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. **10. c.**  
Council Meeting Date: April 9, 2018

**TITLE: Budget Calendar**

**SUMMARY AND BACKGROUND:**

Attached is the Budget Calendar for this year. The first budget hearing is Monday, April 23<sup>rd</sup>, at 5:30. We reserved the same time the next day in case we needed another evening. If we need additional time that will be decided at the hearings.

Proposed budgets will be distributed to you on Monday, April 16<sup>th</sup>.



# City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • [goldbeachoregon.gov](http://goldbeachoregon.gov)

Visitor Center: 541-247-7526 • [visitgoldbeach.com](http://visitgoldbeach.com)

## Proposed 2018-2019 City of Gold Beach & Gold Beach Urban Renewal Agency Budget Calendar

DATE	EVENT
<b>April 9, 2018</b>	First legal notice of Budget Committee Hearing on April 23rd posted on <a href="http://www.goldbeachoregon.gov">www.goldbeachoregon.gov</a>
<b>April 16, 2018</b>	Copy of proposed budget filed at City Hall, published on website, and distributed to Budget Committee members
<b>April 18, 2018</b>	Second legal notice-newspaper publication of April 23 <sup>rd</sup> Budget Committee hearing
<b>April 23, 2018</b>	First Hearing of the Budget Committee <ul style="list-style-type: none"> <li>• Presiding officer elected</li> <li>• Budget officer presents budget message and proposed budget</li> <li>• Public hearing on proposed budget and hearing on State Revenue Sharing funds</li> </ul>
<b>Week of April 23<sup>rd</sup> (or later)</b>	Additional budget committee hearings, if needed
<b>April or May, 2018 TBD by Budget Committee</b>	Final meeting of Budget Committee to review approved changes to budget officer proposed budget and pass a motion recommending a budget for fiscal year 2018-2019 to the City Council, and approving an amount or rate of total property taxes to be certified for collection by Assessor
<b>June 4, 2018</b>	Notice of June 11 <sup>th</sup> Budget Hearing (City Council) and Financial Summary posted on <a href="http://www.goldbeachoregon.gov">www.goldbeachoregon.gov</a>
<b>June 6, 2018</b>	Published notice in newspaper of the Notice of Budget Hearing (City Council) and Financial Summary to be held June 11th
<b>June 11, 2018</b>	City Council Hearing <ul style="list-style-type: none"> <li>• Public hearing on the recommended budget and proposed use of State Revenue Sharing funds</li> <li>• Council adopts resolution declaring the City's election to receive State Revenue Sharing funds</li> <li>• Council adopts resolution making appropriations and levying property taxes</li> </ul>
<b>June 18, 2018</b>	Certify property tax levy to County Tax Assessor

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