

CITY OF TOLEDO

ORDINANCE NO. 1357

AN ORDINANCE AMENDING SECTIONS 17.04.020, 17.16.030, 17.20.030 AND 17.46.080 OF THE TOLEDO MUNICIPAL CODE RELATING TO THE REGULATION OF MEDICAL MARIJUANA DISPENSARIES; AND, DECLARING AN EMERGENCY.

WHEREAS, pursuant to Toledo Municipal Code Chapter 1.01, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall documentation and citation; and

WHEREAS, on November 12, 2014, the City of Toledo Planning Commission recommended approval of a code amendment to the Toledo Municipal Code Chapters 17.04, 17.16, 17.20 and 17.46 allowing Medical Marijuana Dispensary Facilities as a conditional use in the Commercial and Light Industrial Zones; and

WHEREAS, on November 19, 2014 the City of Toledo held a properly advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Municipal Code Amendment;

NOW THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

SECTION 1.

The following definition is added to §17.04.020 of the Toledo Municipal Code to read as follows and shall be placed in alphabetical order with the existing definitions and terms:

17.04.020 Definitions

“Medical Marijuana Dispensary Facility” means a medical marijuana facility registered by the Oregon Health Authority under ORS 475.300 to ORS 475.346 and that sells, distributes, transmits, gives, dispenses or otherwise provides medical marijuana to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

SECTION 2.

Subsection (J) and (K) of Section § 17.16.030 of the Toledo Municipal Code are amended to read as follows:

17.16.030 Conditional Uses Permitted

- (J) Food production and/or beverage production, where the majority of the floor space will be devoted to providing personal services or goods to the public.
- (K) Medical marijuana dispensary facility.

SECTION 3.

Subsection (L) is added to Section §17.16.030 of the Toledo Municipal Code, to read as follows:

17.16.030 Conditional Uses Permitted

- (L) Uses which are similar to those permitted outright or conditionally in the C zone and which conform to the purpose of the zone.

SECTION 4.

Subsection (L) of Section §17.20.030 of the Toledo Municipal Code is amended to read as follows:

17.20.030 Conditional Uses Permitted

- (L) Medical marijuana dispensary facility.

SECTION 5.

Subsection (M) is added to Section §17.20.030 of the Toledo Municipal Code, to read as follows:

17.20.030 Conditional Uses Permitted

- (M) Uses which are similar in character, scale and performance to those permitted outright or conditionally in the L-I zone and which conform with the purpose of the zone.

SECTION 6.

Subsection (D) is added to Section §17.46.080 of the Toledo Municipal Code, to read as follows:

17.46.080 Prohibited Home Occupation Uses.

- D. Medical marijuana dispensary facilities, whether operating illegally without a business license or registered pursuant to ORS 475.314.

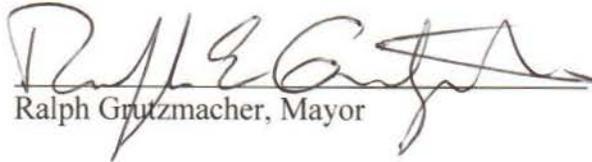
SECTION 7.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect upon its passage.

APPROVED AND ADOPTED by the City Council of the City of Toledo, Oregon on this 19th day of November, 2014:

APPROVED by the Mayor of the City of Toledo, Oregon, on this 19th day of November, 2014.

APPROVED


Ralph Grutzmacher, Mayor

ATTEST:


Nancy Bryant, City Recorder