

MARIJUANA BUSINESS REGULATIONS AMENDMENTS

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Perry Salzhaner	522 SW 5th Ave, Suite 1390 Portland, OR 97204	Perry@gd-ig.com
Amy Margolis	Organ Cannabis Assoc	
✓ Meghan Walster	Pure Green	
✓ Sally Alworth	Luminous Botanicals	
✓ Abe Holderman	8 12471 SE 12th Ave	
✓ Adrian Wayman	14442 NE Morris Ct.	adriane@pdgreenbox.com
✓ Roberto Robles	52 NE Monroe St. PDX	roberto.robles@gmail.com

Submitted by
Perry Salzhauser
12-14-16

Proposed Residential Processor Amendment -- Proposed by Green Light Law Group

Amend Subsection 14B.130.040 F to read as follows:

188178

F. Residential Zone Restrictions

1. No Medical dispensary, marijuana business, marijuana laboratory, or research certificate holder may be located in residential zones RF through RH or where otherwise not allowed per City Code.
2. The residential zoning restrictions of Subsection 14B.130.040 F.1. shall not apply for applications for marijuana processor licenses that meet the following criteria:
 - a. The marijuana processor applicant does not propose to process Cannabinoid Extracts, or otherwise use hazardous or dangerous materials in their manufacturing processes, in the operation of the applicant's business;
 - b. The location proposed for licensure by the marijuana processor applicant is in a single-dwelling residential zone (RF through R2.5) governed by Chapter 33.110 of the City Code;
 - c. The marijuana processor applicant meets all other Oregon Liquor Control Commission requirements; and
 - d. The marijuana processor applicant meet all other requirements of this Chapter.

Parsons, Susan

From: Adamsick, Claire
Sent: Wednesday, December 14, 2016 4:43 PM
To: Fritz, Amanda; Commissioner Novick; Commissioner Saltzman; Hales, Mayor; Commissioner Fish; Grumm, Matt; Dunphy, Jamie; Wiggins, Rachael; Valderrama, Andrea
Cc: Council Clerk – Testimony; Salinas, Victor; Marchetti, Theresa; Goldner, Brandon
Subject: FW: James Holderman, Residential Cannabis Grandfathering for Recreational Growers

Councilmembers and Policy Staff:

Please see below testimony from James Holderman, a micro-tier grower who testified at this afternoon's Cannabis Policy Program Hearing.

Best,
 Claire

 Claire Adamsick
 Senior Policy Advisor
 Office of Commissioner Amanda Fritz
 503-823-3021
claire.adamsick@portlandoregon.gov

I am in the office Monday-Thursday.

From: DKC Screen Printing [mailto:dkcscreenprinting@gmail.com]
Sent: Friday, October 14, 2016 12:52 PM
To: Adamsick, Claire <Claire.Adamsick@portlandoregon.gov>
Subject: James Holderman, Residential Cannabis Grandfathering for Recreational Growers

Hello,

This email is for the purpose of expressing my business hurdle that I face with the recreational/medical cannabis market changes that have recently occurred. To start, I have been producing Medical Cannabis for 10 + years and have been compliant to the OHA rules from the beginning. I produce the product in a residential home that I own in the city of Portland, Oregon. The market reached a milestone of passing the dispensary law to be put into action on March 1st 2013. At this point I was able to take my business to the next level. Rather than just supplying medicine to the patients I was growing for, I was able to transfer my excess marijuana to a licensed medical dispensary so it can be sold to patients without growers.

I have turned this into my full blown occupation and have been a happy successful, tax paying small business owner in Portland.

Recently the OLCC has made a lot of changes that have influenced the medical market to make some changes as well. Some of these changes were lower plant limits within city limits and a grandfathering program for the "non-conforming" already established medical grows.

During this process I have stayed compliant in the medical market and made many changes in my business to meet the plant limits required in order to stay in business. The OHA offered a "Grandfathering Petition" for the residential medical growers who had been registered with the OHA before January 1st 2015. This petition allowed the established growers to operate under a larger plant limit than the newer residential growers who registered after January 1st 2015. The OHA has also required monthly reporting requirements in order to track the sales of marijuana to dispensaries and also monitor plant counts ETC.

The OLCC has created a Retail license that can sell to the recreational market with a tax and also sell to the medical market tax free if the patient carries an OMMP card. This completely takes away the need for a dispensary to carry a medical marijuana dispensary license. They can sell to both markets from the one OLCC license. Growers like myself under the OHA growing license will soon have no one to sell their product to once all of the dispensaries get the OLCC License. As a medical marijuana grower I can only sell my product to a licensed medical marijuana license holder.

My idea is that the grandfathered residential growers who have been a huge part of the movement in getting this whole business to where it is today, should have the ability to apply for an OLCC Micro Tier license for indoor growing for a small plant canopy in order to stay in business. The OLCC offered a Micro Tier license after the city rules went into effect. I think the City of Portland should really look at changing this rule for the better of small cannabis business owners in Portland. The state is saying that R-7 zoning is okay for agricultural use as a home occupation subject to the zoning code 33,203. I am in compliance with this zoning code and I feel I should be able to get the recreational license since I have been in business for so long. I also feel the only difference between the Recreational market and the Medical market is just a license so what is the difference really? This is an "Agricultural Use" and I am in R-7 zoning which allows this use. I would like to continue to run the small 400 Sq Ft plant canopy I have for so many years.

In conclusion I request that this email be taken very seriously. I am a small business owner in the city of Portland. I have been compliant with all cannabis laws and regulations. I pay all applicable Federal State and City taxes as a business. I am a grandfathered grow site under the OHA licensing. I am compliant with zoning code 33,203 for agricultural use as a home occupation. The only problem is the City has a rule saying residential zoning for recreational growing is not allowed.

I suggest that the OHA grandfathered residential grows are allowed to apply for the Micro Tier 1 license with the OLCC and to operate the same way they have while paving the way for this industry. I suggest those grows are required to stay under the same plant limits as the grandfathering petition allows. This way the grows are not a nuisance to the neighborhoods they are in. I suggest that the City Of Portland requests the Grandfathering Petition issued from OHA as proof that they have been a grandfathered grow and registered since January 1st 2015. This will limit the amount of residential licenses given to the people already in business so it

does not become a nuisance within neighborhoods. Following approval from the City Of Portland, we are issued a license from the City of Portland and Neighborhood Involvement to get the Micro Tier 1 license.

I feel I speak on behalf of many Craft, Small Batch growers in Portland who have helped build this industry and feel we need to be treated fairly as tax abiding citizens.

Sincerely yours,

James "Abe" Holderman

[503.515.8283](tel:503.515.8283)

dkcscreenprinting@gmail.com

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Abe Holderman

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dkcscreenprinting@gmail.com

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Abe Holderman

[503.515.8283](tel:503.515.8283)

dkcscreenprinting@gmail.com

Moore-Love, Karla

From: Mh Kincaid <JAMASU88@msn.com>
Sent: Wednesday, December 14, 2016 10:51 AM
To: Commissioner Fritz
Cc: Hales, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Novick; Moore-Love, Karla
Subject: Testimony for Agenda item 1416 Council item Marijuana ordinance
Attachments: Marijuana testimony.pdf

I have attached testimony from me, and 9 of my neighbors, for today's agenda (if there is meeting)

Thank you for considering our opinion.

Maryhelen

December 14, 2016

188178

Testimony in Support of Item 1416: Amend City's marijuana business regulations (Ordinance; amend Code Chapter 14B.130, Portland Policy Document ADM-20.01)

Mayor Hales, Commissioners Fritz, Fish, Saltzman and Novick:

I am unable to be at the Council meeting this afternoon when this item is brought before you at 3pm. I suspect the weather may interfere with many people being able to appear to testify. I spent this morning calling my neighbors and informing them of this ordinance and have listed their names below as supporting the ordinance. None of my neighbors were opposed.

We support adding the three categories of marijuana-related businesses to Chapter 14B.130: Micro-Producer Tier I, Micro-Producer Tier II, Micro-Wholesaler. We think it is important as this will allow the City's regulations to work in tandem with the OLCC's, including the ability to respond to requests for information from the OLCC about zoning and siting of these operations, as with other types of Marijuana Businesses, through the Marijuana Land Use Compatibility Statement form.

We support minor technical fixes that will help align the City Code more closely with the State's regulations, including: amending the hours of operation for marijuana businesses to 7 a.m. - 10 p.m.; striking the requirement that video data from medical dispensaries and marijuana businesses be stored off-site.

Additionally we agree with the statement in the ordinance that the regulated marijuana industry has not been accessible to microbusiness entrepreneurs because of the capital investment required to start a business. Large out of state operators have opened many businesses in our neighborhoods. To increase the opportunity for market entry for micro business entrepreneurs, we support the staff recommendation to add a new category type for marijuana businesses: Marijuana Retail Courier. This license category would allow marijuana retailers who want to make marijuana and marijuana items available for purchase solely through delivery to establish delivery businesses in the City. For many reasons this makes sense and provides service delivery to those not able to leave their homes. Creating this new category requires lifting the existing City restriction of the delivery of recreational marijuana to consumers in the City.

While this is an emerging business opportunity we hope the efficiency, cost, and effectiveness of the service delivery will be closely monitored and that Council requires a report back in 12-16 months to evaluate the new categories and the delivery service option.

Thank you and the staff for their work on this ordinance.

Maryhelen Kincaid

Neighbors who would support this testimony:

Gyrid Hyde-Towle
Emma Pletz
Sandra Hawley
Dorothy Stewart
Bruce Yano
Karen Myers
Ron Myers
Carolyn May
Larry May