

# City of Mt. Angel Town Hall

## Medical and Recreational Marijuana

Tuesday, February 24, 2015

Mt. Angel Fire Station

# Marijuana - 2 Components

- ▶ Medical Marijuana (HB 3460, SB 1530)
- ▶ Recreational Marijuana (Measure 91)

# History of Marijuana Legalization and Regulation in Oregon

- ▶ 1973: Oregon first state to decriminalize small amounts of marijuana
- ▶ 1998: Oregon voters approve a ballot measure to allow medical marijuana within specified limits
- ▶ 2004 and 2010: Ballot measures to allow retail sales of medical marijuana (FAILED)
- ▶ 2012: Ballot measure legalizing recreational marijuana (FAILED)
- ▶ 2013: Legislature authorizes medical marijuana dispensaries in Oregon (HB 3460)
- ▶ 2014: Legislature allows cities to adopt 'time, place, and manner' regulations for medical marijuana dispensaries. Allows one-year moratorium if ordinance adopted by May 1, 2014 (SB 1531)
- ▶ 2014: Recreational marijuana is approved by voters (Measure 91)

# Timeline

- ▶ April 7, 2014 - Mt. Angel City Council approves ordinance placing moratorium on medical marijuana dispensaries (Ordinance No. 740)
- ▶ November 3, 2014 - Council approves 10% local tax on recreational and medical marijuana sales (Ordinance No. 741)
- ▶ January 5, 2015 - Council asks:
  - ▶ Planning Commission to develop local “time, place and manner” regulations before statewide moratorium expires; and
  - ▶ Conduct a community town hall meeting to gather citizen feedback
- ▶ January 15, 2015 - Planning Commission holds workshop to begin discussing ‘time, place and manner’ regulations for “*marijuana facilities*”
- ▶ Tonight - Community Town Hall
- ▶ March 5, 2015 - Planning Commission public hearing

# Proposed Regulations for Medical Marijuana Facilities in Mt. Angel

- ▶ State law prohibits dispensaries within 1,000 feet of the following:
  - ▶ Public or private elementary, secondary schools
  - ▶ Another marijuana facility
- ▶ Additional filters:
  - ▶ Library, child care facility, public park, playground, recreational facility, and athletic field
  - ▶ Residential, residential-multifamily, or residential commercial zone

**Legend**



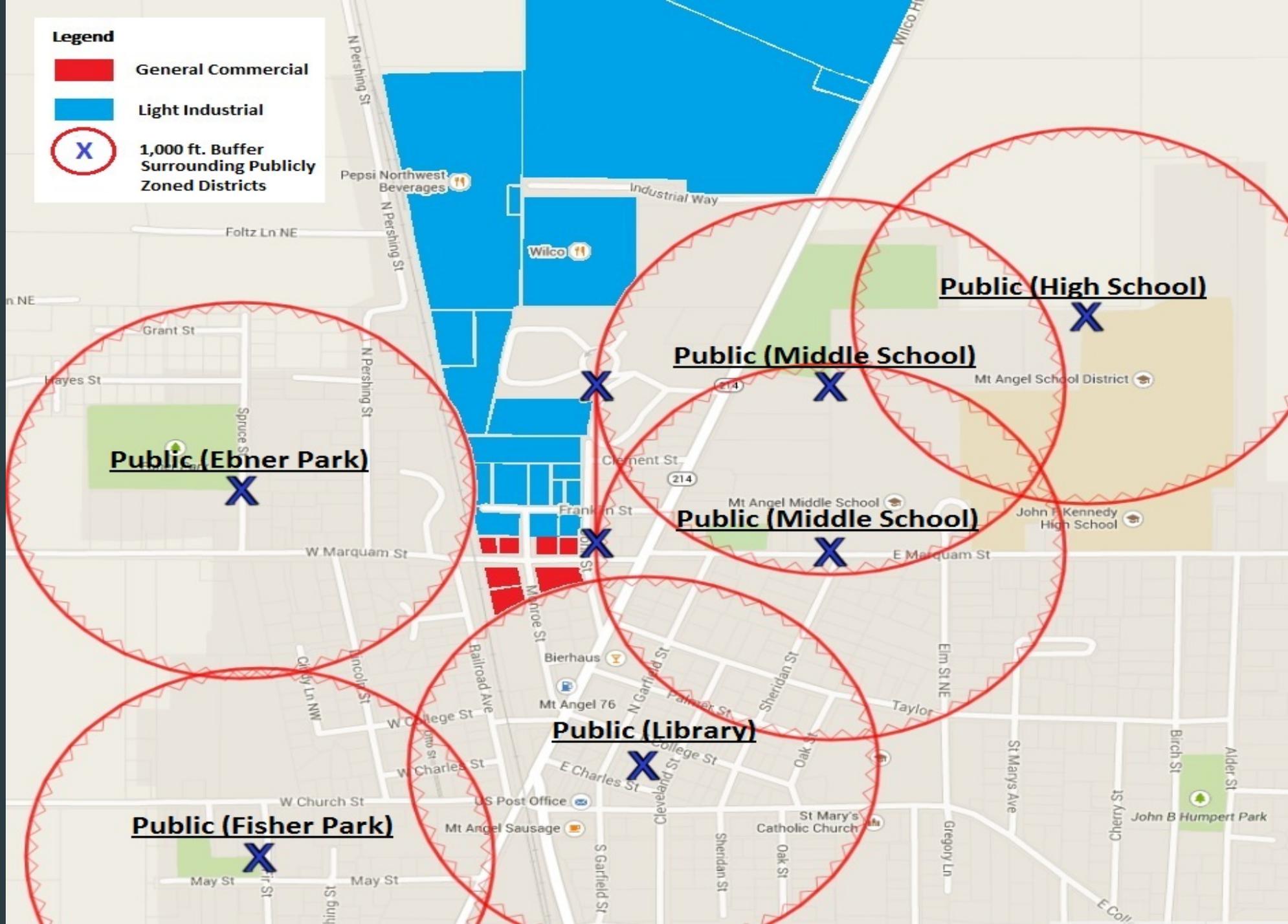
General Commercial



Light Industrial



1,000 ft. Buffer Surrounding Publicly Zoned Districts



**Public (Ebner Park)**



**Public (Fisher Park)**



**Public (Library)**



**Public (Middle School)**

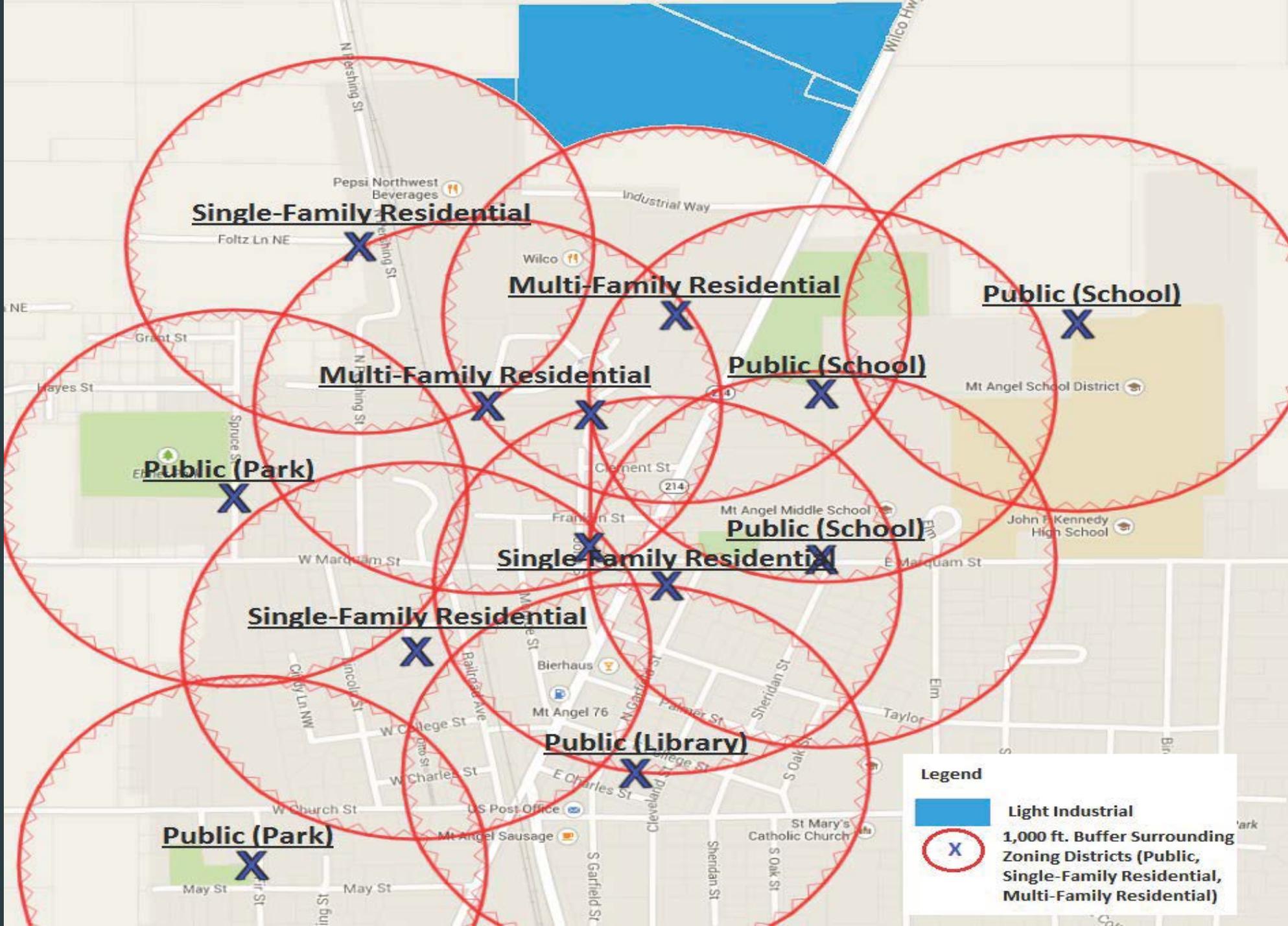


**Public (Middle School)**



**Public (High School)**





# Proposed Regulations for Medical Marijuana Facilities in Mt. Angel (cont'd)

- ▶ Designate medical marijuana facilities as a conditional use that must obtain Planning Commission approval and meet the following conditions:
  - ▶ Must be located entirely within a permanent structure, not exceeding 3,000 square feet
  - ▶ May not operate a drive-through
  - ▶ May not operate as a home occupation

# Key Dates - Medical Marijuana

- ▶ March 5, 2015 - Planning Commission will conduct public hearing on proposed 'time, place and manner' regulations and propose ordinance to City Council
- ▶ March 23, 2015 - City Council to conduct workshop on proposed ordinance
- ▶ March 30, 2015 - City Council to conduct 1<sup>st</sup> and 2<sup>nd</sup> reading on proposed ordinance
- ▶ March 31, 2015 - City Council will conduct 2<sup>nd</sup> reading on proposed ordinance (if needed)
- ▶ May 1, 2015 - Moratorium expires

# Recreational Marijuana (Measure 91)

- ▶ Allows for any person over the age of 21 to grow and use
- ▶ A person can grow 4 plants
- ▶ Store 8 oz of usable product
- ▶ Store 16 oz of solid form homemade products
- ▶ Store 72 oz of liquid product

# Recreational Marijuana

- ▶ Cannot be in a readily seen view by the public
  - ▶ Also limited as a “Per household”
  - ▶ Can only have 1oz of usable product in a public space
  - ▶ Cannot use in a public space
- 
- ▶ 1oz = 28 grams
  - ▶ 1 gram / per joint = 28 joints

# Personal Distribution

- ▶ “Allows for people to share”
- ▶ 1 oz of usable
- ▶ 16 oz of homemade solids
- ▶ 72 oz of liquid product

# Recreational Marijuana Supply Chain

- ▶ Producer / Manufacturer / Grower
- ▶ Processor
- ▶ Seller of marijuana and marijuana products

# OLCC - Licenses

- ▶ Producer / Manufacturer / Grower
- ▶ Processor
- ▶ Wholesaler
- ▶ Seller of marijuana and marijuana products

# Taxation

- ▶ \$35 / oz for buds
- ▶ \$10 / oz for leaves
- ▶ \$5 / immature plant
- ▶ 2016
  - ▶ Cities will share 10% of the revenue based on population
- ▶ Mid 2017
  - ▶ Cities will only share revenue based on the number of licenses

# Local Regulation - Under Measure 91

- ▶ Allows for reasonable time & place, and manner regulations
- ▶ Allows cities to prohibit licenses
- ▶ Does not allow cities to impose a ban
- ▶ Allows for a citizen initiative seeking to impose a ban

# Citizen Initiative

- ▶ Must be filed 60 days before the statewide general election
- ▶ Requires 10% of the registered voters to sign the petition
- ▶ Signatures must be obtained within 180 days before the petition is signed
- ▶ Next statewide general election is November 8, 2016
- ▶ OLCC will be issuing licenses for potentially 10 months prior to the election date

# Effect On Other Laws

- ▶ Measure 91 expressly limits effect on other laws
- ▶ Employment Law
- ▶ Landlord - Tenant Law
- ▶ Federal Grant and Contract Requirements
- ▶ Does Not change Federal Law

# Key Dates - Recreational Marijuana

- ▶ July 1, 2015 - individual growing and use goes into effect
- ▶ January 1, 2016 - OLCC must have administrative rules in place for licensing
- ▶ Spring 2016 - OLCC begins issuing licenses
- ▶ Summer 2016 - State begins distributing tax revenue
- ▶ Summer 2017 - State begins distributing tax revenue based on licenses
- ▶ November 2016 - Next statewide general election