

April 20, 2017

The Honorable Ginny Burdick and Ann Lininger, Co-Chairs  
Joint Committee on Marijuana Regulation  
Oregon State Capitol  
900 Court Street NE, S-407  
Salem, OR 97301

*Via email to: [jmr.exhibits@oregonlegislature.gov](mailto:jmr.exhibits@oregonlegislature.gov)*

**FOR SUBMISSION TO OLIS AS PUBLIC TESTIMONY: Opposition to SB1057-11 Amendments**

Dear Committee on Marijuana Regulation:

I am writing to submit my opposition to remove any Time, Manner, and Place regulations under SB1057-11, as well as to oppose attempts to force counties or cities to opt-in legalizing marijuana farming, cultivation, production, processing, or sales, or any other related marijuana activities.

As a side note, I would also like to comment that I am not against legalization as a whole.

I am primarily concerned about the issues related to marijuana production, processing, and sales in unincorporated areas of Deschutes County. Currently there are four proposed marijuana businesses that are being opposed in Deschutes County (that I know of – there could be more; and certainly there will be more opposition as more people apply for land use permits or dispensary permits).

- 1) An application for a growing operation on five acres in Redmond, just outside of city limits. The location of this property is in a neighborhood, not far from a school, on a major school bus route, and its location is close to a property owned by the Redmond School District which would render it unusable as a future school site. As Central Oregon is growing at a fast clip, the growing community will have an urgent need for new schools; to have a proposed school site be unusable because of a marijuana farm would be a hardship for the community.
- 2) An application for a 10,000 square foot growing operation on 20 acres in an unincorporated area east of Bend, approximately 5 miles from the UGB. The location of this property is also in a neighborhood and surrounded by EFU and MUA-10 properties. While the zoning of neighboring properties suggests compatibility, not all of the surrounding properties are of similar size – they range from three acres (sharing a property line) to five acres (the entire neighborhood behind) to 20- and 40-acre parcels. Many children also live in this neighborhood, as do hobby farmers with gardens and livestock to feed their families.
- 3) An application for a dispensary in Tumalo, located near a Seventh Day Adventist church and school. Needless to say, parents are quite concerned about the proximity of a marijuana store nearby – not only for the proximity to the children, but for the added traffic, security, and type of customers the store will attract.
- 4) An application for a dispensary in Sunriver, on the way to Mt. Bachelor. Concerns range from declining property values to driving while intoxicated on the way to Mt. Bachelor to increased traffic in an area that already has had issues with accidents.

All of these cases share common concerns – declining property values, safety and security of the neighborhood, proximity to children and families, environmental issues (water, pesticides, fertilizer, waste, odor, light pollution), and increased crime.

Deschutes County barely passed Measure 91, with a 51% to 49% in favor of. However, it was widely rejected by the rural citizens of the county. As rural citizens, we are concerned that our voices have not been heard and our votes have been thrown away in favor of the people who live in town. Why a person who does not live in the neighborhood (as is the case with items 1 and 2 above) should have a vote that outweighs the entirety of the neighborhood in which they wish to establish their growing operation is beyond us. We vote. We voted. We pay taxes. We suffer the consequences of the odor, light pollution, strangers coming and going at all hours, increased traffic, threats (yes, threats!), unsightly razor wire, shipping containers, loose guard dogs, etc. For the other growing locations in our county that are currently operating (there is a well-known one in Tumalo that is out of control), there is no enforcement happening. The good citizens who play by the rules and want to live in a nice, safe community where they can enjoy their property and the great outdoors are the ones who are suffering.

Many of the citizens of the rural communities have lived here for years . . . decades. We never dreamed that marijuana would be legal. Honestly, we were here first. It is easy perhaps to say to a newcomer that they know what they are getting when moving to a rural community, as marijuana is now legal and may already be growing in any given neighborhood. But for those of us who have been here for years, we don't have that option. We can't all just up-and-move our whole lives to live where we won't be impacted by it.

Marijuana growing, cultivation, production, processing, and sales should all take place in commercial and/or industrial zoning. Period. Considering marijuana is supposed to be grown indoors, the rural landscape should be reserved for crops that are grown outdoors, or for crops that are not federally illegal. At the very least, if that is not going to happen, there should be stricter guidelines on zoning for marijuana; for example, 10+ miles from the UGB, or only in areas of similar acreage (all surrounding properties within x number of miles should be 20 acre minimum).

As I mentioned, it isn't the legalization of marijuana that I oppose, it is the current legislation which is all about the "green rush" free-for-all that seems to disregard finding a balance that suits and accommodates those who didn't vote for it.

I expect that there will be continued and increasing opposition to marijuana-related business in the unincorporated areas of Deschutes County. We are reaching out to you to ask for help to preserve the values we so cherish in our community.

We appreciate the opportunity to have our voices heard.

Sincerely,

JTM

cc: Rep. Gene Whisnant  
Sen. Tim Knopp  
Tammy Baney, Deschutes County Commissioner  
Tony DeBone, Deschutes County Commissioner  
Phil Henderson, Deschutes County Commissioner