

# PLANNING COMMISSION MEETING September 20, 2017 CITY HALL ANNEX - COUNCIL CHAMBERS 1140 12<sup>TH</sup> AVENUE

# **PUBLIC HEARING**

#### PUBLIC MEETING CALL TO ORDER AT 7:30 PM

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL ATTENDING:**

Edith Wilcox Henry Wolthuis Eva Jurney (Excused) Thomas Herb

Greg Stephens Lance Gatchell (Excused) Anay Hausner (Excused)

### **STAFF:**

Jerry Sorte, Community and Economic Development Director (CEDD) John Morgan, Contract Planner Kathryn Wilcox, Planning Assistant

### **REGISTERED VISITORS:**

Theresa Howard, 1253 Linden CT. Sweet Home, OR 97386
Bonnie J Neal, 28607 Pleasant Valley Road, Sweet Home, OR 97386
Charles Troxell, 20 E Airport Road, Lebanon, OR 97355
Sven Roberts, 626 W. Vine, Lebanon, OR 97355
Amber Roberts, 626 W. Vine, Lebanon, OR 97355
Shawn Anderson, Lebanon, OR 97355
Natalie Altermatt, 235 Larry Ave N. Keizer, OR 97303
Hayward Bella CSM, 28584 Ridgeway Road, Sweet Home, OR 97386
Sean Morgan, New Era, Sweet Home, OR 97386

It was decided that Commissioner Wolthuis will fill in as the Chairperson, in Chairperson Gatchell and Vice- Chairperson Hausner's absence.

Commissioner Wolthuis opened discussion for corrections to the August 14<sup>th</sup> 2017 meeting minutes.

### **Edits Included**;

P. 4 – "Burnette" was spelled wrong, remove the "E" from the end of the name,
P. 5 – Change comment from Henry Wolthuis, "being he worked with the County Road
Master." To "being he was the County Road Master."

P. 6 – Add the concerns Henry had about three dead end cul-de-sacs do not allow for future development.

P. 6 – Correct the motion, "Commissioner Wolthuis oved to approved" should be "Commissioner Wolthuis moved to approve"

Commissioner Stephens made a motion to table the discussion of the August 14<sup>th</sup> 2017 Planning Commission Meeting Minutes, and bring them back with said corrections at the next Planning Commission Meeting, (October 2<sup>nd</sup>, 2017.)

Commissioner Herb Seconded the motion.

**Question was called** 

Aye (4)

Commissioner Stephens, Commissioner Herb, Commissioner Wolthuis, and Commissioner Wilcox

Nay (0)

**Motion Passed 4 Ayes to 0 Nays** 

CU-17-04: A request for a Conditional Use Permit has been submitted by Modern
Forest, LLC to locate a retail marijuana store and bakery in the existing building at 150
Main Street, also known by Linn County Assessor's Map 13-1E-31BB Tax Lot 1100.

Commissioner Wolthuis asked the Commissioners if they had any of the below stated in regards to the application;

**Personal Bias: None** 

**Conflict of Interest: None** 

**Exparte: None** 

### **PUBLIC HEARING OPENED AT 7:39PM**

**CEDD Jerry Sorte** explained the Land Use request, staff report, and background of the property. He explained the changes in the application and referenced the additional documents that were submitted by the applicant that day. He then reviewed the process, and approval criteria that are applicable to the conditional use request. He explained the conditions of approval listed and then asked if there were any questions of staff.

**Questions and Concerns Consisted of:** 

Is the bakery being removed?

Does removing the bakery change the findings?

Is it Medical Marijuana being sold?

Staff Responses to Questions and Concerns: Removing the bakery makes the request theoretically allowed to be approved in a C2 zone. Medical Marijuana was not proposed.

**Commissioner Wolthuis** asked if there were any more questions for staff and then asked the applicant to speak.

Sven Roberts explained why he removed the bakery aspect from his request and updated his application. He explained it was a small section of his business model and after looking into how OLCC considers a bakery to be a processing center, they decided to pull out that component of their proposed development. He said he wanted to address the impacts, being bad, neutral and good, as well as physical and perceived impacts in a sociological nature. He went on to address the physical impacts. He explained that they would aesthetically improve the property which is currently an eye sore. He explained that he understands the potential negative impact of placing a marijuana store at the front of the community. He said that they propose to alleviate that impact by not using signage or monikers that are associated with marijuana. He went on to address the impact of bringing marijuana to the community, and stated that the product is already in Sweet Home, and that their store will take customers away from black market sales. He continued to say that marijuana is an alternative to opioid use, and that they have customers that use marijuana in this fashion because it is legally available to them now. He explained that the OLCC (Oregon Liquor Control Commission) regulates all types of marijuana, and that there is no difference between medical marijuana and recreational marijuana. He went on to explain that OMMP (Oregon Medical Marijuana Program) members can buy marijuana and not pays sales tax, but the products are the exact same products being sold recreationally. He explained that the OLCC used to have restrictions on recreational products but they have been lifted. He said that he plans on selling all OLCC marijuana and products, including recreational and medical, but didn't want to pursue the medical uses debate. He said that they plan to provide a positive impact through low-key marketing and presence and not selling products that are incredibly high in THC contents. He then spoke about community involvement and the impact therein. He explained that he isn't just referring to paying property taxes; he is referring to doing everything they can to overcompensate for being a pariah, and being viewed in a negative fashion. He said this included things like participating in a diaper drive, volunteering with Habitat for Humanity, and school supply fundraisers. He said they had sponsored school Art Council beautification projects in Lebanon. He said that they don't just do these things because they want to, but because they feel they have to, in order to overcome the stigma of being "stoners selling weed to other stoners." He said they are business professionals and a family of conservatives. He explained they won't do newspaper ads, flyers, or hand bills and that they would have a uniform and aesthetically pleasing property as you come into Sweet Home. He said that tourists would not be able to identify them as a marijuana store. He concluded with saying that on the topic of bringing marijuana to a community, marijuana is already here, just in a different form.

**Commissioner Stephens** asked if the building sketch has been changed since he removed the bakery component.

**Sven Roberts** explained that it had been changed. He said he removed the verbiage and the security cameras that were on the interior of the second floor. He said the second floor exists in its present form, but he removed the commercial hood and safes for the products. He said there is a kitchen there because it was a residential apartment. They don't currently have a use proposed for that space.

**Commissioner Stephens** asked if the retail store was going to be ventilated so that marijuana fumes do not exit the store.

**Sven Roberts** explained that it would be one of the physical impacts he had mentioned. He went on to say that the OLCC does not allow for any marijuana fumes to exit the store and be detectible within fifty feet of the building. He said that they use ion chargers that create ozone within the building that drops all of the smell particles to the ground that they literally clean up and wipe down in the store every day. He said that there is no smell outside their store in Lebanon whatsoever, and in fact, if someone came into the building there would not be much of a smell, even inside the store.

**Commissioner Stephens** asked if they would be selling bakery products, but not producing them there.

**Sven Roberts** explained that they would be selling baked goods. He said that even if they did bake their own products, they would have carried other edible products that contain either THC (Tetrahydrocannabinol) or CBD (Cannabidiol); the non-psychoactive component of the plant.

**Commissioner Stephens** asked if the area in the back was going to be used for parking and if it was gravel.

**Sven Roberts** explained that they need to research two options, a chip seal option or asphalt, and what can be approved by the City of Sweet Home.

**Commissioner Stephens** asked about the plot plan, and how it shows landscaping along the Pleasant Valley Road side, and asked if he thought about putting in sidewalks for safety.

**Sven Roberts** explained that he hadn't, but he did see the comments in the memorandum about roadside improvement, and reiterated that he is in a position to go above and beyond so that they can improve the property and be a positive contributor to the town. He said that if it takes him putting in a sidewalk then they would definitely do whatever is required with the City permit process.

**Commissioner Stephens** said he wasn't sure of the requirements, but he has concerns with safety in that area.

**Commissioner Herb** said he had similar concerns, around landscaping provided visibility and sidewalks for safety.

**Commissioner Wolthuis** asked if there were any more questions and dismissed the applicant.

**Testimony in Favor: None** 

### **Testimony in Opposition:**

Hayward Bella stated that he was a retired Army Sargent Major. He explained his whole life was spent fighting against drugs. He said he realized they are not deciding on if there can be marijuana in Sweet Home or not. He said that if he was a general in the military, or if he was the commander and chief of a foreign army, if he wanted to invade the United States of America, he'd pass out joints (marijuana cigarettes) all around, and crack/cocaine. He said it would be really easy for him to march his troops in and take over the city. He said that he lives in the area when there are a lot of cougars sited, so when he goes for his runs, he drives into town and parks in a public place and runs a few miles each day and there are no cougars, but the marijuana is everywhere. He said that the applicant should be asked if he has ever heard of the progression in the marketplace. He continued to say you start out smoking a joint, and the next thing is crack/cocaine or some opiate. He said he came there after spending several hours at MANA to feed the homeless, and he knows some of these people. He said it is a nice town and the reason he lives here is because it reminded him of his hometown in Indiana. He said if they are going to smoke marijuana, they are going to do everything else. He said that there were a record number of deaths in the last year from drug use. He said when he runs down the sidewalks in Sweet Home, it's impossible without running into people who are down and out. He said that the community's productivity will start going to hell when it is introduced to drugs because they are high all the time and it will snowball. He explained that he saw it all in the army. He said there is crack/cocaine up and down Main Street. He said that he calls the Federal Bureau of Investigation about once a month and asks them when they are going to start enforcing federal law again. He said someone should ask the applicant what happens if the federal government doesn't give their approval. He said that there are a lot of good people in this town and that if the marijuana is around it will be detrimental to many people. He said he can answer any questions and give reasons. He said there is no federal law allowing the use of drugs, and there is still the DEA (Drug Enforcement Administration.) He ended with saying God bless America.

**Bonnie Neal** said that she grew up in Sweet Home and graduated from Sweet Home. She explained she moved away, but came back recently and was shocked that marijuana was allowed. She explained that she was in the truck driving industry and that it can cause people to lose their jobs. She said it is a dangerous drug for operating heavy equipment. She said she understands some people think they need it medically and she feels sorry for them because they think drugging their brains is a way to improve their lives. She said she knows for a fact that it is not allowed under any driving conditions. She said those who drive from Sweet Home to Lebanon to purchase a product, that they know is bad for their driving habits is a very negative thing. She said it is negative for Sweet Home, that there is already one store and there

is no need for another one. She explained that there are many ways to get into business. She said that it is a fact that drug people give drugs to younger people. She said there is a drug program at the high school. She said that if you want to have a business in Sweet Home you have to have a viable workforce that can pass a drug test because the insurance companies insist on it. She said if there is already one store, why they would need another one. She thanked the commission for their time.

Natalie Altermatt explained that she has been a teacher, she has been in the Army and she is currently a serving member under the Army Reserves with Sargent Major (Hayward Bella). She explained that the military drug-tests people regularly. She said that if you fail a drug test you lose your security clearance and are kicked out of government. She explained that it is illegal and there are compelling reasons why the Army does not want people who use pot in the military or handling sensitive work for the government. She said it doesn't make anyone smarter, more ambitious, more successful or more productive as already stated. She said as far as low impact and low key, a business could start out that way but there is no guarantee they will continue in that model. Once approved, they get to make their own business decisions. She said that the owners have carefully selected facts about Lebanon, but Lebanon is not Sweet Home. She said Sweet Home may produce an entirely different clientele than what they have experienced in Lebanon. She said they are a business, they are not a nonprofit, they are not a community service, and they are not here to help the community of Sweet Home, although they will be the face of Sweet Home. She said that if people are not aware this is a marijuana shop that could present problems. She said that as far as eradicating the stigma, she wouldn't want any of her kids or anyone she cared about using this product and to eradicate the stigma and normalize it, you are ensuring that you have a wider audience. She said bringing pot to the Sweet Home community may produce problems and that you can help the community in other ways. She said she is not convinced that a business like the one proposed and the taxes they pay are going to mitigate the lower productivity, potential job loss and even child neglect, so they may need a few diaper drives. She thanked the commission for their time.

### **Neutral Testimony:**

Theresa Howard stated that she does not believe that Marijuana is a gateway drug. She explained she will be sixty-seven years old in several days and has never used cocaine, or crack cocaine. She said she has never used opium or heroine, but she has used marijuana for many years. She explained that she is a mother, a grandmother and a great grandmother. She said she is a good cook, she cleans her house and she pays her taxes. She said she is a good person. She explained the federal government holds the patent on marijuana so they will play both ends. She said it is legal in Washington DC and that is a fact. She stated that people don't just sit around and get stoned. She said she doesn't get stoned because she uses medicinal marijuana with a higher CBD content instead of THC content. She explained that she doesn't ingest the THC that makes her stoned. She said that Sweet Home needs recreational and medicinal marijuana sales, and at least the money would be staying in Sweet Home.

#### Rebuttal:

Sven Roberts explained that he believes that those were all very valid concerns that were brought up. He said he would first like to address the gateway concept to marijuana. He said he does not have verifiably research to prove that point because until recently, conducting research was illegal. He explained that there is not enough data to argue those issues. He thanked anyone present for their service, stated that America is a great country and said that the protection of those freedoms is something he appreciates tremendously. He explained that the US Army is the first of the armed forces to approve the study of the use of marijuana as a treatment for PTSD (Post Traumatic Stress Disorder.) He said that he does not believe the concept that marijuana is a product that will push people into crack/cocaine or opiate use is valid. He thanked Theresa Howard for her testimony and stated that he didn't know her but wanted to thank her. He said that he does not use marijuana to get high; he uses a similar CBD product for sciatica and herniated disks. He said he prefers a microbrew every now then, but he is not a drinker. He said that in regards to the stigma and normalizing, he will try to remove the stigma from their personal business and location. He stated he does not feel that a monopoly is healthy for any community and he understands that while an approval could be granted it does not necessarily guarantee future practices. He said he is not aware if there is a way the City could come back and hold him to that based on his Conditional Use request. He said that he understands the point and he would like to reiterate that his business model would not include those methods. He said that it wouldn't just be from the goodness of their heart. He said in order for them to attract their target market they would have to appeal to their target market. He said without making reference to anyone, his target market looks like a lot of the people in the room. He said that they don't sell weed to the stoner kids who wear the hoodie and the sixty-million piercings. He said that group of people can't afford the products he proposed for this store. He said his client base is much older, his average client is over thirty-five years old. He said he has many clients that are in the sixty and seventy year range. He said to appeal to that target market they cannot be using flashing neon signs and offensive marketing measures. He said they have to do it in a fashion that would appeal to their demographic. He said that if his marketing or store would turn away everyone in the room, then they would not be in business very long. He said the only way they will be in business is to continue doing things the way they do them now, which is to appeal to the people in a manner that is socially acceptable to that group. He said that is actually how they would maintain profitability as well as the positive impact. He said without the positive impact they will not be profitable. He said he wished he had more data but he must state that it simply does not exist, not even to the negative. He asked if anyone had any questions for him.

**Natalie Altermatt** asked if there is not enough data to say that marijuana isn't a gateway drug, should they just hope that it isn't. She said that in regards to the US Army study, PTSD being treated with Marijuana is not currently serving service members. She said it would probably be for some pretty extreme cases. She said that it is not a study she has heard of but the fact remains that the military has compelling reasons for saying they do not want people who are using this product, as well as a lot of other job opportunities. She explained that there are many professions that the use of this product eliminates for users, opportunities for medicine,

doctors, nurses, airline pilots, surgeons, and a lot of different high level positions. She said people who use this product are not going to be able to get a lot of jobs. She said there is already a medicinal marijuana dispensary in Sweet Home so people who need that medicinally do have an option.

#### **PUBLIC HEARING CLOSED AT 8:28PM**

Planning Commission discussed the applications.

#### **Concerns and Considerations:**

This is the third marijuana related application.

This will be the second marijuana facility.

It is a new business in Sweet Home.

There are pros and cons to the issues, two sides to it.

There are safety concerns and a need for sidewalks.

It is a dangerous intersection.

Sidewalks can be put in when the City requires it.

Marijuana is still illegal in the United States.

Some States made it legal at the State level.

The Commission and Council have already made decisions on recreational marijuana.

The decision for this Conditional Use Request needs to be based on findings of fact.

Personal preferences and bias need to be put aside and dealt with what needs to be dealt with in regards to the City of Sweet Home at this time, which has been approved by the voters.

Appreciation for the testimony given was shared with visitors.

Commissioner Herb moved to approve the Conditional Use Permit submitted by Modern Forest, LLC to locate a retail marijuana store in the existing building at 150 Main Street, also known by Linn County Assessor's Map 13-1E-31BB Tax Lot 1100, based on the Findings of Fact in the Staff Report and the Applicant's Amended Conditional Use Application Narratives dated September 20, 2017 and testimony submitted at the public hearing, with the following conditions of approval;

- 1. The proposed marijuana retail store shall be located within the existing building located on the subject property and identified as the "main building" on the applicant's plot plan. The proposed marijuana retail store shall be limited to the activities evaluated under this application as amended on September 20, 2017.
- 2. No odor and no exhaust containing THC shall be permitted to leave the subject property.
- 3. Prior to operation, the applicant shall obtain all required local, state, and federal permits. The property owner shall obtain all necessary permits from the Building Division and Engineering Division. These permits may include, but are not limited to: building, electrical, mechanical, and plumbing permits from the Building Division and a new or amended access permit from the Oregon Department of Transportation (ODOT) if needed. The applicant shall obtain all necessary permits from the Oregon Liquor Control

Commission (OLCC) and the Oregon Department of State Lands (DSL) for driveway improvement work. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU 17-04.

- 4. The use shall be operated so that no emissions of marijuana odor are permitted to leave the subject property.
- 5. Prior to the issuance of building permits and/or operation of the proposed use on the subject property, the applicant shall demonstrate that adequate parking is available as required by SHMC Section 17.08.090. The parking lot shall be constructed in compliance will all applicable sections of the SHMC, including but not limited to all Storm water drainage, surfacing, and dimensional standards. The applicant may reduce the amount of floor space used for particular uses on the property, including retail and storage use, if needed in order to better accommodate required parking on the property.
- 6. Any sign used to advertise the proposed use shall comply with the sign standards listed in SHMC 17.96 as well as any applicable Oregon Department of Transportation (ODOT) requirements.
- 7. The conditional use permit shall be void one (1) year after the date of the Planning Commission approval if the use has not been substantially established, as defined under SHMC 17.80.070(A), within that time period. The City Planner may grant one extension of up to one year for a conditional use permit that contained a one year initial duration upon written request of the applicant and prior to the expiration of the approved period. Requests other than a one year request made prior to the expiration of the approved period must be approved by the Planning Commission. A conditional use permit not meeting the above time frames will be expired and a new application will be required.
- 8. When the City determines that sidewalk improvements are required adjacent to Pleasant Valley Road and Highway 20, the applicant shall not remonstrate.

It was acknowledged by the Commission that the recommended conditions of approval listed in the staff report would be used; however, they would remove those portions of the conditions that reference a bakery since the bakery component of the application had been removed.

Commissioner Wilcox seconded the motion.

**Question was called** 

Aye (4)

Commissioner Stephens, Commissioner Herb, Commissioner Wolthuis, and Commission Wilcox

. (0)

Nay (0)

Abstained (0)

**Motion Passed 4 Ayes to 0 Nays** 

**DISCUSSION CLOSED AT 8:39PM** 

**WORK SESSION OPENED AT 8:45PM** 

## **Sweet Home Municipal Code Update**

Contract Planner John Morgan explained the process of the code update and reviewed the code audit process. He explained that they will be reviewing Chapter 16 of the Sweet Home Municipal Code. He reviewed the recommendations and explained that they will be review the substance, editing and blending of the municipal code chapters. He explained the Planning Commission will review the zoning standards, the process and the blending of Chapter 16 and Chapter 17 of the Sweet Home municipal code. He explained Council wants a draft of the update by the first of the year (2018). They reviewed the document "Title 16 Revision First Draft." He explained that Chapter 16 addresses subdivisions and divisions of land, as well as public infrastructure. He reviewed the document with the Planning Commission and explained there are three levels of review; the first level is the easy corrections, such as editing, correcting language, and bringing the code up to date to reflect State law. The second level is more substantive, like updating policies and philosophies of the City and how they are approaching development. The third level is the big policy issue, for example, tiny homes, where you have a whole new arena of thinking and how it fits into the City's development code.

**Discussion:** Series Partitions

**Concerns Included:** People creating a subdivision without meeting subdivision requirements **Ideas Included:** Standards that require large lot partition to submit a re-division plan for future

development

**Discussion:** Easements and Engineering Standards

**Concerns Included:** Keeping Engineering Standards in the Engineering Department;

Maintenance of retention areas

**Ideas Included:** Pull the public works and engineering standards out of the development code and put them into the Public Works design standards; Reference those standards in the code; Add language to include provisions for the perpetual maintenance of the facility in perpetuity

**Discussion:** Franchise Agreements

**Concerns Included:** Already existing agreements between the City and Franchise Utilities such as Pacific Power, Natural Gas, and others; keeping this language in the code is redundant; It hinders the Council from negotiating the agreements

**Ideas Included:** Make reference to the agreements in the code

**Discussion:** Tentative Plan and Pre-application Review

Concerns Included: Code distinguishes between subdivision and partition; Pre-application

meetings are valuable for developers

**Ideas Included:** Require pre-application meetings for all land division actions, except partitions, where the Planner may still require a pre-application meeting at their discretion; Create a separate section for re-plat actions.

**Discussion:** Requirements for submitted documents

**Concerns included:** Better to overstate or overgeneralize requirements in code

**Ideas Included:** Keep generic so there is a possibility of changing requirements in the future,

such as adding language to allow requirements to be determined as necessary

**Discussion:** Re-platted Subdivisions

**Concerns Included:** Need to specifically address the requirements

Ideas Included: Add in the section

**Discussion:** Procedure and Noticing

**Concerns Included:** Remove the notification list from the code; Surrounding property owner

notice radius is too small

Ideas Included: Extend surrounding property owner notice area to three-hundred feet

**Discussion:** Partitions

**Concerns Included:** The surrounding property owner notice radius is too small.

Ideas Included: Simplify the language; Extend surrounding property owner notice area to three-

hundred feet.

**Discussion:** School Capacity

**Concerns Included:** State Law does not allow local jurisdiction to use school capacity as a factor in approving a subdivision; School districts are required to plan in accordance with the City

Comprehensive Plan to accommodate growth and development

Ideas Included: Remove language

**Discussion**; Partition Criteria

**Concerns Included;** No current criteria for partitions exists.

**Ideas Included;** Add criteria for partitions.

**Discussion:** Subdivision Criteria **Concerns Included:** None

Ideas Included: Do not change.

**Discussion:** Appeals

Concerns Included: The appeal period is longer than the state minimum; Twenty-one days is a

long time for an appeal period

**Ideas Included:** Change the appeal period from twenty-one days to twelve days

**Discussion:** Development Phasing

**Concerns Included:** The language is complex and specific **Ideas Included:** Change the language to be less specific

**Discussion:** Duration of Tentative Plan Approval

**Concerns Included:** Timelines to file a Plat is limiting development

Ideas Included: Extend the timeline from twelve months to twenty-four months

Page **11** of **13** 

**Discussion:** Text Elimination and Changes **Concerns Included:** Language is complex

**Ideas Included:** Simplify the development language and streamline the process

**Discussion:** Signatures on Plat

**Concerns Included:** Final plats need to come back to the Planning Commission **Ideas Included:** Streamline the process and have the planner sign the plat

**Discussion:** Improvements

Concerns Included: Provision allowing filing of bonds for improvements

**Ideas included:** Raising the assurance from one-hundred and fifteen percent to one-hundred

and twenty-five percent

**Discussion:** Property line adjustments **Concerns Included:** Language was complex

Ideas Included: Clarified and simplified language for streamlining the process

There was general discussion on continuing work sessions in public meetings to move forward quickly on the code update.

**CEDD Jerry Sorte** asked the Planning Commission if he can read the Conditions of Approval back to the Planning Commission for verification of the changed language in the staff report before drafting the decision notice for the **Conditional Use Permit 17-04.** The purpose would be to remove references to the bakery.

**Condition 1:** Removing the word "Bakery"; Removing the word "Attachment" and an amended date to read as "The proposed marijuana retail store shall be located within the existing building located on the subject property and identified as the "main building" on the applicant's plot plan. The proposed marijuana retail store shall be limited to the activities evaluated under this application as amended on September 20, 2017."

**Condition 2:** Removing the reference to the bakery; and amended to read as "No odor and no exhaust containing THC shall be permitted to leave the subject property."

**Condition 3:** This is catch-all language; that requires the applicant to obtain all other applicable local, state, and federal permits. Language will not change from original condition listed in the Staff Report.

**Condition 4:** Shall be amended to read as "The use shall be operated so that no emissions of marijuana odor are permitted to leave the subject property."

**Condition 5:** Language will not change from original condition listed in the Staff Report.

**Condition 6:** Language will not change from original condition listed in the Staff Report.

**Condition 7:** Language will not change from original condition listed in the Staff Report.

**Condition 8:** Add a condition of "non-remonstrance" to read as "When the City determines that sidewalk improvements are required adjacent to Pleasant Valley Road and Highway 20, the applicant shall not remonstrate."

All four commissioners present agreed that the language read back to them was in accordance with the decision and the conditions they had made in the motion of the hearing held that night.

### **PUBLIC MEETING CLOSED AT 9:43PM**

To the best of the recollection of the members of the Planning Commission, the foregoing is a true copy of the proceedings of the Public Hearings of September 20, 2017.

Henry Wolthuis, Interim Chairperson
Sweet Home Planning Commission

Respectfully submitted by: Katie Wilcox, Planning Assistant