

## MARIJUANA: Rural residents wrestle with compatibility

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The approval carries conditions; Tewalt will have to complete an electrical upgrade, and provide proof from Oregon Water Resources that they are meeting requirements for water to be delivered to the property.

Commissioner Tammy Baney, who voted for approval, told *The Nugget* that the Goodrich Road application had raised concerns typical of the debate over marijuana growing operations in rural Oregon. Opponents believe cannabis should not be considered an agricultural crop and note that it remains

a federally prohibited substance. They raise concerns about traffic and crime and the fear that operations “will increase unsavory individuals in the community.”

Such issues, however, are not under the purview of county land-use action.

“Most of the concerns raised were not land-use-actionable concerns,” Baney said. “You start peeling the onion and all of a sudden you’ve got a lot of layers. We tackled the things we have jurisdiction over.”

Traffic, it turns out, was not much of an issue, as Goodrich Road is well below traffic levels that would be pushed to extremes by a new operation. Power, noise, water and odor must be addressed.

In addition to requiring that the applicant demonstrate

that they meet requirements regarding water and power, they must mitigate noise and odor. The greenhouse will be contained inside another structure, which should help mitigate noise from the operation. Baney notes that “if they can’t mitigate the odor, we can pull their permit. If we can smell it at the property line, it’s not working is the bottom line, essentially.”

Phil Henderson, who cast the dissenting vote, told *The Nugget* that he wants to see more detail in such applications as to exactly how odor control systems will work — and for applicants to provide tested documentation to show that it does.

“If these are legitimate businesses that are going to make a good amount of money, it’s not too much to

ask that they specify what they’re going to use and how they know it’s going to work,” Henderson said. “They don’t do that; they just kind of talk about it in general.”

Baney noted that the Oregon Liquor Control Commission has an entirely separate licensing process. While the County has approved 28 marijuana production facilities, OLCC has added their approval to only nine of those. Both land-use approval and licensing are required for a legal growing operation.

Baney noted that the County isn’t hearing about negative impacts from legally approved operations.

However, not everyone who is growing marijuana locally has a license and land-use approval.

“We are working to get aggressive on code enforcement,” Baney said. “We know that there are illegal grow operations that we need to address.”

The Commissioner told *The Nugget* that marijuana growing is a challenging and emotional issue.

“A lot of people who are very pro-property-rights are very much against this,” she observed.

She called it “one of the most challenging compatibility issues” she has seen in land-use regulation.

## RATES: Some light users’ rates could actually go down

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services increases.

The water-rate study proposed changes in billing approaches resulting in the removal of the 1,000 cubic feet (c.f.) allowance currently built into the City’s base rates. With this change, customers will pay the volume rate of \$1 per 100 c.f. on all water usage. The current base rates will be reduced to account for the increased revenue from volume charges.

The change in billing approaches means that water customers will be paying for the actual amount of water they use, hopefully encouraging water conservation and allowing customers to impact their usage charges. Those whose consumption is low could conceivably see their water bill reduced.

The water-rate updates will take place January 1, 2018. As recommended by the study results, City Council established the following rates for water service. For five-eighth- and three-quarter-inch meters, the base charge will be reduced from \$20.50 to

\$15.50. One- and one-and-a-half-inch meters will be charged a new base rate of \$17.38, down from \$23.09. Two-inch meters will have a base rate of \$19.25 compared to the former rate of \$25.58. All meters three inches and larger will be charged a \$46.96 base rate, down from \$62.40. All customers will be charged \$1 per 100 c.f. for all water consumed, on top of their base rate.

The sewer rate study resulted in a change in the rate structure methodology. In the past, the City used the amount of water used in the winter months of January-March to determine a commercial user’s average water use outside of the irrigation season, and thus their equivalent dwelling units (EDUs), which are the basis for sewer charges. The City Council adopted new sewer rates and expanded the “winter average” evaluation period to include October, November, December, and April.

The sewer rate updates of \$37.77 per EDU will take place on July 1, 2018 and reflect a decrease of \$1.23 a month. Each single residential dwelling is one EDU. The commercial EDUs are based on one EDU per 501.337 cubic feet of “winter average” water use.

Effective July 1, 2018, “winter average” shall be measured as average water use between the preceding November billing period through the April billing period. Effective July 1, 2019, “winter average” shall be measured as average water use between the preceding October billing period through the April billing period.

Prior to recommending the changes in the water and sewer rates to the Council, City staff met with the largest commercial customers who would be impacted by the changes to explain the study findings and the rationale for the necessary adjustments. Those users were generally understanding of the need to support infrastructure, according to Council President Nancy Connolly.

Connolly also pointed out the need for equity for residential users. “The changes will help offset the general public subsidizing the businesses.”

Notification of the changes will be included in the December water and sewer bills from the City.

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