

Deschutes County opposes any Legislative measure to eliminate or restrict time, place, manner (TPM) regulations and/or the marijuana carve out from Right-to-Farm protections as approved by the Legislature in 2016 (SB 1598).



Reasons for Opposition

1. Deschutes County would have maintained its adopted opt out ordinance without the Right-to-Farm (RTF) carve out for marijuana approved by the Legislature in 2016 (SB 1598).
2. Deschutes County regulations do not actually prohibit marijuana in the rural County. In the EFU Zone, 49 marijuana production applications have been approved and only 5 denied, a 90% approval rate of such decisions.
3. Regulations are not onerous; compliance costs and regulations are reasonable measures to mitigate odor, sustained noise, lighting, traffic, and related impacts.
4. Rural residents express significant opposition to appealed marijuana applications heard by the Board of Commissioners. Rural Deschutes County residents voted against Ballot Measure 91 with 54.6% of the vote.
5. Deschutes County's unique rural land use pattern, including the number, size, and locations of EFU and rural residential parcels, require TPM regulations to ensure compatibility between this industry and rural residents.
6. TPM protects rural residential property values through mitigating impacts.
7. If TPM regulations are eliminated, conflicts between neighbors will increase. Impacts may be unmitigated.
8. Although some have testified that Deschutes County is the problem, the County has applications, but fewer than 20 have received OLCC licenses.



CONFLICTS

New Home



New Greenhouse



- Case study of conflicts in rural areas.
- New home under construction prior to new medical marijuana greenhouse. The greenhouse is located on a 20-acre property, but built to the minimum setback in the EFU zone – approximately 30 feet from the property line.
- Significant odor impacts.
- New homeowner built accessory structures to mitigate impacts, but to no avail.
- Homeowner sold the property for far less than original value.

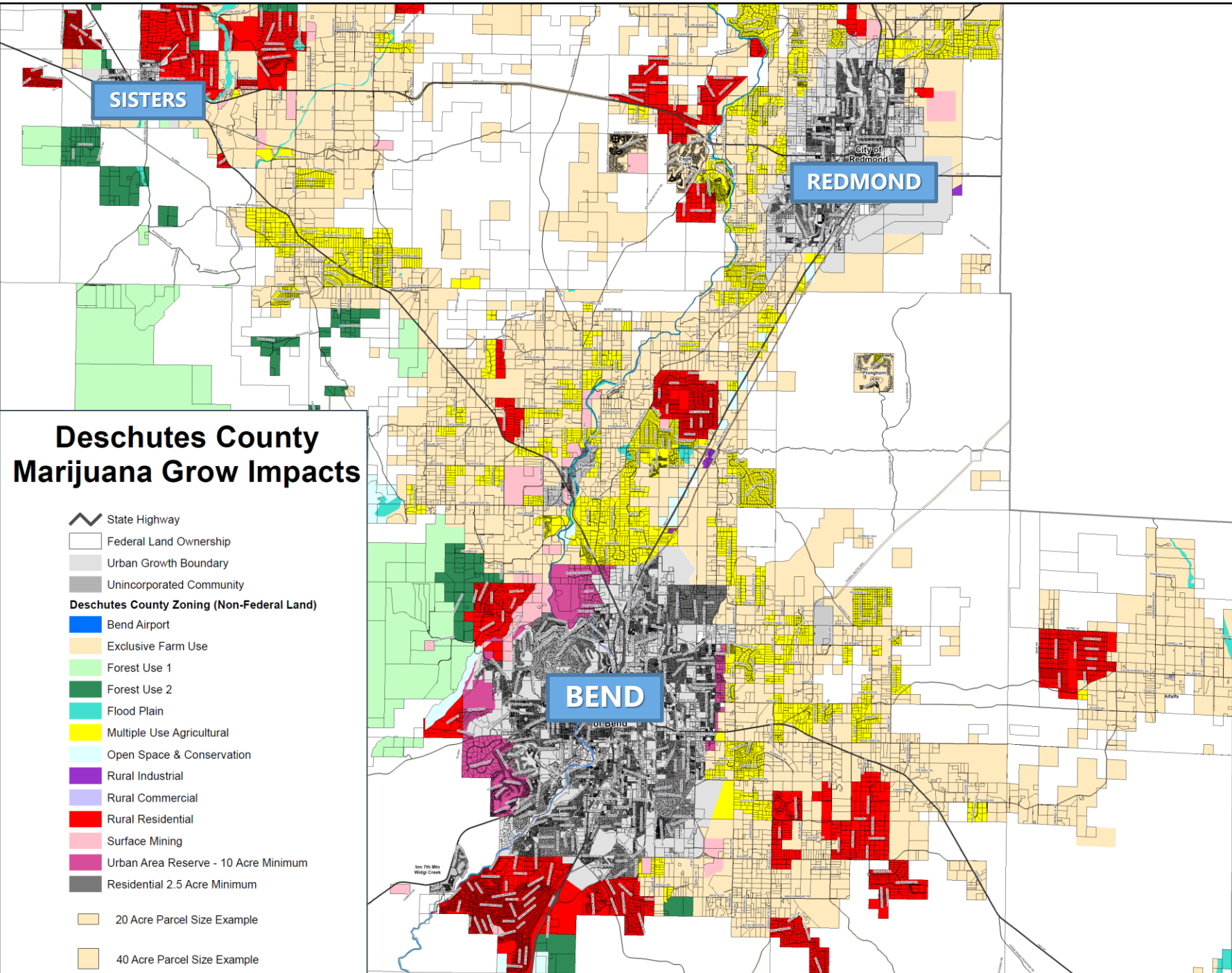


Mixed Zoning & Small Parcels

- Deschutes County has extensive rural residential zoning surrounding and inter-mixed with EFU lands.
- This map highlights the Bend-Redmond-Sisters area.

EFU Zoning

Tax Lot Size	# Tax Lots
0-5 acres	4,428
5-10 acres	980
10-20 acres	1,084
20-40 acres	956
40+ acres	966
Total Lots	8,414



Total County Marijuana Permit Statistics

- 49 Production approvals (all EFU): 90% approved
- 7 Processing approvals: 88% approved
- 3 Wholesaling approvals: 100% approved
- 2 Retail approvals: 67% approved
- 7 denials (5 production in EFU, 1 production in non-EFU, 1 processing)
- 8 Pending



Conclusion: Regulations do **NOT** prohibit marijuana

