



For Recording Stamp Only

Deschutes County Board of Commissioners
1300 NW Wall St., Bend, OR 97703-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

MINUTES OF SPECIAL BUSINESS MEETING
DESCHUTES COUNTY BOARD OF COMMISSIONERS
WEDNESDAY, JUNE 1, 2016

A special business meeting was held at 12:00 noon on Wednesday, June 1, 2016 in the Barnes and Sawyer Rooms of the Deschutes Services Building at 1300 NW Wall Street, Bend Oregon.

Present were Commissioners Alan Unger, Tammy Baney, and Anthony DeBone. Also present were Tom Anderson, County Administrator; Deputy County Administrator Erik Kropp; County Legal Counsel David Doyle; and several other citizens.

1. CALL TO ORDER

Chair Unger called the meeting to order at 12:00 noon.

2. PLEDGE OF ALLEGIANCE

3. CITIZEN INPUT

None offered.

ACTION ITEM

Nick Lelack and Matt Martin, Community Development Department, reviewed the status of a series of ordinances relative to land use standards and regulations for marijuana that are before the Board for consideration.

Ordinance Numbers 2016-013 through 2016-015 define and regulate marijuana related businesses in unincorporated Deschutes County. Ordinance Numbers 2016-016 through 2016-019 amend Deschutes County Code Titles 18, 19, 20, and 21 to define and regulate marijuana production registered by the Oregon Health Authority in unincorporated Deschutes County.

Staff reviewed changes directed by the Board to the draft Ordinances for marijuana related businesses in unincorporated Deschutes County. Discussion was held on time frame of effective dates of the Ordinances upon adoption. If adopted by emergency, the Ordinances would go into effect immediately and require existing businesses to be compliant by certain dates.

4. **Before the Board was Consideration of First Readings, by Title Only, of Ordinances Relating to Marijuana Production and Processing**
 - A. **Ordinance No. 2016-013, Amending DCC Title 8 to Exempt Sustained Noise from Marijuana Production and Processing from Right to Farm Protections**

BANEY: Move first reading by title only of Ordinance No. 2016-013.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first reading, by title only.

- B. **Ordinance No. 2016-014, Amending CDD Title 15 to Regulate Lighting Associated with Greenhouses**

BANEY: Move first reading by title only of Ordinance No. 2016-014.

DEBONE: Second.

VOTE: BANNEY: Yes.
DEBONE: Yes.
UNGER: Chair votes yes.

Chair Unger conducted the first reading, by title only.

C. Ordinance No. 2016-015, Amending DCC Title 18 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law

Staff noted changes made to the draft Ordinance per direction of the Board as listed in their departmental memo dated May 27, 2016, regarding Proposed Marijuana Related Business Regulations – County Land Use File No. 247-15-00542-TA. The summary of revisions included addressing a maximum mature plant canopy size, separation distances, odor, water, prohibited uses, marijuana production registered by the Oregon Health Authority, and marijuana processing.

DEBONE: Move first reading by title only of Ordinance No. 2016-015.
BANNEY: Second.

VOTE: DEBONE: Yes.
BANNEY: Yes.
UNGER: Chair votes yes.

Chair Unger conducted the first reading, by title only.

D. Ordinance No. 2016-016, Amending DCC Title 19 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law and Declaring an Emergency

Staff noted this ordinance is relative to medical marijuana and would be applicable to the urban fringe outside of the urban growth boundary.

BANNEY: Move first and second readings of Ordinance No. 2016-016 by title only, declaring an emergency.

DEBONE: Second.

VOTE: BANNEY: Yes.
DEBONE: Yes.
UNGER: Chair votes yes.

Chair Unger conducted the first and second readings by title only, declaring an emergency.

BANEY: Move adoption of Ordinance No. 2016-016, declaring an emergency.

DEBONE: Second.

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

E. Ordinance No. 2016-017, Amending DCC Title 20 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law and Declaring an Emergency

Staff noted this ordinance is relative to medical marijuana and is applicable to the Redmond urban fringe area.

DEBONE: Move first and second reading of Ordinance No. 2016-017 by title only, declaring emergency.

BANEY: Second.

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

Chair Unger conducted the first and second readings by title only, declaring an emergency.

DEBONE: Move adoption of Ordinance No. 2016-017, declaring an emergency.

BANEY: Second.

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

F. Ordinance No. 2016-018, Amending DCC Title 21 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law and Declaring an Emergency.

Staff noted this ordinance is relative to medical marijuana and is applicable to the Sisters urban area.

BANEY: Move first and second readings of Ordinance No. 2016-018 by title only, declaring an emergency.

DEBONE: Second.

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

Chair Unger conducted the first and second readings by title only, declaring an emergency.

BANEY: Move adoption of Ordinance No. 2016-018, declaring an emergency.

DEBONE: Second.

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

G. Ordinance No. 2016-019, Amending DCC Title 18 to Regulate Existing and New Marijuana Production Registered by the Oregon Health Authority (OHA) and Declaring an Emergency

BANEY: Move first and second readings of Ordinance No. 2016-019 by title only, declaring an emergency.

DEBONE: Second.

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

Chair Unger conducted the first and second readings by title only, declaring an emergency.

BANEY: Move adoption of Ordinance No. 2016-019, declaring an emergency.

DEBONE: Second.

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

H. Ordinance No. 2016-012, Repealing Ordinance No. 2015-009 regarding Opt Out

At this time, the Board did not consider this Ordinance.

5. OTHER ITEMS

None were offered.

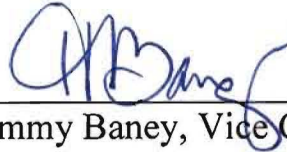
6. ADJOURN

Being no further discussion, the meeting was adjourned at 12:30 p.m.

DATED this 22nd Day of June 2016 for the Deschutes County Board of Commissioners.




Alan Unger, Chair



Tammy Baney, Vice Chair

ATTEST:



Recording Secretary



Anthony DeBone, Commissioner



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SPECIAL MEETING AGENDA

DESCHUTES COUNTY BOARD OF COMMISSIONERS

12 NOON, WEDNESDAY, JUNE 1, 2016

Commissioners' Hearing Room - Administration Building - 1300 NW Wall St., Bend

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered or discussed at the meeting. This notice does not limit the ability of the Board to address additional subjects. Meetings are subject to cancellation without notice. This meeting is open to the public and interested citizens are invited to attend. Business Meetings are usually recorded on video and audio, and can be viewed by the public live or at a later date; and written minutes are taken for the record.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CITIZEN INPUT

This is the time provided for individuals wishing to address the Board, at the Board's discretion, regarding issues that are not already on the agenda. Please complete a sign-up card (provided), and give the card to the Recording Secretary. Use the microphone and clearly state your name when the Board Chair calls on you to speak. PLEASE NOTE: Citizen input regarding matters that are or have been the subject of a public hearing not being conducted as a part of this meeting will NOT be included in the official record of that hearing.

If you offer or display to the Board any written documents, photographs or other printed matter as part of your testimony during a public hearing, please be advised that staff is required to retain those documents as part of the permanent record of that hearing.

ACTION ITEM

4. **CONSIDERATION of First Readings, by Title Only, of Ordinances Relating to Marijuana Production and Processing – Nick Lelack and Matt Martin, Community Development**

Suggested Actions: Discussion; consider first readings by title only.

- A. Ordinance No. 2016-013, Amending DCC Title 8 to Exempt Sustained Noise from Marijuana Production and Processing from Right to Farm Protections
- B. Ordinance No. 2016-014, Amending CDD Title 15 to Regulate Lighting Associated with Greenhouses
- C. Ordinance No. 2016-015, Amending DCC Title 18 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law
- D. Ordinance No. 2016-016, Amending DCC Title 19 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law
- E. Ordinance No. 2016-017, Amending DCC Title 20 to Define, Permit and Establish Standards for Marijuana-Related Businesses in Conjunction with State Law
- F. Ordinance No. 2016-012, Repealing Ordinance No. 2015-009 regarding Opt Out

5. **OTHER ITEMS**

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

At any time during the 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; ORS 192.660(2)(b), personnel issues; or other executive session categories. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

6. **ADJOURN**

To watch this meeting on line, go to:
<http://www.deschutes.org/bcc/page/board-meeting-videos>

Please note that the video will not show up until recording begins.
You can also view past meetings on video by selecting the date shown on the website calendar.



Deschutes County encourages persons with disabilities to participate in all programs and activities. To request this information in an alternate format please call (541) 617-4747, or email ken.harms@deschutes.org.
