

# County residents wrestle with pot regulation

By Jim Cornelius  
News Editor

Legalization of recreational marijuana use in Oregon has created a complicated web of issues to iron out as Deschutes County attempts to establish rules under which marijuana growing operations might operate in the unincorporated county.

Potential growers see substantial benefits economically and in the suppression of a black market, while opponents raise concerns about impact on quality of life and property values for rural residents — and the local Farm Bureau is concerned about the potential impact of any new rules eroding right-to-farm ordinances.

A Marijuana Advisory Committee (MAC) is working through marathon meetings to help the county hammer out possible regulations. The MAC is a 13-member Board of County Commissioners-appointed committee. The MAC is charged with developing and recommending to the Commissioners reasonable time, place and manner land-use regulations intended to mitigate the impacts of medical and recreational marijuana uses. According to its charter, “these regulations could address sight, sound, smell, size/scale, location, security, and other impacts associated with marijuana land uses if the Board or voters rescind the opt-out ordinance in its entirety or in part.”

Last month, Jim Petsche of the group Preserve Rural Deschutes ([www.preserve-ruraleschutes.org](http://www.preserve-ruraleschutes.org)) spoke at a meeting of Sisters Kiwanis Club urging members to write to county officials to encourage the county to continue a temporary moratorium on marijuana growing and allowing voters to decide on the issue in November and/or to

encourage tight regulation of growing operations to minimize their impact.

Members of Preserve Rural Deschutes want to see 200-foot setback requirements on greenhouse production in the exclusive-farm-use zone, and measures to mitigate impacts from odor and light from greenhouses that may stay lit at night. Preserve Rural Deschutes is also concerned about the impact on the local power grid.

“Marijuana is the most energy-intensive crop growing in the U.S. today,” Petsche said.

“I’m not trying to get them to stop growing pot,” Petsche told *The Nugget* in a later interview. “That train has left the station.”

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— Jim Petsche

He says he and his colleagues just want to preserve their quality of life — and they are concerned that a proliferation of growing operations will have an unprecedented impact on local rural residents.

But regulations of the type favored by Preserve Rural Deschutes are a red flag for members of the Farm Bureau, which submitted a letter to the County outlining their concerns.

“The danger of enacting these provisions would be to set a (precedent) that could eventually cripple production agriculture in Deschutes County. If we impose setbacks for cannabis production in greenhouses, will those

setbacks apply equally to all greenhouses in the county and to other agricultural buildings such as horse stables or hay barns? The same goes for odors. Will odor restrictions now be applied to hog or dairy farms or noise restrictions to baling hay at night or from diesel irrigation pumps?”

Petsche doesn’t think that concern holds up. He notes that the legislature itself defined cannabis as “a unique agricultural product” and therefore it should be subject to unique regulation. He said his group respects and appreciates right-to-farm law, but they believe it was enacted to prevent someone from moving in next to an agricultural operation and then complaining of a “nuisance.”

In the case of cannabis, “it’s totally reversed, because the nuisance is coming to rural residents, and they’re hiding behind this right-to-farm,” Petsche argues.

Established medical marijuana grower Jeremy Klettke told *The Nugget* that impacts on neighbors are easy to mitigate.

“I am a firm believer in neighbors respecting neighbors and feel most of these types of problems should be handled between those parties; that, however, is not

always possible,” he said. “For these rare cases we elect or hire officials and create rules or guidelines for them to use as needed. It is my understanding that the county has worked hard to create reasonable time, place and manner restrictions to address sight, sound and smell problems caused by cannabis.”

“As someone who is familiar with the plant these are easy things to address provided we allow the planning department and county officials to put these rules in place. Carbon filtration is inexpensive and can eliminate even the strongest odor. Light pollution is not historically a problem with cannabis production, and the sound of fans can be mitigated with setback.”

Preserve Rural Deschutes is concerned that the lucrative nature of marijuana production could bring in substantial investment from people with no connections to the area and little concern or consideration for the way of life in rural Deschutes County. And they are concerned that surplus production will hit the black market.

Klettke sees economic benefits for the region as a whole.

Due to OLCC’s

seed-to-sale tracking, he believes, “the black market will have no place in Oregon, and due to the strong taxation of this new industry the economy here should thrive. I could not in good conscience deny my state a potential \$8.8 million dollars a month in additional tax revenue without seriously weighing the pros and cons. Unlike other major contributors to the tax base, I would point out that these businesses are not looking for tax deferments to enter our area; in most cases they are willing and able to contribute more than the average business to the community, and most provide well above a living wage to their employees. This kind of revenue would certainly benefit Central Oregon and shouldn’t be pushed aside due to a few bad actors that would be regulated.”

The Marijuana Advisory Committee is scheduled for at least two more four-hour meetings, which are open to the public, on March 2 and March 9, at 4 p.m. at the Barnes and Sawyers Room of the Deschutes Services Building, 1300 N.W. Wall St. in Bend.

The Board of County Commissioners will review the committee’s work on March 21.

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