

**John Day City Council Meeting
February 09, 2021
316 S. Canyon Boulevard**

**5:00 PM CITY COUNCIL STUDY SESSION
VIRTUAL ONLY**

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- 1. OPEN AND NOTE ATTENDANCE**
- 2. APPROVAL OF PRIOR MINUTES**
- 3. APPEARANCE OF INTERESTED CITIZENS** – At this time we will welcome the public and ask if there is anything they would like to add to tonight’s agenda.

STUDY SESSION ITEMS

- 4. MARIJUANA TIME, PLACE AND MANNER REGULATIONS & LAND USE REGULATIONS**

Attachments:

- John Day Marijuana Background
- MJ Land Use Amendments – Redline
- MJ Land Use Amendment – Staff Comments
- 2015 Map Alternatives – Sisul Engineering
- Airport Industrial Park Land Use Categories

- 5. DOWNTOWN REZONING**

Attachments:

- None

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: February 09, 2021

SUBJECT: Agenda Item #4: Marijuana Time, Place and Manner – Land Use Regulations
Attachment(s)

- John Day Marijuana Background
- MJ Land Use Amendments – Redline
- MJ Land Use Amendment – Staff Comments
- 2015 Map Alternatives – Sisul Engineering

BACKGROUND

The John Day Marijuana Background memo provides context discussed in prior council meetings and between staff and our legal counsel related to prior legislative actions taken by the city council related to marijuana time, place and manner restrictions.

Staff will prepare the appropriate repeal notices with legal counsel, but we first need to review the council's intent with regard to land use. This topic potentially affects both the industrial and commercially zoned lands within the city limits. Additional study session may be needed to address these matters.

DISCUSSION

Prior to the city council repealing the banning ordinance(s) and adopting Time, Place, and Manner Ordinances we need to review potential land use changes to our code so that staff can approve applications for marijuana establishments within city limits.

We will review the maps prepared by Sisul Engineering in 2015 to discuss the prohibition distance and allowed properties w/correct zoning and not within 1,000 feet of prohibited buildings as well as discretionary distance regulations.

Will need to make sure, it fits the 1,000 foot measure described in the regulations. Need to be very specific as to whether measurement is made premises to premises, premises to property line, or property line to property line.

We will review the AIP land use categories and discuss what council wishes to allow in the context of this project as well as a proposed beef processing plant at the AIP.

Will we also need to discuss whether we will require a Conditional Use Permit for retail, wholesale or processing or permit it outright? Issue is the 1,000 foot buffer and the timing for when that is established. Ontario uses a CUP process to establish order of the 1,000 foot delineation to de-conflict applications. We are not expecting a mad rush but given the limited area we're going to have for retail sales, we need to determine the order of operations. This can either be a conditional use or we can just simply require that they all obtain site design review regardless of whether an exemption would otherwise apply. This draft has us using the CUP process with some additional standards.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: February 09, 2021

SUBJECT: Agenda Item #5: Downtown Rezoning
Attachment(s)

- Downtown Zoning Email – Eva Harris

BACKGROUND

Council and residents have discussed at various times whether to adjust the zoning for certain areas of downtown that restrict housing development. Staff will review the current zoning and discuss whether alternative zones (such as Residential Commercial) would be preferable in these areas. Eva Harris has also asked council to consider these adjustments but has not applied for a zone change for her property (see email, attached).