



**POLICE ADVISORY BOARD
MEETING PACKET**

FOR

**Thursday, March 17, 2016
7 p.m.**

**Sherwood Police Department
20495 SW Borchers Drive
Sherwood, OR 97140**



AGENDA

| | |
|------------------------------|---|
| <u>Police Advisory Board</u> | |
| Date & Time: | Thursday - March 17, 2016 7:00pm |
| Location: | Sherwood Police Community Room 20495 SW Borchers Dr., Sherwood, OR |

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|------------------|
| <u>Attendees</u> |
|------------------|

| | |
|---------------------------|----------------------------------|
| P.A.B. Members: | Council Liaison: |
| Laurie Zwingli-Chair | Linda Henderson |
| Bob Silverforb-Vice Chair | City Staff: |
| Diane Foster | Jeff Groth-Police Chief |
| Sean Garland | Angie Hass-Executive Assistant |
| Dave McCart | Tom Pessemier-Asst. City Manager |
| Rich Miller | |
| Amy Miller-Juvé | |
| Chris West | |
| | |

Agenda

1. Call to Order (Chair)
2. Roll Call (Chair/Staff)
3. Approval of Minutes (Chair)
 - a. February 18th Meeting
4. Business (Chair)
 - a. Recreational Marijuana Open House Re-Cap
 - b. Staffing Study Discussion
5. Councilor News
6. Staff Report(s)
 - a. Update on Community Policing Training
7. Citizen Comment
8. Adjourn (Chair)



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Meeting Minutes



| Police Advisory Board | |
|-------------------------|---|
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| | |
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| Laurie Zwingli - Chair | Linda Henderson |
| Bob Silverforb - Vice Chair | City Staff: |
| Diane Foster | Jeff Groth-Police Chief |
| Sean Garland | Angie Hass-Executive Assistant |
| Dave McCart | |
| Rich Miller | |
| Amy Miller-Juvé | |
| Christian Verkest | |
| Chris West | |

1. Call to Order (Chair)

Chair Zwingli called the meeting to order at 7:00 p.m.

2. Roll Call (Chair / Staff)

Board Members Present: Chair Zwingli, Vice Chair Silverforb, Diane Foster, Sean Garland, Dave McCart, Rich Miller, Amy Miller-Juvé and Chris West

Board Members Absent: Christian Verkest

Staff & City Council Liaison Present: Chief Jeff Groth, Executive Assistant-Angie Hass & Councilor Linda Henderson

3. Approval of minutes (Chair)

a. January 21st, 2016 Meeting Minutes

Chair Zwingli stated that a correction needed to be made to page 3, section C, 4th line down. A motion was made by Vice Chair Silverforb to approve the January meeting minutes with correction. The motion was seconded by Amy Miller-Juvé. All Board Members voted in favor. Angie Hass will make correction and post final draft on the City website.

4. Business (Chair)

a. Discuss Options for PAB Member Replacement

Chair Zwingli stated that Mr. Verkest has not been able to join the Board Meetings for a while now and she has recently received his e-mail resignation. If approved by the Board, his resignation will be accepted. Chris West motioned to approve and Sean Garland seconded. All were in favor. Chair Zwingli will send an e-mail to the City Council to notify of vacancy.

It was brought to the attention of Chair Zwingli, by Assistant City Manager, Tom Pessemier, that a new chair and vice chair need to be chosen for the Police Advisory Board, as their term had ended. Chris West asked if there was any reason why things couldn't remain as they are. It was stated that there was not. He then made a motion to continue as is, through this calendar year. His motion was seconded and all were in favor. Laurie Zwingli will remain the Chair and Bob Silverforb the Vice Chair through January of 2017.

The Chief went over the process for replacing a Board Member and stated that some changes are currently being made to the wording for the process. Chair Zwingli clarified with the Chief if once City Council is notified, they will begin the process. Councilor Henderson stated that she would really like to see a high school student participate. The Chief said that if anyone knows of anyone in that age group, please let them know. He would also like to see a student be part of the PAB.

b. Recreational Marijuana Ballot Discussion

Michelle Miller, Senior Planner with the City, provided a PowerPoint presentation (see Exhibit "A") to the Board regarding recreational marijuana dispensaries. Michelle thanked the group for having her and also stated that the Planning Commission really appreciated the Board's participation with the medical marijuana dispensaries. Would like to invite the Board Members to participate and share a seat at the table to share insights on March 10th at 7 pm at City Hall. (See Exhibits "B" and "C" for informational handouts.)

Sean Garland asked if the moratorium until November meant no applications accepted until that time? Michelle replied that until the voters approve, applications can be submitted, but they won't go anywhere until voters have approved recreational marijuana dispensaries. Councilor Henderson asked about taxes. Michelle commented that each marijuana plant will have a # and taxes will vary, depending on different factors. There are five different license types. Most likely each one will be required to pay taxes.

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Michelle stated that similar rules that were established for medical marijuana dispensaries can also be used for recreational marijuana.

Sean Garland asked Councilor Henderson about the process for City Council and if there is a way to pull off the ballot in November. Councilor Henderson stated that they will need to have a public hearing, then notify the County in late August. City Council could possibly have a Work Session, then decide. Michelle stated that the task for now is really to decide where the City would allow the dispensaries, if they are allowed.

Chair Zwingli asked if there was a way to tell if people responding to the on-line survey are Sherwood residents or not. Michelle stated that there is not a way to truly identify. Vice Chair Silverforb asked Michelle if they would also like Board Members to attend the April work session. Michelle stated that if they'd like to be there, they could. Chris West asked to clarify that they will be assisting with time, place and manner decisions. Chair Zwingli asked if they could get a copy of the PowerPoint. Michelle will e-mail to Angie and she will send on to all Board Members, as well as include with the February meeting minutes.

c. Community Policing & Problem Solving Course Update & Summary

Vice Chair Silverforb gave a recap of a workshop attended the week before by himself, Chair Zwingli, Chief Groth and Captain Daniel. The host agency was the Grande Ronde Tribal Police and there was no cost to attend. He thought that the trainer did a great job. The two days were broken down by four topics. One subject that the four of them did a fair amount of work on, was traffic safety in Sherwood. It was determined that if they can't get the community involved, it will never get better. He shared that the group never did come up with a solution for the traffic problem. Overall, he thought that the workshop was fun and good. Passed out an interesting exercise that they had worked on in class, The Harvey Story (see Exhibit "D").

The Chief stated that the Director of Western Regional Community Policing will be coming out to do a training for the PD. If there is interest from the Police Advisory Board to have him talk about the value of community policing, he would arrange for him to attend a meeting. All is funded by the Federal Government, so would be free for us. The group all agreed that they would like to have him visit. The Chief stated that he will work on setting something up.

5. Councilor News

Councilor Henderson stated that the City Finance Director has resigned. A local firm will be working with staff until a replacement has been selected.

There are a couple upcoming Work Sessions, including a proposed conceptual plan for the area south of Edy and west of Elwert that will someday come into the City of

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Sherwood. A Community Advisory Committee came up with a plan A and a plan B. The conceptual plan was adopted. Citizens shared that they thought it was well done. Two of the reasons folks move here is because of our preserved environments and walkable neighborhoods.

There has been an update to the Noise Ordinance, regarding picketing. She then went on to explain recent picketing in Sherwood and why the ordinance update was necessary. The previous ordinance wasn't working for the residents of Sherwood. They also drafted Oregon's first targeted picketing ordinance. They can't ban picketing but can manage time, place and manner. There is a large chance it could be challenged. The goal is to be able to preserve residents' peace at home. Diane Foster stated that she read in the paper that Beaverton is also changing their ordinance. Sean Garland commented that the City Council really got it done quickly. Chair Zwingli asked what the changes were. The Chief shared that the previous ordinance was vague. The language was changed to make it more clear regarding the description of "annoying". It was mentioned that bull horns were never allowed, except in cases where they have a Noise Variance. Councilor Henderson explained that the picketers targeted Sherwood because the ordinance was vague. They are hoping that change will make a difference.

They are still trying to find a business to rent space at the Arts Center. Councilor Henderson asked the Board to help get the word out. The space can be used for retail or office. It would help to provide revenue to keep the Arts Center open.

6. Staff report(s)

a. Update on Staffing Study

Assistant City Manager, Tom Pessemier, shared how the police staffing study was going. The results aren't in yet and Matrix is still working on a draft of the study. They should have the draft by next Monday or Tuesday. There will be an internal study, only, for the draft. The intent will be to review and make sure there aren't typos or things missed. The draft will then be turned in to final draft which will be turned in to the City Council and then available to the community. There will be a Work Session in the Council Chambers where Greg from Matrix will give a two hour presentation and answer questions. Chair Zwingli asked if community members will be able to ask questions. Tom stated that he will need to double check on that. The study should be out by the 15th for everyone to see. Chair Zwingli commented that Greg had wanted data and asked Tom if he felt that Greg had received enough data. Tom stated that he believed that Greg was happy with what he got. They ended up getting over 300 completed community surveys as well as input from the folks that attended the Community Input Dessert. He felt that Greg was able to get exactly what he needed.

The Chief then reported recently pulled social media #'s for the Police Department. The SPD FB page had 2,161 likes. The largest audience is female, 35-44 years of age. There have been 20 Tweets on Twitter, up 300%. The profile received over 1,100 visits.

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As of 2/16 there have been 1,500 downloads of the SPD App, 55% are on Android, 43% on Apple. The App has been opened 2,024 times, 684 Jan-Feb. Sean Garland asked if the PD was getting much info back – interactive. The Chief stated that they receive a couple messages a month and are still receiving some that should go to Dispatch, not the App. Something that needs more immediate attention, shouldn't go through the App.

Chris West stated that one thing that has intrigued him was his Homeowners Association's FB page, as it is turning out to be an amazing policing assistance. This FB page alerts neighbors about suspicious cars, people walking around, etc. He asked the Chief if he was aware of other Homeowners Associations that have something similar. The Chief stated that he is not aware and would like to get info on Chris West's Homeowners Association's FB page. The Chief explained that using social media is still very new to the PD and folks are still learning. SPD needs to reach out to get connected to the local Homeowners Association pages. Christ West stated that his neighborhood is "Arbor Glen".

7. Citizen Comment

Nancy Taylor – Commented that marijuana is here and that if the recreational dispensaries are not approved, it will open up to black market. More legalized, less black market in community.

Tony Bevel – Stated that he knows that if it passes in November, it will be a closely guarded location. This is a complex and confusing subject. He talked of a recent visit to Salem and shared that it was very interesting. If Board Members can, it would be great if they could help to educate folks on this topic.

The Chief reminded the Board Members that while serving on the Board, they cannot suggest someone votes one way or another, as it is a violation. They can speak as an individual, but not as a Police Advisory Board Member. Tom Pessemier offered some clarification. Chair Zwingli reminded the Board that they may be identified as Board Members, even if they don't specify.

Sean Garland asked questions about surveillance and security for recreational facilities. The Chief stated that he believed there is more oversight in the recreational system than in the medical. Recreational is governed by the OLCC and medical is governed by the Oregon Health Association.

Tony Bevel stated that he has no interest in buying marijuana, but feels that people have the right to if they want to.

Councilor Henderson asked Michelle about a current medical dispensary located in a nearby city. Michelle stated that they are still working through a few issues and doesn't

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know the exact date of opening. She can pass info on to Angie when an open house date has been set.

Rich Miller asked if all police departments are informed about the different dispensaries. For instance, if residents go to Tigard or Newberg and bring marijuana to the City, would they be cited? It was explained that folks are allowed to have marijuana in the City. The Chief stated that there is no notification system in place. Marijuana is legal in Sherwood. It is just not legal to sell recreational at this time.

Chair Zwingli asked the Chief about the upcoming Community Preparedness Workshop. The Chief stated that it is scheduled for March 8th and that this is one of many that will be scheduled throughout the year. They will also be putting together a snapshot video, which will be posted on the City's TV channel. They have some great volunteers to assist. The goal will be to have one workshop a quarter.

Neil Shannon announced that there will be a June 7th major earthquake, statewide drill taking place at the Sherwood PD.

8. Adjourn (Chair)

Chair Zwingli adjourned the meeting at 8:40 p.m.

Approval of Minutes:

Chair Zwingli

Attest:

Angie Hass, Executive Assistant

Exhibit "A"

RECREATIONAL MARIJUANA
LAND USE- RELATED
REGULATIONS

Police Advisory Board
Meeting
February 18, 2016

TONIGHT'S PRESENTATION

- **Marijuana Regulations Timeline**
- **OLCC Recreational Marijuana License Types and their Process**
- **Recap of Medical Marijuana Dispensaries Regulations**
- **Timeline for Developing our Local Regulations on Rec. Marijuana Facilities**
- **Public Work Session**

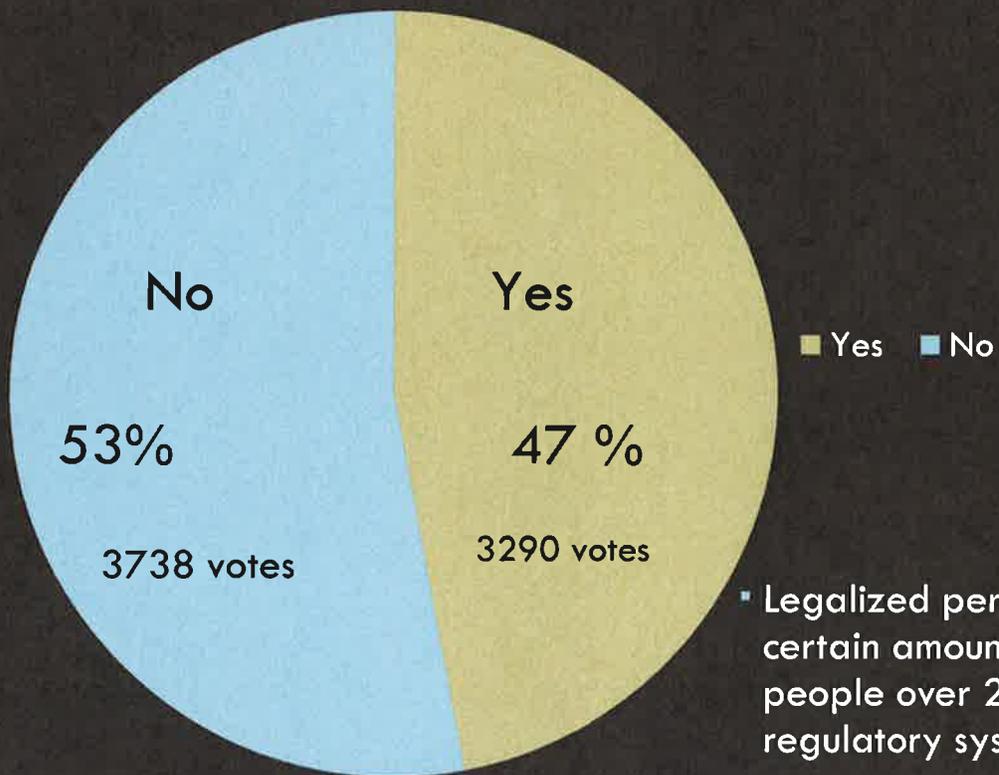
MARIJUANA REGULATIONS TIMELINE

- **November 2014: Oregon Voters passed Measure 91 – legalizing marijuana**
- **2014-2016: Oregon Liquor Control Commission (OLCC) developed regulations**
- **May 2015: City Council adopts medical marijuana dispensary regulations**

MARIJUANA REGULATIONS TIMELINE

- **September 2015: City Council voted to ban early sales of Rec. Marijuana at Sherwood Medical Marijuana Dispensaries (Ord. 2015-08)**
- **January 4, 2016: OLCC must begin accepting licenses for facilities**
- **January 5 & 19, 2016: Sherwood City Council voted to place a recreational marijuana facilities ban before voters along with a tax**

MEASURE 91-SHERWOOD VOTE



▪ Legalized personal possession of certain amounts of marijuana for people over 21 and established a regulatory system

OPTIONS FOR RECREATIONAL MARIJUANA FACILITIES IN SHERWOOD

Only the voters can ban recreational marijuana facilities.

Until voters decide, there is a moratorium on recreational marijuana facilities.



OLCC RECREATIONAL MARIJUANA LICENSE TYPES

1. **Producer:** growing and cultivating
2. **Processor:** converting marijuana to product/extract/edibles
3. **Wholesaler:** transferring and distributing quantities of product
4. **Retailer:** can sell and deliver directly to consumers
5. **Laboratory or Research:** testing facility licensed by the OLCC

RECREATIONAL MARIJUANA LICENSED FACILITIES ARE:

- 1) NOT on federal property**
- 2) NOT at the same physical location or address as a liquor licensee**
- 3) NOT at the same physical location or address as a medical marijuana dispensary, growing or processing site registered with the OHA**

RECREATIONAL MARIJUANA LICENSED FACILITIES ARE:

- 4. NOT in areas zoned Residential -
*PRODUCER EXCEPTION**
- 5. NOT located within 1,000 ft. of
school- Only applies to
RETAILERS**

OLCC REC.-MARIJUANA FACILITIES PROCESS

APPLICATION
SUBMITTED

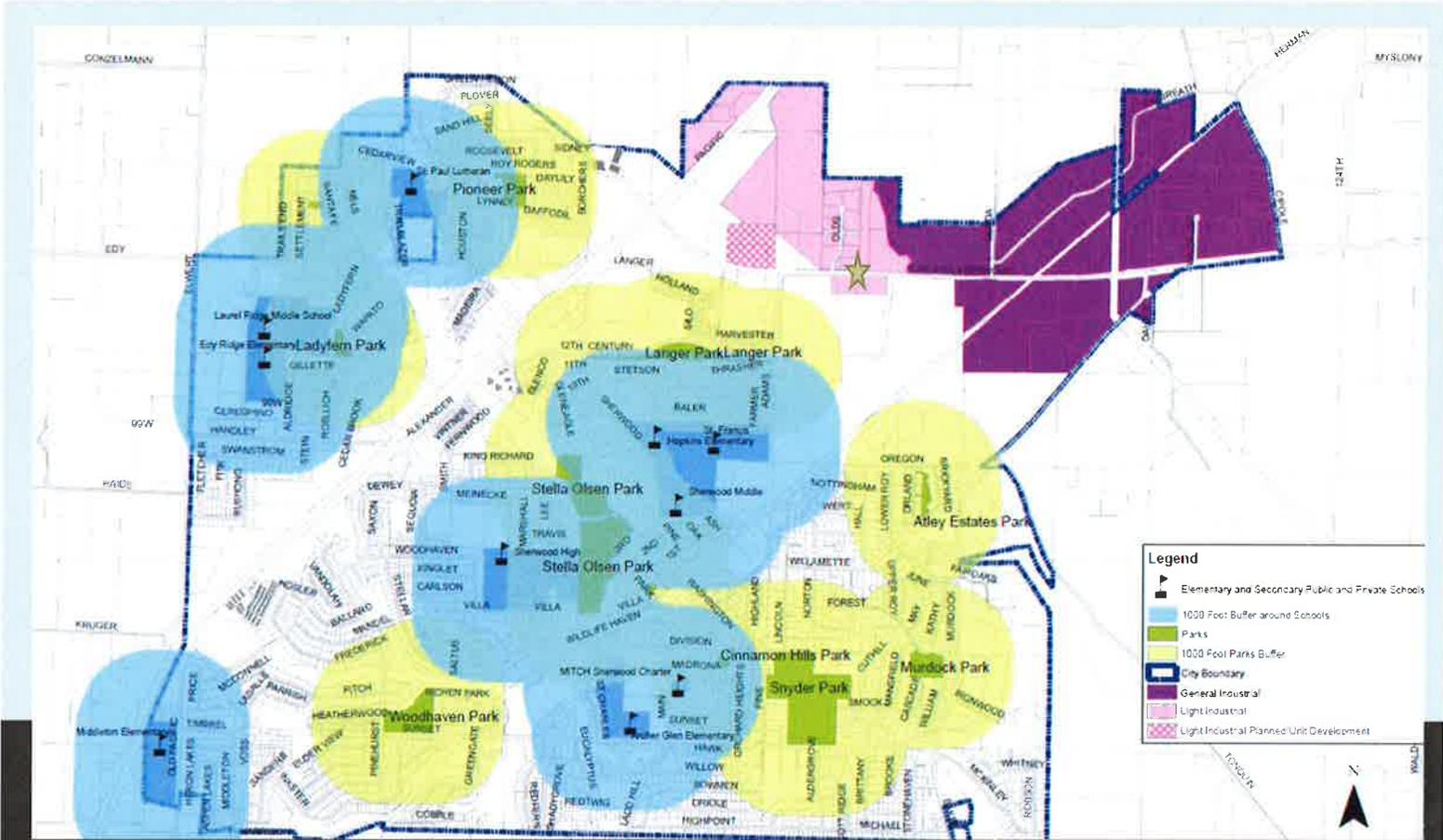
- OLCC BEGINS INVESTIGATING APPLICANT

★ Local Government
Review

- Approved/Denial
SIGNED LUCS
- OLCC COMPLETENESS REVIEW

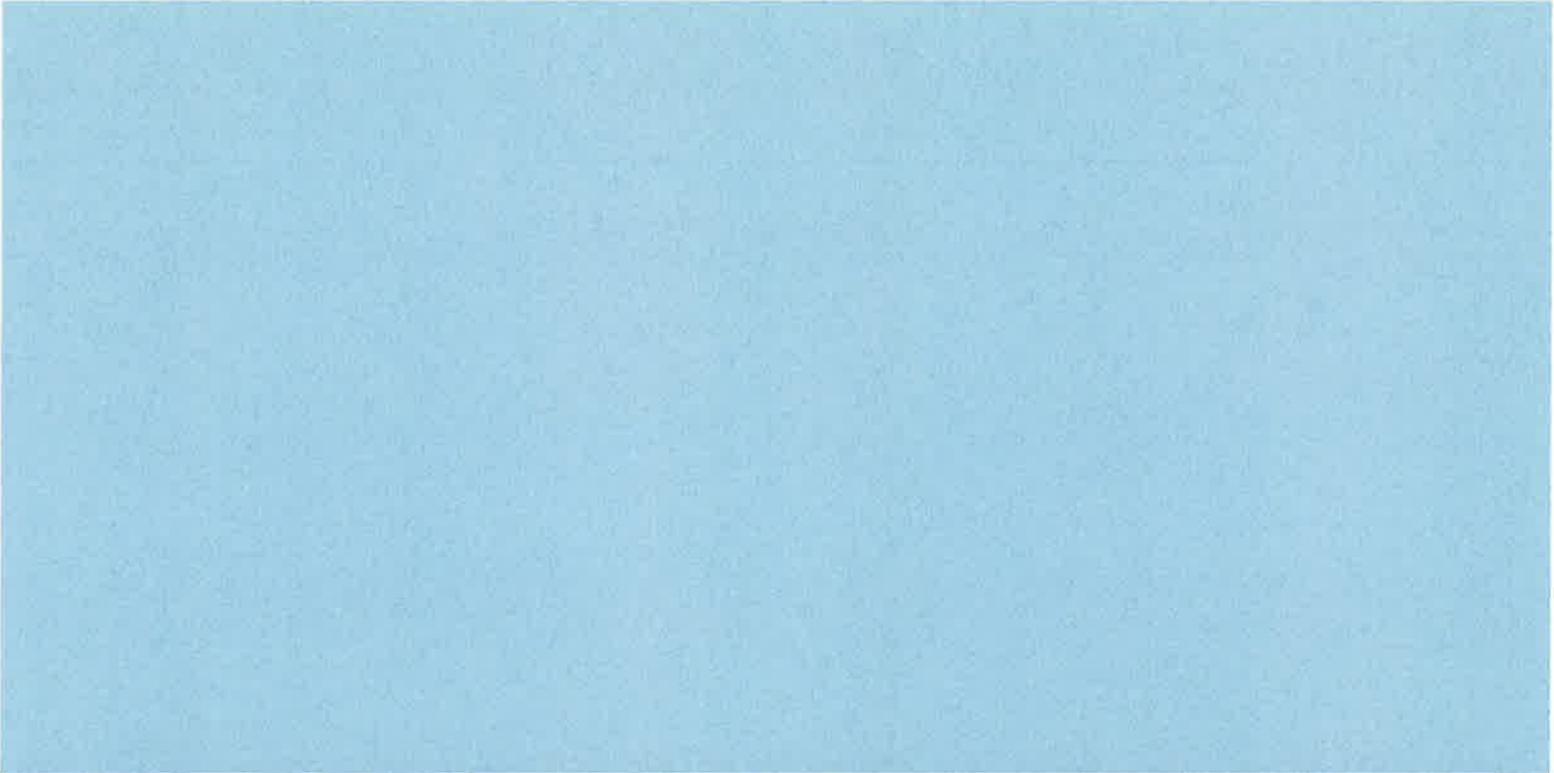
APPLICATION
REVIEW

- PREMISE INSPECTION LICENSE
FEE DUE
- LICENSE ISSUED



MEDICAL MARIJUANA ZONING MAP

| | |
|--|--|
| | |
| | |



RECREATIONAL MARIJUANA FACILITIES PLAN AMENDMENT TIMELINE

Considering Plan
Amendments to the
Development Code

PLAN AMENDMENT DISCUSSION

• Schedule and Scope

• Work Sessions

• Public Work sessions

• Joint Sessions with Police Advisory Board/Planning Commission-

- **Scheduled for March 10, 2016 at 7 pm**



• Draft Language Prepared-

• Public Hearings

- DLCD Notice and Public Notice
- Planning Commission Hearing – Make Recommendation
- City Council Hearings

- Recommendation that Legislation be in place before the November vote

COMMUNITY ENGAGEMENT

- Facilitated Meetings with the Planning Commission and Police Advisory Board
- Online surveys runs from March 1-31
- Website information
- Newsletters and Factsheets



RECREATIONAL MARIJUANA REGULATIONS

WORK PLAN

Purpose: Consider plan amendments to the Sherwood Zoning and Development Code concerning the implementation of Recreational marijuana facilities locating in Sherwood beyond the OLCC regulations.

Proposed Schedule and Scope

Planning Commission Work Session, Jan. 26, 2016

At the first session, provided Commission with the work plan/schedule developed through coordination with CDD.

Materials for Discussion at Work Session

- Work Plan
- Review Issue Paper on Types of OLCC licenses concerning Rec Marijuana

Police Advisory Board Meeting February 18, 2016

- Update Police Advisory Board on Recreational Marijuana Facilities

Planning Commission Public Work Session March 10, 2016

Joint session with Police Advisory Board and invite to Josh Soper, City Attorney, Chief Groth, Capt. Hanlon

-Info by Josh Soper regarding Ballot Measure on Ban

-Info by SPD on Potential Enforcement issue

-Planning Staff review Land use issues concerning facilities

- Online Survey questions through **March 1-31 2016**

Planning Commission Work Session April 12, 2016

- Review online survey results
- Review First Draft Proposed Language and make any changes prior to hearing

Public Hearing Dates

*DLCD Notice due **April 19, 2016**

Planning Commission Hearing May 24, 2016

**Planning Commission Hearing Available as needed: June 14, 2016: PC recommendation to Council
City Council Hearings, July 19 , 2016**

- 1st reading of Draft Language and 2nd reading as needed.

RECREATIONAL MARIJUANA REGULATIONS

ISSUE PAPER

BACKGROUND

Oregon voters passed Measure 91 in 2014 legalizing recreational marijuana. Over the past year, the Oregon legislature and the Oregon Liquor Control Commission (OLCC) have developed statewide regulations and processes in order to implement this measure. As of January 4, 2016, the OLCC has begun to accept all types of recreational marijuana license applications. The breakdown of applications is attached to this memo. (Attachment 1, Marijuana License Application Statistics as of January 15, 2016). According to the OLCC "FAQ page" there is no specific time frame regarding how long it may take to get a license. The OLCC intends to license producers and laboratories first, before all other license types may operate. This will then be followed by processors, research certificates and then retailers. It is expected to have the producers/labs licensed by Spring 2016 and for the retailers to be licensed by Fall 2016.

The Oregon Legislature made significant changes to Measure 91 during the 2015 session in HB 3400 and HB 2041. One of the provisions included the ability of local jurisdictions to "opt out" or ban all types of recreational marijuana licenses within a particular jurisdiction. The Sherwood City Council may decide to place the issue on the ballot and let Sherwood voters decide whether to ban all or one of the recreational marijuana license types. The City Council will make the decision on January 19, 2016. If the issue is placed on the ballot, there will be a moratorium in place, restricting all marijuana related businesses or facilities from locating in Sherwood until the issue is resolved by the Sherwood voters with the November 2016 election. If Council elects not to place the issue on the ballot or if voters ultimately reject the ban in November, the community will need to determine whether to further restrict marijuana-related facility locations or implement other restrictions. Additionally, it will be important to clearly confirm the permitted locations for each particular facility types. These restrictions would need to be adopted through a plan amendment to the Sherwood Zoning and Development Code.

The OLCC has begun accepting online applications for licenses to operate recreational marijuana-related facilities in Oregon. Various types of recreational marijuana businesses may be allowed in certain zones and may not be allowed in other zones. The OLCC requires an applicant to seek out verification from the local jurisdiction indicating that the proposed use is permitted within the land use zone where the facility is to be located. The required form to be completed by a local jurisdiction is called a "land use compatibility statement," commonly known as a LUCS. The OLCC will only issue licenses for those land uses found to be compatible with local zoning and part of that approval is getting a signed LUCS from the local jurisdiction.

OLCC RECREATIONAL MARIJUANA LICENSE TYPES

There are five different types of recreational marijuana licenses that the OLCC will administer as defined below:

Producer: ability to plant cultivate, grow, harvest and dry marijuana

Processor: ability to process, compound, or convert marijuana into cannabinoid products, concentrates and/or extracts

Wholesaler: can purchase large quantities of marijuana from other licensed facilities and sell the products to licensed retailers, processors, producers, other wholesalers, or research certificate holders.

Retailer: can sell or deliver marijuana items directly to consumers

Laboratory or Research: A use that tests marijuana licensed by the OLCC.

OLCC LAND USE PLANNING & ZONING SITING REQUIREMENTS

Depending on the license type, different zoning restrictions may apply. The following are the general restrictions OLCC developed this past year.

Recreational marijuana licensed facility may not be located:

- on federal property
- at the same physical location or address as a liquor licensee
- at the same physical location or address as a medical marijuana processing site registered with the Oregon Health Authority (OHA)
- at the same physical location or address as a medical marijuana dispensary registered with the OHA
- With the exception of the producer license, in an area that is zoned exclusively for residential use.¹

Producers may not be located at the same physical location or address as a medical marijuana grow site registered with the OHA unless the site is also licensed by the OLCC.

Retailers may not be located within 1,000 ft. of a public elementary or secondary school or a private or parochial elementary or secondary school.

A NOTE ON MEDICAL MARIJUANA DISPENSARIES IN SHERWOOD

Last year, the Planning Commission and City Council imposed additional regulations beyond the Oregon Health Authority (OHA) regulations for operating medical marijuana dispensaries in Sherwood.

The Planning Commission held several public meetings about regulating medical marijuana dispensaries. Community members shared thoughts, ideas and concerns about medical marijuana dispensaries. An online Medical Marijuana Dispensary Community Survey was also conducted from March 6-31, 2015.

The City Council approved the following restrictions for medical marijuana dispensaries.

- Dispensaries are limited to the light and general industrial zones only
- Dispensaries are limited to 3,000 square feet
- The hours of operation for dispensaries are limited to between 10 am - 8 pm
- Dispensaries are not allowed within 1,000 feet of a public park or plaza
- Requests for dispensaries are subject to Type II staff level land use process as a special use and requires notice to property owners within 1,000 feet of the proposed dispensary.

¹ Confirming with the Oregon Liquor Control Commission; based on OAR 845-025-2030

In September of 2015 the City Council adopted Ord. 2015-08 that prohibited the co-location of early retail and medical marijuana sales at the same location.

INTERIM SHERWOOD LAND USE ZONING BY LICENSE TYPES

Because Sherwood has not developed regulations concerning the appropriate location for marijuana facilities and the Development Code does not specifically identify recreational marijuana, planning staff in coordination with Josh Soper, City Attorney have identified locations where the various recreational licenses would likely be permitted within the City based on existing zoning regulations should the City receive a request for a LUCS signature by planning staff.

The following table shows the various OLCC recreational marijuana license categories and the corresponding commercial and industrial zones within Sherwood.

Sherwood General Land Use Categories and Zoning Designation

| Category | NC | OC | RC | GC | LI | GI | EI | Description in SZDC |
|------------------------|----|----|----|----|-----------------|----------------|----------------|---|
| Producer | N | N | P | P | P | P | P | Farming and horticulture |
| Processor | C | C | C | C | P | P | P | COM: Any incidental business, service, processing, storage or display, not otherwise permitted that is essential to and customarily associated with a use permitted outright |
| Wholesaler | P | P | P | P | P | P | P | COM: Business and professional office only without product at same location IND: wholesaling outright in IND zones |
| Retailer | P | P | P | P | P w/limitations | P- with limits | P- with limits | Retail sales-incidental retail sales directly associated with permitted use and limited to a max of 10% of the total floor area in the industrial zones *otherwise permitted outright in all Commercial Zones |
| Lab or Research | N | N | N | N | P | P | P | Research and Development and associated manufacturing |

KEY

NC = Neighborhood Commercial
OC = Office Commercial
RC = Retail Commercial
GC = General Commercial
LI = Light Industrial
GI =General Industrial

N= Not permitted
C= conditionally permitted
P= Permitted
COM= Commercial zones
IND = Industrial zones

Similar to the process and decisions developed for local medical marijuana dispensaries, the Planning Commission and Council have alternatives as they consider additional time, place and manner regulations for recreational marijuana facilities. Some alternatives include the following:

1. **Limit the number recreational marijuana facilities**
 - Allow at least 1, but no more than x number of recreational marijuana facilities in the community. This may be a gray area. Staff recommends limitations based on proximity rather than straight numbers. It will be harder to rationalize the reason for a certain number of facilities rather than the proximity to residential or other facilities for example.
2. **Limit the land use zone where the recreational marijuana facility can be located (Commercial/Industrial)**
 - Determine the most appropriate land use category for each facility type by amending the Development Code to prohibit, permit, or conditionally permit a certain type of facility in a particular zone. If the City voters do not approve a ban at the November election, then the City must allow at least each license type to be located in at least one zone within the City.
3. **Require a conditional or special use permit**
 - Require a hearing with a Hearing Officer who can make special conditions on the use-hours of operation, signage, lighting or security measures.
 - Create a new category-Special Use that allows for the decision maker to make special provisions especially for that use relating to time, place or manner (i.e. what the exterior of the building looks like, potential signage restrictions.)
4. **Limit the facility's location based on proximity to other types of uses, zones, or facilities**
 - Add a buffer that prohibits locating within a certain number of feet from a park, residential zone or anywhere children may congregate.

(For example, some jurisdictions have rules that a marijuana facility cannot be 500 ft. from a residential zone.)

5. **No Action:**

City does not regulate beyond the State regulations. The Community Development Department would likely treat the particular facility as identified in the table shown earlier in this paper.

Exhibit "D"

THE HARVEY STORY

Harvey, a 15 year-old boy, has been on probation one year for being caught breaking into a house. It was his first referral to the court, although he had been "talked to" by the police on several occasions for kicking dogs and breaking car windows in the past three months. His father abandoned his mother and two younger children when Harvey was eight years old. His mother has not been effective at disciplining Harvey, and he has run wild for several years, skipping school, doing drugs, and stealing. He has again been caught breaking into another house. At the hearing, it is learned that Harvey has seen his probation officer only once in 11 months. The Judge, having little confidence in the probation department, commits Harvey to a training school. Harvey does not like the training school. One house parent in particular treats him badly, pushing him around and humiliating him in front of the other young people. Bill, another boy in Harvey's cottage, is planning an escape. Harvey does not want to run away, but Bill coerces Harvey into doing it. They escape one night, and Bill steals a truck. They speed through a red light, hit another car, and Harvey is killed.

**INDIVIDUALLY RANK IN ORDER WHO
YOU THINK IS MOST RESPONSIBLE FOR
THIS TRAGEDY (HARVEY'S DEATH).**

PLAYERS IN THE TRAGEDY:

- | | | |
|----------------------|----|-------|
| ---HARVEY | 1. | _____ |
| ---FATHER | 2. | _____ |
| ---MOTHER | 3. | _____ |
| ---POLICE OFFICER | 4. | _____ |
| ---JUDGE | 5. | _____ |
| ---PROBATION OFFICER | 6. | _____ |
| ---HOUSE PARENT | 7. | _____ |
| ---BILL | 8. | _____ |