



## OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR FEBRUARY 23, 2015

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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; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Associate Planner Cindy Hahn; Assistant City Manager Alice Cannon; Public Works Director Jerry Postema

### CALL TO ORDER

Mayor Ogden called the meeting to order at 5:42 p.m.

#### 1. *Marijuana Facilities.*

Planning Manager Aquilla Hurd-Ravich and Associate Planner Cindy Hahn presented proposed amendments to establish reasonable time, place and manner regulations for marijuana facilities. Manager Hurd-Ravich stated the draft ordinance is based on feedback from Council at the January 26 meeting and the Planning Commission meeting on February 19. Current regulations and draft code definitions were briefly discussed. Proposed developmental standards such as compliance with state requirements, hours, entrances, and odor were presented. Location proposals included allowing facilities in light, general and manufacturing business parks, providing a 3,000 foot buffer from residential areas, schools, city parks, and libraries. Proposals also considered prohibiting co-location or retail dispensaries with other marijuana facilities, 2,000 foot buffer between facilities, and limiting facilities to 3,000 square feet in size. Standards for edible marijuana, butane extraction, and home growing were also reviewed.

Manager Hurd-Ravich presented suggestions from the Planning Commission. Suggestions included allowing dispensaries in the Industrial Business Park Overlay District and small mixed uses in manufacturing districts, a reduction in facility separation to 1,000 feet, allowing 24 hour grow operations, deletion of ambiguous language in edible standards, and specifying language for homegrown marijuana standards.

Next steps for the draft ordinance includes holding a public hearing and ordinance adoption in March to allow the ordinance to be in effect before the end of the moratorium on May 1.

Mayor Ogden asked if the Planning Commission was ok with the 3,000 foot buffer. Manager Hurd-Ravich stated in general they agreed with the buffer. He asked if

they were interested in allowing facilities in all industrial districts of just the Franklin Business Park. Manager Hurd-Ravich stated she did not have clarity on that from the Commission.

Councilor Truax stated he does not support the draft ordinance and he feels certain items are unreasonable. He suggested the ordinance be reworked to fall in line with the ballot measure that was passed. Specifically he would like to see retail facilities allowed in commercial zones.

Councilor Bubenik concurred with Councilor Truax. He would like see facility separation reduced to 1,000 feet and grow operations separated into their own category. Mayor Ogden asked for clarification as to why growers should be in their own category. Councilor Bubenik stated facility sizes and hours of operations for a grow facility have different needs than those of retail or medical facilities. Mayor Ogden asked staff for clarification on what the types of activities could be performed during the proposed hours. City Attorney Brady stated the proposed hours would allow businesses only to be open to the public during certain hours but would allow other business activities to occur outside those hours.

Councilor Bubenik would like to see facility sizes for grow operations greatly increased. Councilor Grimes requested information regarding the size needs of a standard grow operation. Mayor Ogden, Council President Beikman, and Councilor Brooksby disagreed with increasing allowable facility sizes.

Council President Beikman would like to see the 3,000 foot buffer zone reduced to 2,000 feet. She asked if this would allow facilities to then locate in the Industrial Business Park Overlay area. Manager Hurd-Ravich stated it would then allow facilities in the area. Mayor Ogden expressed concern with allowing this as it would expose the northern part of Tualatin to allowing facilities within close proximity of our neighboring cities.

Councilor Truax asked how sections of unincorporated land would be affected by the proposed ordinance. Manager Hurd-Ravich stated the city's ordinance would not affect these areas as they would fall under Washington County standards.

Councilor Davis stated her primary concerns around legalization of marijuana would not be addressed by the proposed ordinance, as her concerns are related to youth access. She would like to see the proposed ordinance reduce the buffer to 2,000 feet and move grow operations into their own category.

Council consensus was reached to direct staff to keep the buffer at 3,000 feet. Consensus was reached to move growing facilities into their own category. The category should still restrict facility size to 3,000 square feet and not restrict operating hours.

Councilor Davis expressed concerns over the ordinance potentially restricting the city from receiving tax revenue for marijuana sales. Mayor Ogden stated the ordinance can be changed at anytime if this were to happen.

## **2. *Basalt Creek Project Update.***

Assistant City Manager Alice Cannon, Planning Manager Aquilla Hurd-Ravich, and Associate Planner Cindy Hahn presented the Basalt Creek project update. Manager Cannon stated after the December Joint Council meeting with Wilsonville the consultant team has been working on completing a sewer analysis and geotechnical investigation. This analysis will be worked in to alternative land scenarios and presented at a joint meeting in June. Manager Cannon presented discussion items for the Council as staff is looking for Council to help refine their values and goals for the project.

Mayor Ogden asked for clarification on housing being a priority for Tualatin. Councilor Brooksby stated he wants to ensure there is a mix of commercial and housing in the area. He clarified that housing is not his number one priority, but it is a priority.

Council President Beikman requested more information on the discussion items before she can make any decisions. Mayor Ogden concurred that he needs to know what the feasible options are before discussion.

Councilor Davis stated her concerns are with protecting the natural features in the area. She believes this to be a great opportunity to provide housing for those who work in Tualatin.

Council consensus was to wait to have further discussions until the sewer analysis is completed and feasible options are presented.

**3. Council Advance Debrief.**

Discussion was postponed due to lack of time.

**4. Council Meeting Agenda Review, Communications & Roundtable.**

Councilor Davis announced Washington County Consolidated Communications Agency will be changing the way they calculate fees for cities. The new fee model will focus on population, call volume, and radio air time. Council can expect to see a new intergovernmental agreement come forward after the fee model is finalized in March.

**ADJOURNMENT**

The work session adjourned at 7:05 p.m.

Sherilyn Lombos, City Manager

Nicole Morris

/ Nicole Morris, Recording Secretary

Monique L. Beikman

~~Lou Ogden, Mayor~~

Monique Beikman, Council President



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 03/09/2015

**SUBJECT:** Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of February 23, 2015

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### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of February 23, 2015.

### RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** City Council Work Session Minutes for February 23, 2015  
City Council Meeting Minutes for February 23, 2015