



MEMORANDUM

TO: Board of County Commissioners
FROM: Audrey Stuart, Associate Planner
DATE: August 13, 2024
SUBJECT: August 21st Deliberations for Appeal of Psilocybin Service Center

The Board of County Commissioners (“Board”) is conducting deliberations on August 21, 2024, to consider an appeal of a Hearings Officer Decision denying a request for a psilocybin service center. The subject request is for a Conditional Use Permit and Site Plan Review (land use file nos. 247-23-000614-CU, 247-23-000615-SP).

I. BACKGROUND

The Applicant requests a Conditional Use Permit and Site Plan Review to establish a psilocybin service center at Juniper Preserve (formerly Pronghorn) destination resort. The subject property is zoned Exclusive Farm Use and Destination Resort Combining Zone and is located in the core area of Juniper Preserve. The applicant proposes to administer psilocybin to clients within an existing structure, under licensing from the Oregon Health Authority.

A public hearing was held before the Deschutes County Hearings Officer on March 12, 2024, and a Hearings Officer decision denying the applications was mailed on April 29, 2024. The applicant appealed the Hearings Officer’s decision on May 10, 2024 (appeal file no. 247-24-000292-A). At a work session on May 29, 2024, the Board voted to hear this appeal, and a second work session was held on July 1, 2024, to prepare for the public hearing. A public hearing was held before the Board on July 17, 2024, and the written record was left open for 21 days following the public hearing.

II. PUBLIC COMMENTS

Staff has received over 200 written comments over the course of this review. This includes 153 public comments that were received prior to the Hearings Officer hearing, 25 comments that were received during the subsequent open record period, and 63 comments that were received throughout the Board hearing process.

Key issues raised by those in opposition included:

- The proposal's compatibility with existing Resort uses and functions;
- The Resort's existing access across BLM land;
- The proposal's compatibility with the Resort's Final Master Plan;
- The Resort's distance from emergency services;
- Impact to property values.

Key issues raised in support included:

- Appropriateness of the proposed location;
- Community benefits of psilocybin treatment;
- The proposed use is permitted in the zone and does not require a modification to the Resort's Final Master Plan.

III. BOARD DELIBERATIONS

A member of the public requested that the Board reopen the public record pursuant to Deschutes County Code 22.24.160. Prior to beginning deliberations, the Board must vote on whether or not to reopen the record. If the Board votes to reopen the record deliberations will be postponed until after the new date set for receipt of testimony. If the Board votes to deny the request to reopen the record, deliberations may proceed at the August 21st meeting.

If the Board finds that additional deliberations are necessary, the Board may schedule a future date for continued deliberations. If the Board finds no additional deliberations are necessary, the Board may then vote on whether to approve or deny the subject application.

Board Decision Matrix

Staff prepared a matrix outlining key issue areas for the Board's deliberation. This matrix is included as an attachment, and provides additional review and discussion of the application's compliance with applicable approval criteria. As identified on the decision matrix, there are decision points for the Board to determine whether issues areas have been sufficiently addressed.

IV. NEXT STEPS

If the Board determines that additional deliberations are necessary, staff will work with the Board to schedule a future meeting for continued deliberations. If the Board concludes their deliberations during the August 21, 2024, meeting, the Board may then vote on whether to approve or deny the subject application. If the Board renders a vote during the August 21, 2024, meeting, staff will coordinate with the Board to return for a future meeting to review the draft decision and relevant exhibits. If appropriate, the first reading of the ordinance can be initiated at that time.

VI. RECORD

The record for File Nos. 247-23-000614-CU, 247-23-000615-SP, 247-24-000292-A are as presented at the following Deschutes County Community Development Department website:

<https://www.deschutes.org/cd/page/247-23-000614-cu-247-23-000615-sp-psilocybin-service-center-juniper-preserve>

Attachments:

BOCC Decision Matrix