



For Recording Stamp Only

Deschutes County Board of Commissioners  
1300 NW Wall St., Suite 206, Bend, OR 97703-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

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## **MINUTES OF WORK SESSION**

### **DESCHUTES COUNTY BOARD OF COMMISSIONERS**

**MONDAY, SEPTEMBER 28, 2015**

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*Present were Commissioners Anthony DeBone, Alan Unger, and Tammy Baney. Also present were Tom Anderson, County Administrator; Dave Doyle, County Counsel, Whitney Malkin, Public Information Officer; Nick Lelack and Matt Martin, Community Development*

*Chair DeBone opened the meeting at 1:30 p.m.*

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#### **1. Finance Update**

Wayne Lowry, Finance Director presented the Finance Update reviewing the Total Investment Portfolio as of August 31<sup>st</sup>, the August Financial Reports, the Campus Improvement Fund, and the North County Services Building Report. At this time, there is no difference between projections and actual budget. One notable item is under the Sheriff's Office report with a change in patrol with a vacancy and in adult jail with the life lock wristwatches. CDD's revenue is at 22% of the budget so far. There is a PERS Board meeting on Friday to set rates every year. The 2016/17 rates are set and they do an interim valuation every year. There are concerns coming with over turning of changed mortality values and unfunded liability meaning there may be an increase. Mr. Lowry will continue to analyze. Mr. Lowry gave a status update on the HR/Finance software system. The next step is to develop a list of references to make calls

on both Sunguard and Tyler Technologies. Site visits will be made to review implementation experiences and should be in negotiations by the end of the year.

## 2. **Work Session regarding HB 3400 Land Use Issues**

Matt Martin, Community Development Department was present to review the marijuana business decision making matrix and tables relative to retail, processing, production, and wholesaling. Discussion held on requiring locations within a rural fire district.

*Reviewed Table 1 – Marijuana Retail.* Discussion held on Sunriver Village. Mr. Martin will contact them to inquire of their opinion. Change from “P” permitted to an “\*” not allowed. Deschutes Junction and Deschutes River Woods – discussion held on communications with property owners inviting them to participate in this process.

*Reviewed Table 2 – Marijuana Processing.* Type 1 is defined as drying, curing, trimming, and packaging. Type 2 is defined as converting the product to something else. Processing may be better suited for an industrial environment as it brings in additional traffic and commercial activity. Discussion held on the permitting possibilities for each type in terms of EFU with one idea of Type 1 would be permitted and Type 2 would be permitted on a minimum of 10 acres and a conditional use permit. Discussion held on medical marijuana growers and if wanting to transition then would also need to comply. Discussion also held on existing buildings on site and the need to provide the appropriate odor control and other considerations. Discussion held on neighbor impact and setbacks.

*Reviewed Table 3 – Marijuana Production.* Production application process would be done through a Land Use Compatibility Statement.

Suggestion was for an additional column in the tables to allow for options to consider.

*Reviewed Table 4 – Marijuana Wholesaling.* Discussion again lead to changing the Sunriver town center from a “P” to and “\*” not allowed.

*Reviewed Table 5 – Marijuana Business Reasonable Regulation Decision Making Matrix.* Clackamas County was used as a resource.

- *Hours of Operation:* regulations mirrored those of medical marijuana dispensaries. Discussion held and consensus was to keep the hours of 10:00 a.m. – 7:00 p.m. in Retail. Discussion held on processing and wholesaling which should be in commercial zones so to encourage normal hours of operation due to traffic associated. Consensus for hours will be conditional use as appropriate.
- *Zones and Lot Size:* Discussion on minimum acreage and what the OLCC will require.
- *Site Plan Review:* All types will require some level of site plan review.
- *Minimum Yard Setbacks:* Discussion held on structure setbacks and odor impacts.
- *Maximum Area of Buildings:* – Discussion held on canopy size and reviewing OLCC definitions.
- *Minimum Separation Distance:* – 1,000 feet from schools - consistent with what was adopted for dispensaries. Discussion held on bullet points on the matrix. Decision was to eliminate bullet point #2.
- *Other:* processing under type 2 shall be located within a fire district – agreed
- *Lighting:* – Discussion held on compliance with Deschutes County Code 15.10 and hours acceptable for lighting. Limiting the number of hours could be enforced. Decision was for no light emitting from the building from sunset and sunrise – official posted times.
- *Buffer:* – Discussion held on using evergreens and fencing for screening with a vision of a natural screen. Need to minimize visual impact. A 6-foot cedar fence seems reasonable. Compliance with landscape management should also be a consideration. Question raised on specifying a height of 6 feet for evergreens for landscaping.
- *Odor Control:* No odor should be detectable from the property.  
*Noise:* Discussion held on decibel levels and enforcement for fans and other equipment. For times of day possibly utilize the sunrise and sunset posted times and should coordinate with Deschutes County Code 8.08.
- *Window service:* Will prohibit walk up or drive up windows
- *Secure Disposal:* Will bring Todd Cleveland from environmental soils
- *Minors:* no minors are on premises unless medical marijuana patient.
- *Water:* need proof they have adequate water supply.
- *Other:* Discussion held on electrical use, security fencing with razor wire, Work session scheduled for Wednesday to continue the conversation to further address the zone allowances. Direction to staff to draft an ordinance and to bring a sample of a LUCS.

### 3. Other Items


- With a minimal agenda for the Wednesday Business Meeting, County Administrator Anderson suggested to combine the Business meeting agenda with Work Session agenda for Wednesday, September 30<sup>th</sup> and also to include a discussion on the membership dues for the Eastern Oregon Counties Association.
- Commissioner Unger presented a letter addressed to the Resource Advisory Committee expressing support for the Deschutes Collaborative Forest Project RAC Title II grants from fiscal year 2015 funds. The letter submittal deadline is tomorrow.

UNGER: Move Board signature on the letter of support.  
BANEY: Second

VOTE: UNGER: Yes  
BANEY: Yes  
DEBONE: Chair votes yes

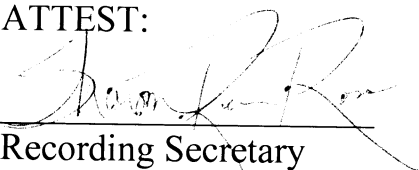
*Being no other items discussed, the meeting was adjourned at 3:18 p.m.*

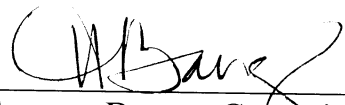
**DATED this** 28 **Day of** September **2015 for the**  
**Deschutes County Board of Commissioners.**

  
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Anthony DeBone, Chair

  
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Alan Unger, Vice Chair

ATTEST:

  
\_\_\_\_\_  
Recording Secretary

  
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Tammy Baney, Commissioner



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## **WORK SESSION AGENDA**

### **DESCHUTES COUNTY BOARD OF COMMISSIONERS**

**1:30 P.M., MONDAY, SEPTEMBER 28, 2015**

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1. Finance Update – *Wayne Lowry*
  
2. Work Session regarding HB 3400 Land Use Issues – *Matt Martin*
  
3. Executive Session under Real Property Negotiations – *Susan Ross, James Lewis*
  
4. Other Items

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PLEASE NOTE: At any time during this meeting, an executive session could be called to address issues relating to ORS 192.660(2) (e), real property negotiations; ORS 192.660(2) (h), litigation; ORS 192.660(2)(d), labor negotiations; or ORS 192.660(2) (b), personnel issues; or other issues under ORS 192.660(2), executive session.

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*Meeting dates, times and discussion items are subject to change. All meetings are conducted in the Board of Commissioners' meeting rooms at 1300 NW Wall St., Bend, unless otherwise indicated. If you have questions regarding a meeting, please call 388-6572.*

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