



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Tanya Saltzman, AICP, Senior Planner

DATE: September 2, 2021

SUBJECT: Second Reading: Marijuana Retail Hours Text Amendments (Ordinance No. 2021-011)

The Board of County Commissioners (Board) will conduct a second reading of Ordinance No. 2021-011 on September 8, 2021. The Board held a public hearing on August 25 concerning Ordinance No. 2021-011, legislative amendments to 1) extend the permitted hours for marijuana retail businesses and 2) modify marijuana annual reporting requirements.¹ During deliberations, the Board chose to decouple the two parts of Ordinance 2021-011. The amendments addressing the extension of marijuana retail hours were maintained in Ordinance No. 2021-011 and the requisite exhibits; the Board voted to approve the modified ordinance at that time and conducted first reading. The other half of the original text amendment package concerning marijuana annual reporting shall be repackaged into a new ordinance for the Board's separate consideration.

Staff submitted a 35-day Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on June 9, 2021. Staff initially brought these issues to the Planning Commission for a preliminary discussion on May 13,² and had a subsequent discussion with the Board of County Commissioners on May 24,³ at which time the Board directed staff to initiate the text amendment process. Staff held a public hearing before the Planning Commission on July 22, 2021, at which time the Planning Commission recommended approval of the amendments addressing the change in retail hours. A summary of the proposed amendments and background information was provided to the Board in the packet submitted for its August 18, 2021 work session.⁴

I. PROPOSAL

The proposed text amendments are as follows:

¹ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-4>

² https://deschutescountyor.iqm2.com/Citizens/Detail_Meeting.aspx?ID=2770

³ https://deschutescountyor.iqm2.com/Citizens/Detail_Meeting.aspx?ID=2701

⁴ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-40>

- DCC 18.116.330(C)(1): Changes hours of operation for marijuana retailing from 9:00 a.m. – 7:00 p.m. to 7:00 a.m. – 10:00 p.m., in line with OLCC hours.

The applicant, in this case Deschutes County Community Development, has submitted findings summarizing the amendments and stating that the text amendments are in compliance with the Statewide Planning Goals, and applicable policies of the Deschutes County Comprehensive Plan.

Attachments:

1. Ordinance No. 2021-011
2. Corresponding Exhibits to Ordinance No. 2021-011:
 - Exhibit A – DCC Chapter 18.116, Supplementary Provisions
 - Exhibit B – Findings