

**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

<b>MEETING DATE</b> March 1, 2016	<b>AGENDA ITEM NUMBER</b>
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TO: Mayor Shoji and City Councilors  
 FROM: Eric Day, Community Development Department  
 THROUGH: Rodger Craddock, City Manager  
ISSUE: Land Use Impacts – Marijuana Dispensaries

**BACKGROUND:**

The City Council recently decided to send the current business license requirements which prohibit marijuana dispensaries to a public vote during the general election this upcoming November. In preparation for this action, staff is providing some early information on land use decisions for Council discussion.

Cities within Oregon are taking a variety of different land use approaches to tackling the marijuana dispensary issue. The following spreadsheet shows a cross section of these approaches. Cities are required to use the State standards at a minimum, but they can further restrict the use by increasing other time, manner, and place restrictions.

<b>Marijuana - Land Use Requirements</b>	
<u>Jurisdiction</u>	<u>Land Use Requirements</u>
<b>State of Oregon</b>	1,000 ft. from public and private elementary, middle and high schools; 1,000 ft. from other dispensaries; not allowed in residential zones; 1,000 ft. from any grow sites.
<b>Roseburg</b>	State requirements plus non-licensed schools (charter schools) added to school requirement; 500 ft. from public spaces; 200 ft. from residential zones.
<b>Coos County</b>	head start locations, community learning centers, and licensed daycare facilities; 250 ft. from residential zones
<b>Astoria</b>	State requirements only
<b>Clackamas County</b>	State requirements plus addedtime, place and manner restrictions including odor, lighting, security, waster management, water, access and hours.
<b>Tualatin</b>	Only allowed within the Light Manufacturing (ML), General Manufacturing (MG) and Manufacturing Business Park (MBP) zoning districts. Additinally, must be located 3,000 from any residnetial zone, City park, school or library. Cannot locate any facility wihtin 2,000 ft. from any other marijuana facility. Facility cannot be larger than 3,000 sq. ft. Facility can only be open between 10:00 am and 8:00 pm.

The map found in “Attachment A” shows where the dispensary use could be located within city limits using only the State restrictions.

Should the public vote on the business license issue be to recommend for the Council to remove the business license restriction, the Council may want to have the required land use text amendment to the development code ready to go into place soon after the vote has been taken. If this is the case, staff will need to work with the Planning Commission and Council on the amendments to the code well in advance of the vote. Should the vote not pass, this may result in wasted staff and committee time. Additionally, staff would recommend a City wide notice be sent on this land use action. This notice would cost about \$3,000 to print and send which again would be wasted money should the vote recommend to the Council to not move forward on this issue. If the Council elects to wait until after the vote to begin working on possible land use amendments, the changes will not be effective for around six months allowing staff time to work with the Planning Commission, City Council and to have the required DLCD noticing time period.

**ADVANTAGES:**

This information is provided for discussion purposes only.

**DISADVANTAGES:**

None.

**BUDGET IMPLICATIONS:**

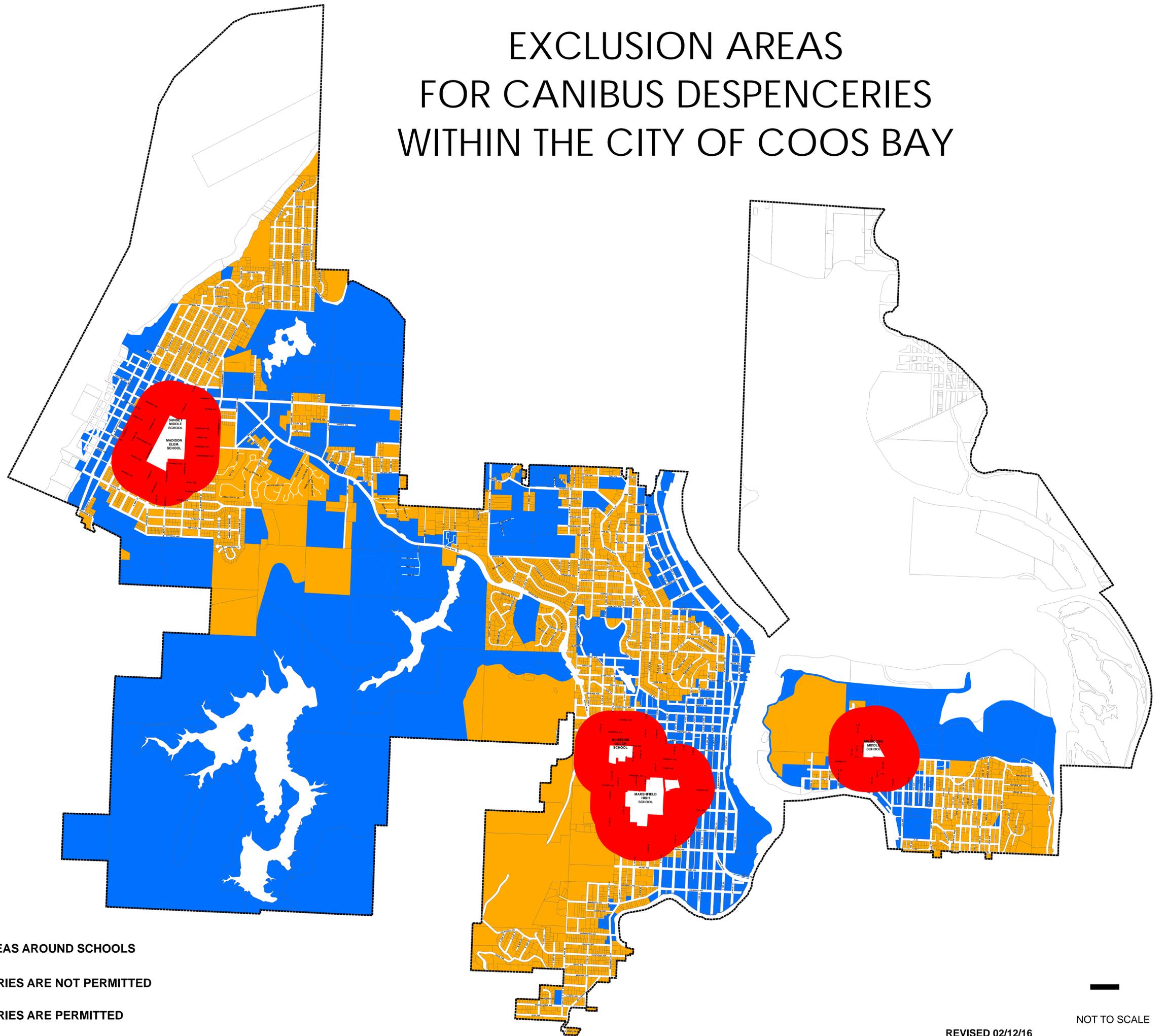
Depending on the direction of the Council, staff time and noticing costs could be associated with the land use text amendment process.

**ACTION REQUESTED:**

Staff is looking for direction on this topic at this time.

Attachments: Attachment A – City of Coos Bay - Possible Dispensary Locations

# EXCLUSION AREAS FOR CANNIBUS DISPENSERIES WITHIN THE CITY OF COOS BAY



## LEGEND

-  1000 FOOT EXCLUSION AREAS AROUND SCHOOLS
-  ZONES WHERE DISPENSERIES ARE NOT PERMITTED
-  ZONES WHERE DISPENSERIES ARE PERMITTED



NOT TO SCALE

REVISED 02/12/16