



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 2/9/15

Recording Secretary N. Morris

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 02/09/2015

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of January 26, 2015

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of January 26, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: City Council Work Session Minutes of January 26, 2015
City Council Meeting Minutes of January 26, 2015



**OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR
JANUARY 26, 2015**

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Project Engineer Dayna Webb; Economic Development Manager Ben Bryant; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Program Coordinator Kelsey Lewis; Parks and Recreation Manager Rich Mueller; Management Analyst II Zoe Monahan

CALL TO ORDER

Mayor Ogden called the meeting to order at 5:03 p.m.

1. Metro Parks & Natural Areas System Plan.

Community Services Director Paul Hennon introduced Metro Councilor Craig Dirksen and Metro staff Kathleen Brennan-Hunter and Mark Davidson.

Metro Councilor Dirksen stated Metro serves as the steward for 17,000 acres of voter-protected land. Tonight they will present information on the approach to develop its first Parks and Natural Areas System plan that will assist Metro in management of this land. They are seeking feedback tonight that will help Metro support Tualatin's park system.

Mr. Davidson presented an overview of the process Metro has mapped out to develop the system plan. He spoke to Metro's portfolio of parks and natural areas stating over the last two decades Metro has secured two bond measures and one levy totaling \$412 million. The system plan is currently wrapping up the values phase, where the mission and policy directions were established, and is moving into the strategies phase that will provide direction for the future. Metro is currently looking at programs that help connect communities with nature through the Community Investments Program. The program is grant funded and helps with restoration projects. The Regional Parks and Natural Areas Investment program is another program funded through bond and grants that helps local communities. Tualatin has used this program for wayfinding signage on the Tualatin River Greenway Trail project. Community outreach for the system plan has been conducted through several public meetings and events like local farmer's market. Through outreach six values were developed; nature, connections with nature, outdoor recreation, vibrant communities, opportunities for all, and stewardship.

These values will be used as the framework for managing this plan.

Councilor Davis thanked Metro for their support of Tualatin projects.

Mayor Ogden thanked Metro for their continued partnership with Tualatin. He asked about the management of areas outside of the Urban Growth Boundary. Councilor Dirksen stated it is Metro's preference to work in partnership with local jurisdictions in these areas and when not possible Metro will assume management of the land.

2. *Marijuana Regulation.*

Planning Manager Aquilla Hurd-Ravich and Management Analyst Zoe Monahan presented an update on marijuana regulations. Manager Hurd-Ravich presented results for Tualatin of ballot measure 91 regarding recreational marijuana. Regulations for nine jurisdictions were presented. Regulation considerations included the extent of time, place, and manner restrictions and grow site regulations. State regulations for medical and recreational marijuana were presented. Maps of buffer locations were presented and included buffer zones for schools, parks, the library, and residential districts. Buffer zones from 1,000 to 5,000 feet were shown. Examples of facility and grow site regulations imposed by other cities were presented. Next steps for the Council include consideration of draft language in February and public hearings and ordinance adoption in March which would allow the necessary regulations to be in effect in May.

Planning Manager Hurd-Ravich presented draft code language including a definition for a marijuana facility and developmental standards.

Council President Beikman stated she would like to see downtown Tualatin added to the buffer area. Manager Hurd-Ravich stated if facilities were only permissible in the three manufacturing districts that would allow exclusion from the downtown area.

Council President Beikman asked about banning marijuana edibles. City Attorney Brady stated he is not aware of any cities that have taken this approach. He noted there could be a policy argument against a ban of this nature due to the need medically.

Councilor Grimes asked if restrictions could be put in place to regulate how edibles are displayed and secured. City Attorney Brady stated it would be reasonable under the time, place, and manner restrictions. He presented concerns over preempting state law in this category.

Councilor Grimes asked about the legal distinction between medical and recreation marijuana facilities. City Attorney Brady stated only medical marijuana facilities can legally exist now. Once recreational facilities are allowed in January 2016 the facilities will be treated the same.

Councilor Truax would like to see marijuana facilities zoned similar to liquor stores. He does not want to make each facility go through the conditional use process.

Councilor Davis would like to make sure odor issues are addressed in the code and

grow sites be banned. Mayor Ogden asked if banning grow sites was an option. City Attorney Brady stated citizens will be able to grow in their homes based on measure 91. To ban industrial growers a vote of the citizens would have to occur.

Council President Beikman stated Rivergrove Elementary School needs to be included as part of the buffer zones.

Mayor Ogden would like facilities limited to industrial zones with a 3,000 foot buffer zone from residential districts.

Councilor Truax stated facilities should be allowed in commercial zones with the only exclusion being to the downtown planning district.

Councilor Truax asked if facilities were only limited to industrial zones if the code would have to be changed. Manager Hurd-Ravich stated the Linking Tualatin code changes would allow for some commercial uses.

Council consensus was reached to draft language implementing a buffer zone of 3,000 feet from schools, parks, the library, and residential districts.

Mayor Ogden proposed adding language regarding distance between facilities. Manager Hurd-Ravich noted Washington County has proposed a distance of 2,000 feet between facilities. Council consensus was to draft language limiting distance to 2,000 feet between facilities.

Council President Beikman asked about co-locations. City Attorney Brady stated that co-locations are related to grow sites and retail locations.

Mayor Ogden presented concerns over regulating marijuana odors. Council President Beikman stated she would like to see this included in draft language. Manager Hurd-Ravich stated the City of Tigard has included this in their code language and they are exploring ways to regulate this.

Councilor Grimes requested that notification of a facility coming into a area should be given to neighboring businesses whether it is a conditional use or not.

Councilor Davis proposed facilities not be allowed to occupy spaces greater than 3,000 square feet. Council consensus was to include this proposal in the draft code.

Planning Manager Hurd-Ravich stated staff will return in February with a draft ordinance for review.

3. 2016-2020 Capital Improvement Plan.

Assistant City Manager Alice Cannon and Project Engineer Dayna Webb presented the 2016-2020 Capital Improvement Plan (CIP). Assistant City Manager Cannon stated projects are broken into five project categories including facilities equipment, parks and recreation, technology, transportation, and utilities. Projects are prioritized by staff based on the following criteria: health and safety, coordination with other agencies (cost savings), satisfies regulatory requirements, supports council goals, and implements master plans. Funding sources for these

projects include system development charges, water, wastewater, storm, and road maintenance rates, gas taxes, the general fund, and grants and donations. Manager Cannon went through the project list by category. Public involvement for the CIP was conducted in November and December and all City committees were consulted on the project list.

Mayor Ogden asked if the projects had been funded in the year they were listed. Manager Cannon stated the CIP is used as a tool for budgeting and that the current year is projected to be funded.

4. Council Committee Assignments.

Councilor Davis is no longer able to attend the Washington County Community Action Organization meetings. Councilor Brooksby agreed to attend and Mayor Ogden will act as the alternate.

Councilor Bubenik noted the Washington County Commission on Children and Families no longer exists.

5. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Bubenik stated the Community Development Block Grant process was completed last week. Only 50% of the dollars requested are able to be funded this year. Recipients of the awards will be announced in February.

ADJOURNMENT

The work session adjourned at 6:53 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary




/ ~~Lou Ogden, Mayor~~