

# The Changing Marijuana Landscape

## EARLY SALES—SB 460

### SB 460 Allows

Medical marijuana dispensaries to sell recreational marijuana from Oct 1, 2015 – Dec 31, 2016.

The Council has the option to ban Early Sales.

Does not require a voter referral.

### Taxes on Early Sales

- Prior to Jan 2016: None
- Jan 2016 – Dec 2016: 25%
- 10% of State revenues to participating cities for law enforcement.

### Schedule

- This is the most pressing area for decision due to the approaching implementation date.
- Public hearing in Sep 8th.

## GROWING, PROCESSING, WHOLESALING AND SALES—HB 3400

### HB 3400

Allows cities to ban one or all of six marijuana business activities:

- Medical processing and sales.
- Commercial growing / processing / wholesaling and sales.

If the Council bans any of the activities, the decision will go to the voters in Nov 2016 for ultimate resolution.

Ban acts as moratorium on new facilities until election occurs.

### Restrictions in Place Via Existing City Ordinance

Medical facilities cannot locate within 1,000 feet of a preschool, the McMinnville Public Library, the McMinnville Aquatic Center, and the McMinnville Community Center.

Operating hours for medical facilities restricted to between 10 am and 7 pm.

### Schedule

OLCC accepting applications for licensing Jan 4th.

Unknown how long the review process will be.

If ban implementation delayed to a point allowing commercial operation to open, that same entity would have to cease operations once the restriction is in place.

### Public Hearing Timing

Balance need for planning for interested businesses with time for public discussion.

Growing, Processing, Wholesaling and Sales: Public hearing in Oct 27th.

Time/Place/Manner: If any category is not banned anticipate time/place/manner public hearing in Nov or Dec.

## TAXATION

HB 3400 allows City to add up to a 3% sales tax independent of State tax on commercial retail.

If the Council implements a sales tax, the decision will go to the voters in Nov 2016.

What if the City bans one or more of the six marijuana business activities?

- City will not receive State revenue if it bans any of the six marijuana activities.
- City cannot implement a local sales tax if it bans any of the six marijuana activities.

For more information, contact Martha Meeker, City Manager  
[Martha.Meeker@ci.mcminnville.or.us](mailto:Martha.Meeker@ci.mcminnville.or.us).



Source: City of McMinnville

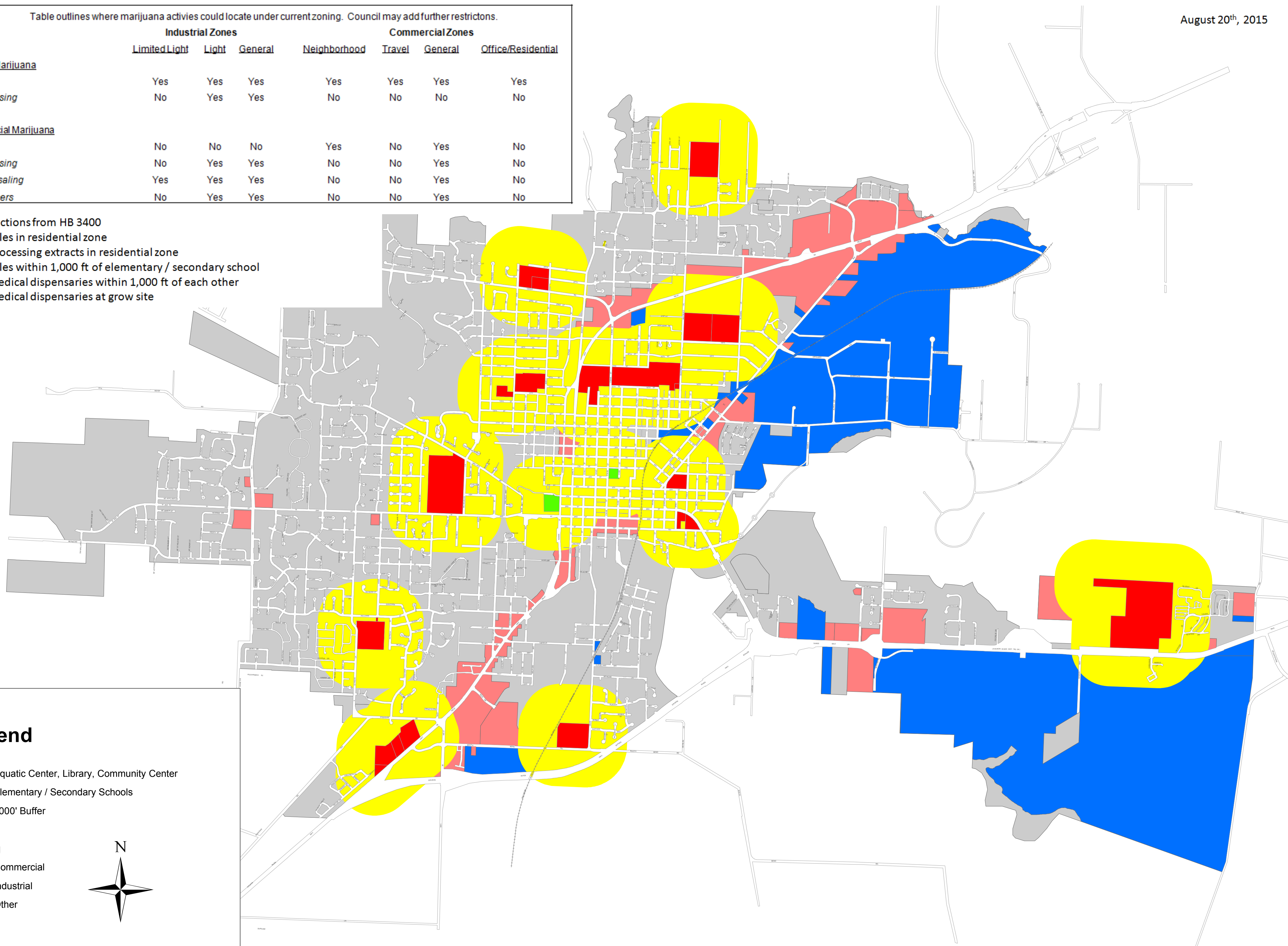
Table outlines where marijuana activities could locate under current zoning. Council may add further restrictions.

	Industrial Zones			Commercial Zones			
	Limited Light	Light	General	Neighborhood	Travel	General	Office/Residential

<u>Medical Marijuana</u>							
Sales	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Processing	No	Yes	Yes	No	No	No	No
<u>Commercial Marijuana</u>							
Sales	No	No	No	Yes	No	Yes	No
Processing	No	Yes	Yes	No	No	Yes	No
Wholesaling	Yes	Yes	Yes	No	No	Yes	No
Producers	No	Yes	Yes	No	No	Yes	No

**Restrictions from HB 3400**

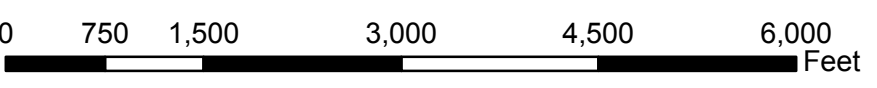
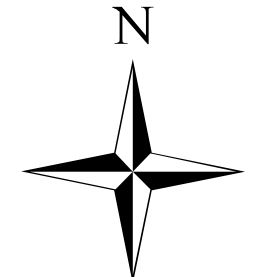
- No sales in residential zone
- No processing extracts in residential zone
- No sales within 1,000 ft of elementary / secondary school
- No medical dispensaries within 1,000 ft of each other
- No medical dispensaries at grow site



**Legend**

- Aquatic Center, Library, Community Center
- Elementary / Secondary Schools
- 1000' Buffer

- Zoning**
- Commercial
  - Industrial
  - Other



Map is for illustrative purposes only. Individuals interested in businesses development should contact OHA or OLCC.