

COUNCIL BILL NO. 2947

ORDINANCE NO. 2514

AN ORDINANCE TEMPORARILY PROHIBITING THE LOCATION OF MEDICAL MARIJUANA FACILITIES WITHIN THE CITY OF WOODBURN AND DECLARING AN EMERGENCY

WHEREAS, in the 2013 Special Session, the Oregon Legislature approved House Bill 3460 which creates a medical marijuana registration system and allows for medical marijuana facilities to be located in areas zoned for commercial, industrial, or mixed use; and

WHEREAS, House Bill 3460 also includes specific restrictions on the location of medical marijuana facilities related to proximity to schools attended by minors and to other medical marijuana facilities; and

WHEREAS, this use and these restrictions are not currently included in the Woodburn Development Ordinance "the WDO"; and

WHEREAS, the City has received inquiries regarding siting of medical marijuana facilities in commercial and industrial zones within the City; and

WHEREAS, the Woodburn City Council believes that siting medical marijuana facilities within the City absent zoning regulations endangers the health, peace, and welfare of the City of Woodburn; and

WHEREAS, the adoption of this ordinance will allow the City the necessary time to complete amendments to the WDO to add zoning regulations for medical marijuana facilities, a process expected to take up to four months; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Effective immediately no person shall site a medical marijuana facility (as described in House Bill 3460 of the 2013 Oregon Special Legislative Session) within the city limits of Woodburn.

Section 2. The prohibition on siting of medical marijuana facilities shall be in effect for one hundred twenty (120) days from the effective date of this Ordinance, or until the effective date of an adopted amendment to the WDO establishing zoning regulations for such facilities, whichever occurs first.

Section 3. Pursuant to Section 401.02 E, the Woodburn City Council initiates an amendment to the WDO to establish appropriate zoning regulations for medical marijuana facilities.

Section 4. This ordinance being necessary for the immediate preservation of the public peace, health and safety since in order for the City to initiate any municipal controls over medical marijuana facilities this ordinance must take effect before the state regulations are effective on March 1, 2014, an emergency is declared to exist and this ordinance shall take effect immediately upon passage and approval by the Mayor.

Approved as to form: _____
City Attorney Date

Approved: _____
Kathryn Figley, Mayor

Passed by the Council _____
Submitted to the Mayor _____
Approved by the Mayor _____
Filed in the Office of the Recorder _____

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon