



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Tanya Saltzman, AICP, Senior Planner

DATE: September 23, 2021

SUBJECT: Second Reading: Marijuana Annual Reporting Text Amendments (Ordinance No. 2021-012)

The Board of County Commissioners (Board) will conduct a second reading of Ordinance No. 2021-012 on September 29, 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 components of Ordinance No. 2021-011. The amendments addressing the extension of marijuana retail hours were maintained in Ordinance No. 2021-011 (adopted on September 8). The other half of the original text amendment package concerning marijuana annual reporting was repackaged into a new ordinance (Ordinance No. 2021-012) for the Board's separate consideration. The new ordinance contained requested changes to the language to reflect the Board's desired annual reporting requirements once following OLCC licensure, as outlined in the proposal below. On September 8, 2021, the Board voted to approve new Ordinance No. 2021-012 and conducted first reading.

Desired outcome: Conduct second reading of Ordinance No. 2021-012, Marijuana Annual Reporting.

I. BACKGROUND

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

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

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 annual reporting, with requested clarifications to the language. 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

II. PROPOSAL

The proposed text amendments are as follows:

- DCC 18.116.330(D)(1): Adds text to state “**An annual report is required unless the approved applicant has (a) secured a license from OLCC; (b) operated through at least one growing season; and (c) obtained a passing inspection from the Community Development Department. Thereafter, mandated annual reporting is not applicable unless the license is modified, in which case annual reporting is required until (a), (b), and (c) are once again satisfied.** An annual report shall be submitted to the Community Development Department...” (new text indicated in bold type).

Attachments:

1. Ordinance No. 2021-012
2. Corresponding Exhibits to Ordinance No. 2021-012:
 - Exhibit A – DCC Chapter 18.116, Supplementary Provisions
 - Exhibit B – Findings

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