

**YAMHILL COUNTY PLANNING COMMISSION**

Thursday, October 6, 2022 - 7:00 p.m.  
Yamhill County Courthouse, Room 32  
535 NE Fifth Street  
McMinnville, Oregon 97128

**Roll Call:** Mark Gaibler, Paulette Alexandria, Brett Veatch, Matt Dunkel, John Abrams **Absent:** Dan Armstrong, Alan Halstead, Kit Johnston, **Staff:** Ken Friday, Desiree Lundeen, Lance Woods, Stephanie Curran

John Abrams opened the public hearing.

Approval of minutes from September 1, 2022, hearing.

Paulette Alexandria motioned to approve, approved 5-0.

**LEGISLATIVE PUBLIC HEARINGS:**

- DOCKET NO.:** G-02-22
- REQUEST:** To amend sections of the Yamhill County Zoning Ordinance (YCZO) to incorporate portions of Measure 109 (2020) which legalized the cultivation, processing and use of psilocybin (magic mushrooms).
- APPLICANT:** Yamhill County
- CRITERIA:** Section 1207.01 of the Yamhill County Zoning Ordinance, ORS 197 and ORS 475A.
- EXHIBITS:**
1. a. Proposed YCZO Section 200 – Definitions - Adopting Psilocybin Definitions
  1. b. Proposed YCZO Section 402 - Exclusive Farm use EF-20, EF-40 and EF-80 – Allowing manufacturing as a conditional use.
  1. c. Proposed YCZO Section 601 – RC Recreation Commercial – Allowing psilocybin service centers as a conditional use.
  1. d. Proposed YCZO Section 801 - PAI Public Assembly, Institutional – Allowing psilocybin service centers as a conditional use.
  2. Measure 109 (2020)
  3. Comments Received

Ken Friday: Measure 109, which legalized psilocybin in Oregon, automatically opts cities and counties into the psilocybin program, which is currently under development and is slated to begin statewide on January 2, 2023.

The Board of Commissioners expressed interest in developing Time, Place and Manner, (TPM) amendments for both psilocybin manufacturing and psilocybin service centers in the unincorporated county.

The goal is to adopt amendments to the Yamhill County Zoning Ordinance prior to the Oregon Health Authority (OHA) accepting applications for licensure on January 2, 2023.

The definitions listed in Section 475A.220 are proposed to be added to the Yamhill County Zoning Ordinance.

The manufacturing of psilocybin is proposed to be added to the Exclusive Farm zone as a conditional use, subject to site design review.

The Planning Commission decided at their September 1, 2022, work session to initially consider placement of psilocybin service centers in only a couple of zones.

Psilocybin service centers are proposed for the PAI Public Assembly Institutional zone because this zone allows a “Clinic”.

The RC Recreation Commercial zone was also selected because this zone allows both gatherings and entertainment.

Since there is no medical requirement for the use of psilocybin (you only need to be over 21 years of age to have it administered at a service center) this drug can be taken for purely recreational purposes. Therefore, since the RC zone is for recreational uses this zone was also added to be considered for a service center.

Due to the lack of known impacts, both of these zones are proposed to have the use listed as a conditional use.

This is a legislative hearing so you can take testimony in any order.

Any recommendation from the Planning Commission needs five affirmative votes. If no motion garners five votes, then I would recommend forwarding the ordinance amendment to the Board of Commissioners with no recommendation accompanied by the Minutes of the last two Planning Commission meetings so they can see the discussion.

## **Public Comment**

### **Proponent:**

Kathryn Jernstedt, Friends of Yamhill County, PO Box 1083, McMinnville: We submitted letter in testimony acknowledging our support to the approach on the manner this is being addressed. As we are trying to figure out the usefulness and efficacy of the psilocybin in a fairly particular population, one of the things I found most interesting were the Sheriff’s comments that this is nothing like marijuana legalization. If somebody gets too much psilocybin, they get sick, they don’t have too much fun. A lot of the, not unreasonable, anxiety has been addressed in these zoning suggestions. They are distinguishing the agricultural setting of growing, as well as the clinical setting of consumption and treatment. I think this is all handled well in the staff report. One of the things that got talked about is having the clinics in the farm zones because it is nice and quiet. Right now, I am surrounded by propane cannons on three sides as the grape harvest is upon us. That and the regular use of firearms for varmint control or target shooting, helicopters, farm equipment, night work. It’s not nearly as peaceful and quiet out there as some people envision. I really do believe that the clinical setting is most appropriate in the sections identified here. We support the idea of Conditional Use. We can always do something different later, but as a starting point for something that the elected officials of the County have decided to pursue, we think this is the sensible approach.

### **Opponents:**

#### **Kurt Peckler: submitted green card in support.**

Josh Longoria, 1743 SW Tamarack St., McMinnville: I am opposed to the zoning, I would just ask for a little more consideration when looking at that zoning in the minutes, it seems there won’t be any facilities in the county, maybe in the city, from what the minutes were saying. It looks like it will be almost impossible to have a clinic in this county or this town from what I was looking at. The farmland, I understand about helicopter traffic and the deterrent for birds for harvest of grapes; I think a clinic would have some kind of sound deadening in there. The short and sweet of it is, if it is allowed to be in a rural area like that, the rules and

regulations I'm sure are going to be pretty strict from what I've been reading. Someone will drop off and pick up patients from the clinic at the initial meeting of the person who will be giving you the dosage, and then again when they go back to get treatment. In a clinical situation, if I was sitting in a room like this and being administered psilocybin, I don't think it would be very helpful. With my experience with psilocybin, being in the city would be a bit much to me, but that is just my experience. I know its new and people want to wait and see what happens, but you are what is happening. You are the ones making the rules, so I ask you look into it a little. Some of these concerns and fears can be answered by talking with people or reading minutes from previous public testimony. I oppose it and would hope we can get some zones where we can get clinics in this county and town.

Paulette Alexandria: You referred to the environment that would be better take this experience in, but didn't elaborate on that, but you said this room wouldn't be good.

Josh Longoria: For myself, I suffer from migraines so bright lights would be a little much. I was also reading in the minutes about being open from 8 am – 8 pm, certain hours of operation that you can go. I don't know if being in city environment would be the most therapeutic thing. It's not like a doctor's office. It is a little different, a little new. It's not like taking a pill over the counter. It is a different thing and has a lot to do with mental issues. It is going to affect people in different ways, for myself I would feel uncomfortable being in the city, even if there is a slight after effect. You're supposed to stay long enough where the wear off. I work seven days a week and just taking a drive in the country makes me feel like it is less stressful. This all affects the experience.

Leah Peckler: 788 Adams St, Lafayette: I just came from work and had a patient who just got a diagnosis of aggressive cancer and only has few weeks to live. I am a palliative care nurse. There is a lot of stress and anxiety and depression that are very rampant and often under treated and under diagnosed. Not only are these patients dealing with a serious crippling of their body, they are now also dealing with a crippling mental health crisis as they are trying to navigate this very difficult situation. There are several clinical trials for patients that are facing end of life existential crises to have undergone guided psilocybin therapy and have all reported great reduction of all of those symptoms and an improvement in their quality of life, even in the follow up studies. They all have lasting, positive effects from that kind of treatment. My ask is to consider zoning for AF and EF. If it is restricted to RC and PAI zoning, I do worry it would limit access to treatment. We should be doing everything we can to make this treatment accessible. I understand concerns with regards to the cannon fire and helicopter traffic. Being in the city has its own noises and distractions so I hope we can consider opening up the zoning approval to EF and AF zones.

John Abrams: Some of the concern is it is easier to incrementally roll out something instead of trying to pull stuff back once we have given widespread approval to something. Does that make sense to you that it should be tried for a while on a more restricted zoning, then possibly open it up later if things are going well.

Leah Peckler: That's a fair point, but I would rebuttal that there are limited sites in the PAI and RC zones to start these clinics. I worry that would stall the implementation of these clinics. I would like to have more options open in the beginning and then restrict. On the flip side, if we are finding access in these EF and AF zones are problematic for whatever reason, at that point it could be reviewed, do we need to restrict. But I would start more openly and have more open options at the beginning as a trial of sorts and see how it is affecting the community and how patients are responding in that zoning.

Brett Veatch: Is your concern the setting or the number of potential sites.

Leah Peckler: A little of both. I think a being in a rural setting would be more peaceful. I think just walking out into nature reduces our stress levels and it sets people up for success having access in that type of environment.

Brett Veatch: But there are therapy sessions that take place in doctor offices in urban settings, but they make the setting inside relaxing. A rural setting has its own issues, not only those that have been expressed but roads to access can be narrow or difficult to find. There could be stress involved in getting to these sites, so how do you balance the two different settings? Is there something so beneficial in a rural setting that it couldn't be replicated in an urban environment?

Leah Peckler: I think the current treatments performed in a more urban setting is different. You aren't just going to counselling, you are ingesting a substance during a guided and therapeutic session. It's just a little different. In terms of navigating the road, you do need someone to drop you off and pick you up when your treatment is done, so I don't think road navigation would be an issue.

Paulette Alexandria: At the current time what does the environment look like where this is being administered? Are you sitting in an office in a chair?

Leah Peckler: It looks a little different. It can be in an office with dim lights, music, a couch to lay upon. A peaceful setting of sorts.

Matt Dunckel: We talk about the medical benefits but there is nothing in this law that requires a medical prescription or a referral. Can you explain that a little? It says the center will be managed by a licensed person, but I'm not even sure what that means.

Leah Peckler: A facilitator will have to go through either 140 or 160 hours of training in order to be a licensed facilitator. And the intention of this therapy is medicinal as well as therapeutic. The potential candidates will undergo a screening and risk assessment to see whether or not they are appropriate for that kind of therapy in addition to a guided therapy and counselling session.

Paulette Alexandria: Who screens them?

Leah Peckler: I don't know, I believe the facilitator. I'm sorry I don't have the answer to that, but it is all very new. I know this is all new, but we have a lot of promising evidence to suggest its benefits for many patients. We have almost 20 years of research between 1950 and 1970 when psilocybin was utilized widely for many of these mental health disorders that I previously described. There are currently over 75 clinical trial word wide testing efficacy of use for all of these mental health disorders. I can't speak to what exactly the process looks like.

Daniel Schuhmann: 16545 SE Woodland Heights Rd, Amity: I would like it the service centers to be allowed in EF and AF zoning. I know this is being compared between urban setting and rural setting, but there is noise in both the cities and the county. We could counteract the noise of air cannons by the use of headphones or even insulation to the building. This is a new type of therapy; this is something that people are doing because their traditional therapy isn't working in that setting, where their visits to cushy offices aren't really solving their problems. A rural area where they are away from people and congestion is less stressful and is what we are requesting with these EF and AF zones. The dosages are really low, they won't be high enough to trigger any of the major side effects that you are worried about, and they will have a designated driver to drop them off and pick them up from the clinic. Traditionally, when we send people to retreats for drug and alcohol addiction, it is usually a resort farther away from society that is comfortable for the person. I think that is what we are suggesting with these zones. This can be really beneficial to these patients.

Matt Dunckel to Ken Friday: Aren't most of our PAI and RC zones not urban?

Ken Friday: No, there not urban.

Matt Dunckel: The zones we are suggestion now are rural.

Jennifer Leonard, 16345 NW Meadowlake Rd, Carlton: I am here with my husband, Joshua Fidelman, to give some perspective to give input as residents and small business owners in Yamhill County. Joshua spent years working with city municipalities and permitting when employed in construction in Colorado in the past, he is currently director and manager of our private park and campground. He has worked extensively with Yamhill County Planning when establishing our campground to ensure well managed and safe for our visitor. I've worked in health care for over forty years in both holistic therapies and traditional western therapies. Currently I am enrolled in Naropa University's Psychedelic-Assisted Therapies program in effort to bring options of therapy to people who struggle with their health and well-being, giving us tools to be safe and effective practitioners with these medicines. I've also served on the Oregon Health Authority rules advisory committee working on the initial draft. We are here tonight advocating to add AF and EF zones to the areas that allow service centers. I own an AF property with a permitted and operational park and campground. We believe we can be a model for safe, effective, and responsible psilocybin administration in Yamhill County. First concerning the safety, it is clear that for the success of this program it is going to have to be number one priority. I understand access in AF and EF areas might be a concern about the time it might take to get an ambulance up there. I want to clarify that psilocybin is a safe substance, while documented side effects happens, the occurrences and severity of these side effects is pretty low. The Safe Profile might be a reason the OHA does not require a background in medical practice to become a facilitator, a concern I know has been voiced even here tonight. Most of this information is available on the OHA website, I have submitted this document as part of our written testimony tonight. As facilitators, we will be trained to do a detailed screening of potential clients to identify any medical conditions that may have adverse reactions to psilocybin. This happens before the preparation session as outlined by rules adopted earlier this year by OHA. Each person would have their own safety plan for any issues identified during screening. As facilitators, we are trained in harm reduction. This is a term to describe how we hold a safe, healthy space for people in a state of heightened emotional stress after they have consumed substance like psilocybin, reducing the chance of a medical emergency. I realize that if an emergency does occur it will take services longer to get to the scene. I think it would be reasonable to require somebody on-site be trained in CPR and first aid, it would be a way to reduce the gap in response time. For efficacy Measure 109 was written to include access to natural spaces during administration because the setting has such an impact on the outcome. Without the proper setting this therapy might lose a great deal of efficacy. Since setting has such an impact of efficacy, I think the AF and EF zones should be considered for service centers where there is less distraction from outside influences. With the limited amount of area in the PAI and RC zones for these centers, we are likely to have a minimal number of applications for these facilities.

Josh Fidelman, 16345 NW Meadowlake Rd, Carlton: As to responsibility, I understand the reasons for Planning Commission recommendations, but this will limit properties who will be able to apply for a service center license in Yamhill County, ultimately closing opportunities for small businesses like ours. To responsibly offer these services in Yamhill County, it would be possible to offer an expanded number of zones without having an overwhelming number of applicants. The EF/AF zoned properties that meet both the proposed security and surveillance as well as Yamhill County's Conditional Use requirements will likely be low, limited the number of property owners applying for service center licensing. A service center in the rural area will increase tourism dollars as these clients and their family members will need service, food, lodging, etc. The entire country is watching Oregon to see how this will turn out. The campground we run has not impacted the surrounding businesses. We have told our neighbors about our interest to open service center, and they are more intrigued and interested than concerned. Our comments are supported by documentation, we have brought copies of the resources we used tonight.

John Abrams: Is a person still aware when they are going through this treatment?

Josh Fidelman: Yes, they are. They are fully conscience , know who they are, where they are and what's going on. There are literally hundreds and hundreds of hours of documented video showing sessions with people so you can see firsthand what they are going through and how the process works.

Jennifer Leonard: Another way to think about it is there is a term called non-ordinary states and there are plenty of non-ordinary states that are not substance induced. A couple of examples of this is when you get lost in good music, or in childbirth.

Paulette Alexandria: How long does it last?

Jennifer Leonard: It depends on the dosage, OHA is working on that, but right now the highest dosage would last six to eight hours in the longest.

Paulette Alexandria: And the therapists have to be there the whole time? Why?

Jennifer Leonard: Because of some of the emotional content that comes out of the patients can be overwhelming, a facilitator can help guide them through the process.

Paulette Alexandria: Is there a suggested setting for this therapy?

Jennifer Leonard: Low lights, curated play lists and access to outdoors which in a non-ordinary state makes it more peaceful. It's like either taking a run through the city or taking a trail run, different environments.

Nik Wald: 12270 NW Luoto Ln, Carlton: The pioneering spirit of Oregonians was on display with the passage of measure 109. My mom is a registered nurse, my dad is a psychologist. I worked as an athletic trainer for both the Trail Blazers and the Timbers in the 2000s. In 2019 we moved to Carlton. I have no plans to open a service center on my property, but I think the opportunity should be available. We must utilize science and common sense to envision what these might look like. Let's put aside our fear and focus on the ability to focus on wealth and prosperity. I have friends and family that could benefit from this therapy, and I don't want my friend to have to seek this treatment in a strip mall or clinic. This kind of therapy should happen in nature.

Mark Gaibler: When was the last time you were at the flying M?

Nik Wald: Last year.

Mark Gaibler: They have a beautiful spread, has anyone approached the owners about doing a service there?

Nik Wald: I don't know.

Matt Dunckel: I think we have too many rules in general, but as you are speaking about a rural setting, and it can get pretty noisy and dusty. Can you see some complaints coming in about this? Farming is a dirty, noisy business.

John Abrams: This body deals with conflict resolution, and in this case, there is a great unknown. They pop up and are hard to foresee. These problems are hard to foresee ahead of time.

Mark Gaibler: I'm sure there will be people that will do it right, but I also know the reverse is true.

John Abrams: Is it hard to change AF or EF zoning?

Ken Friday: Anything that involves an exception would be, and this would involve an exception.

Mark Gaibler: Would the service centers have to go through the farm impact analysis?

Ken Friday: Yes.

Jason Lampman: 17175 SW Oldsville Rd: I am a farmer, a small business owner and a father of 3 kids under the age of 5. I am here tonight because I hope you change your decision about service centers being located in PAI and RC zones. The safest place for this treatment is a farm or forest setting, away from the city. RC zone was approved because mushrooms are a drug that can be taken recreationally. It has already been stated that client will have to be screened.

The suggestion that this drug is recreational undervalues the people who are trying to improve their mental health through alternative methods. It is hard to expand my small farm when the rules and regulations are so strict. Making money off crops, you will make more if you sell directly to retailers. Farms have farmstands, wineries have tasting rooms, I think mushroom farmers should be able to have service centers. There are just few properties in RC and PAI that would be eligible to apply for a service center. I talked to a realtor, and they said most of those available properties are considered non-profit, i.e., schools or churches. That leaves 0.114 % of available properties for service centers. I think you should honor the voters of Yamhill County and help move this forward. As a certified therapist it will cost minimum of \$10,000 for licensing a year and a many hours and additional costs to get certified to be a counselor. There is a two-year hold in Oregon on having outside investors for service centers, so as a landowner I would like to be able to get established in that time. You have two small business owners here tonight begging you to make this once in a lifetime opportunity available. You approved a by appointment only tasting room for wine, unanimously, on EF land in docket C-22-20/SDR-26-20, that is what I want for my property. There are far tighter restrictions for service centers then for wineries. It is not a free for all, it is a serious service that is needed. I've listened to many hours of Planning Commission meetings, and you have a record of being less over regulating than other counties I know, and this decision should be in line with that mentality. I do not see you listing this as a permitted use in farmland, I think we are all in agreement, but I do think a good compromise is commercial use in conjunction with farm use and site design review in EF and AF. It won't force change to the surrounding farm practices. The Sheriff spoke at the BCO meeting and he is actually for this. He said quote "we are not even talking about this; it is not a problem. Limiting this to RC and PAI zones is not a solution, it is essentially a ban. Measure 109 won in Oregon, it won in Yamhill County, and it won a unanimous vote with the county commissioners, and it still faces another hurdle here. I hope you guys choose option 3, which will also help fund you as I just found out you were a self-funding department. If you think it is really possible to have a service center in RC and PAI then keep those as well. If you have any concerns, you could set room limits, that was Ken Friday's idea. I only want two rooms. For me to be successful, I need you guys to lay it out and give me a chance to expand my small business on my farm.

Mark Gaibler: If you have one of these, how much will it cost the patient?

Jason Lampman: That will be a business decision. If I have to pay \$30,000 for annual licensing, it will be a substantial fee. It's not going to be "let's go over to Jason's house and do mushrooms". Probably \$500 or up.

Erica Koltenuk, 522 NE 19<sup>th</sup> St, McMinnville: I appreciate what Jason said about the likely number of applicable sites able to be approved for the centers with the current designation. I would like to add a little urgency to this committee. I understand the desire to be extremely cautious, and I appreciate that, but I don't think this is the time for tiptoeing into mental health care. As a nurse practitioner who has worked in this county for the last 5 years, I want to share with you what we are dealing with. Nearly one in four Americans have depression or anxiety, that is true within our county as well. PTSD, bipolar disorder, complex trauma, psychosis, are just some of many mental health disorders we are dealing with, and the current state of affairs is just appalling. Standard treatment at this time includes therapy and anti-depressants. I'm not negating them, they have their time and place, but the side effects are horrible. They include things such as headaches,

insomnia, tremors, changes in appetite, complete losses of sexual drive, including erectile dysfunction and anorgasmia are extremely common. People are willing to tolerate these because of the terrible suffering of depression is far worse than the ability to have a relationship. I have had people tell me that they don't have relations with their husband, but it is ok because they now don't want to kill themselves. Moving on to anxiety, one of the most common prescribed drugs for this is Zanax, in a class known as benzodiazepines. These can cause respiratory depression, respiratory arrest, tremors, cognitive decline including irreversible loss of memory and cognizability, even after you stop taking them. It is the equivalent to alcohol, so when you drive on benzodiazepines you are driving under the influence. These medications are being prescribed at exceptionally high rates, and many of our community members are taking them far in excess of what is safe. Medications for PTSD and anti-psychotic medications cause people to tremor, they can't stop moving their bodies and causes excessive weight gain, we are talking 100 pounds a year, which can lead to Type 2 diabetes which causes all other kind of health problems. These are our best tools right now. When it comes to therapy services, patients with Medicaid or YCCO, the only option to Yamhill County Adult Behavioral Health. Currently that center is in crisis, they currently have 25 open positions right now. My patients that go there have extremely difficult times with their intake time, waiting to be seen, and getting to be seen by a prescribing practitioner. I have never seen a patient have successful therapeutic results with Yamhill Adult Behavioral Health, which is very troubling. When we contrast that with unprescribed, or what I call self-medicating, things like alcohol, methamphetamines, that lead to abusive and self-destructing behaviors. Contrast that with Psilocybin, which you have already been spoken to about the safety. The potential scope of these medications for the treatment of symptoms outside of the treatment of depression is vast as well, such as chronic pain and phantom pain, end of life processing, domestic violence. If you look at safety, Psilocybin side effects are transient changes in blood pressure and heart rate. There are people who have had a negative experience, or a bad trip, with psilocibins, but these are typically individuals who have history of psychosis in the past and those people can be appropriately screened out prior. There are extremely few case rates of death. When you compare the safety of psilocybin to some traditional medicine using a standard pharmacological rating system aspirin is 49, tobacco 21, and psilocibins are 650, extremely safe. We don't regulate the usage of aspirin and I don't think we need such extreme measures as having an ambulance at the ready. I ask you to consider the urgent need for mental health, I think if we are too cautious, we are at risk of not helping those within our community that need the most help.

### **Deliberation:**

Brett Veatch to Ken Friday: Is there a mechanism that could expand the zone but limit the distance from an incorporated city?

Ken Friday: Yes. Are you thinking about hospitals?

Brett Veatch: Yes, and a variety of things, I'm trying to find a middle ground that can be an alternate approach. I understand and appreciate the need for the treatment and understand how setting can be beneficial. I don't know if it is our obligation as this body to promote access over availability. I don't have background in the medical field, I feel this is for the BOC, not this body. I think there is good reason to be incremental in an approach like this when you cannot quantify anything yet. I would like to take this in a more incremental step. I've seen noisy farms and peaceful urban areas. I think that sticking to the zones we have already approved. If there is a middle ground such as EF land being within a mile of UGB, I would be open to discussing it.

Paulette Alexandria: Since last we met; do you know how the City of McMinnville is handling this?

Ken Friday: I have been tracking the City of McMinnville, I know the City of Newberg is going to have a balance measure.



Paulette Alexandria: I appreciate all of you coming here tonight. If I was in your position, I would probably be saying the same things you are saying but sitting here I have to think about all the people in this county and what may be the highest and best use moving forward, which may have been what you suggested. But being someone who has to think of everyone, I agree with Brett that we should take this incrementally in small steps. If this tends to be the greatest thing in the world, we can open it up.

Matt Dunckel: I agree with comments made by previous commissioners. I would be comfortable making no recommendation, but if not, I would vote for the zones we decided at the last meeting.

Mark: After listening to some of this, there obviously is a need, but I think there are some individuals that own property in the proper zones, one being the Rebers that own Flying M, that if somebody reached out to Will, I'm not so sure you couldn't do this on a trial basis to see how it goes.

Matt Dunckel: On the conditional use thing, I view that as a permitted use with conditions.

John Abrams: I think this body understands that the momentum for this is in the positive direction for the effects of this treatment. We certainly don't want to stand in the way of that. I go back to my main concern that anytime we approve something in the EFU zone, the consequences just take off. I too think this should be taken incrementally. I would not be opposed to an area outside of an urban growth boundary being allowed, but I think that is something better for the Commissioners to take up. I think it would be good to set a hard date where we can go back and relook at this in a year and see how it is going. If it is successful, it would be nice to accelerate this.

Mark Gaibler to Ken Friday: Is there a way to do a test case?

Ken Friday: I'm going to say no but would need to talk to legal counsel. There might be a way, why should it be allowed in a campground but not farm forestry zone.

Matt Dunckel: Where is the campground?

Ken Friday: 3 miles up Meadowlake Rd., just past Panther Creek.

Joshua Fidelman: Why nobody has approached the Rebers is the owner of the property has to hold the license, and they are upward of \$10,000.

Paulette Alexandria: So, you can't rent an office space.

Ken Friday: I talked about the beginning wine industry, in 1988 when I got here. We had a couple of wineries and a handful of people growing grapes and in order to get a winery you had to get the property rezoned to RI, Resource Industrial. Several years and several court cases they decided that it could be done as commercial use associated with farm use. Then they did another iteration where if you had 15 acres grapes planted onsite you could apply for a permitted use winery and a tasting room, and the winery could produce up to 50,000 gallons of wine a year. More recently they have identified more uses you can do with Senate Bill 841. That has been over decades that we have gotten to that place. I struggle with this because I do have relatives that would benefit from this, but the land use side of me thinks I will go with whatever you or the board decides to do, there would be benefits for us, we do get money for applications, we are a fee-based agency. Having said that, I do like this cautious approach, and I do like the idea of coming back in a year from tonight and discussing whether we need to make any amendments. Remember, we are not the only jurisdiction dealing with this. Whether they are going to have this or not, and what it is going to look like. What causes me concern is we don't know really what the rules are. My experience with the Oregon Health Authority when they rolled out medical marijuana was not good at all. We had a problem with OHA, their lack of communication, lack of

cooperation and lack of enforcement. Go to their website and you can see over the years with medical marijuana they have only had a handful of enforcement. That's what causes me the most concern with that.

John Abrams: Thank you, we appreciate hearing about this as it is so new. We appreciate the idea of being bold, but as a body we have set up here and wonder why we didn't reign something in in the when we had the chance and that is a bad position to be in too.

**Motion:** Brett motioned to approve as is, Paulette seconded. Passed 5-0, passed unanimously.

**Hearing Adjourned: 9:02 pm**