



Minutes

DESCHUTES COUNTY PLANNING COMMISSION
DESCHUTES SERVICES CENTER
1300 NW WALL STREET, BEND, OREGON, 97703
SEPTEMBER 29TH, 2022 – 5:30 P.M.

THIS MEETING WAS CONDUCTED IN PERSON, ELECTRONICALLY, AND BY PHONE. IT WAS AUDIO AND VIDEO RECORDED AND CAN BE ACCESSED AT THE DESCHUTES COUNTY MEETING PORTAL WEBSITE WWW.DESCHUTES.ORG/MEETINGS

I. Call to Order

Chairperson Jessica Kieras called the meeting to order at 5:30 pm. Planning Commissioners present in-person: Dale Crawford, Nathan Hovekamp, Matt Cyrus, Toni Williams and Susan Altman. Present via zoom: Maggie Kirby.

Staff present: Peter Gutowsky – Community Development Director, Will Groves – Planning Manager, Tanya Saltzman-Senior Long Range Planner.

II. Public Comment

- None

III. Action Items

1. **Public Hearing: Psilocybin TPM Text Amendments (Tanya Saltzman, Senior Planner)**

- Ms. Saltzman reviewed the proposed text amendments related to Psilocybin which included new terms and definitions, new uses (manufacture as farm use, manufacture as processing use, service centers, and testing laboratories) and the addition of a new chapter to create Time, Place, and Manner (TPM) criteria.
- Oregon Health Authority (OHA) will manage the program and provide licenses for manufacturers, service centers, testing laboratories, and facilitators.
- Rulemaking is still in progress and expected to conclude in December 2022.
- Written agency comments from DLCD as well as written public comments were shared and are available to access in the record.
- Angie Brewer, Regional Representative from DLCD briefly introduced her agency's role and desire to be a resource if needed throughout this meeting.

IV. Public Hearing Comments

- **William Wardlow, Bend, OR** – Shared his agreement with the DOJ interpretation of the statute regarding allowed uses in the Exclusive Farm Use Zone (EFU). He also shared his concerns for TPM rules that do not allow for or even for overnight stays at service centers are a safety risk due to the hallucinogenic effect of psilocybin. He shared his support for

the medical and therapeutic uses of psilocybin in a clinical and professional setting and spoke highly of their benefits in his personal observations and experiences.

- **Alex Banks, Bend, OR** - Shared his knowledge of psilocybin dosages, concerns around the proposed supervision times, and his concerns for the current mental health crisis and the potential benefits of therapeutic psilocybin. He shared his support for multi-day and overnight service center options due to the intensive therapeutic work involved in psilocybin use.
- **Corrine Celko, Emerge Law Group on behalf of Juniper Preserve** - Juniper Preserve is a wellness resort interested in participating as a service center. Sought to clarify the program itself, as set out in statute is expressly non-medical. Shared about the potential benefits of rural, natural settings for service centers as opposed to commercial benefits, particularly that of destination resorts. Argues that as part of the TPM, service centers in the Destination Resort overlay zone should be expressly allowed.
- **Melissa Sanchez, Employee of Juniper Preserve** - Shared how the vision of retreat programming can align with psilocybin service centers.
- **Julie Matovich, Bend, OR** – Spoke to the need for equal and fair access to psilocybin use via service centers. Shared that the current proposed TPM requirements are eliminating any real potential sites for centers within the county. Concerns around how commercial and industrial settings can interfere with the benefits of treatment and encouraged consideration of less restrictive zoning requirement as well as the option for overnight and extended stay options.
- **Elaine Marshall, Redmond, OR** – In support of service centers that allow for group settings and overnight stay options. Shared study results of benefits of psilocybin as a treatment modality in veterans with mental health diagnosis such as PTSD and Depression. Spoke to concerns of service locations in urban settings and the negative impact this can have on patients unlike the benefits of a more rural, nature based location.
- **Mike Hayes, Bend, OR** – Spoke to concerns of TPM restraints affecting viable locations for service centers as a local dispensary owner who struggles with similar restraints in the marijuana industry. Shared his knowledge of the benefits of Psilocybin use and the realistic needs of those seeking to utilize a service center, including overnight stays and suitable locations.
- **Nelly Makowski, Bend, OR**- Shared her knowledge of the effects of Psilocybin use on the brain the subsequent effects that necessitate a longer service duration. Shared concerns regarding the restrictive nature of the proposed TPM amendments.
- **Jessica Carroll, Terrebonne, OR** – Shared about her personal observations of the benefits of psilocybin use as the spouse of a veteran who has utilized the therapeutic application. Shared significant concerns for the restrictive nature of the TPM negating the ability for the public to access service centers. Advocated for less restrictive TPM language/ zoning requirements that will allow for more abundant access.
- **Piper Lucas, Bend, OR** – Shared concerns regarding the restrictive zoning requirements and the viability of service centers in more rural locations such as the EFU, F1, F2, or MUA 10 zones and creative ways to co-locate these businesses within a given zone, outside of destination resorts, that can help keep costs down and increase accessibility.
- **Greg Logan, Bend, OR** – Shared concerns regarding the proposed service center hours of operation and the safety implication of disallowing overnight stay options.

Motion: Commissioner Cyrus motioned to close the hearing and leave the written record open for one week, to close on October 6th 2022 at 4:00pm. Commissioner Williams seconded this motion.

Friendly Amendments: Commissioner Crawford amended motion to keep record open until October 13th 2022 and commence deliberation on October 27nd. Commissioner Williams proposed an amendment that the record close October 6th. Commissioner Cyrus accepted the friendly amendment. Commissioner offered a friendly amendment to continue the hearing to October 13th and limit the oral testimony portion to one hour on the evening of the 13th.

Vote: Commissioners unanimously vote “No” to proposed motion and friendly amendments.

New Motion: Commissioner Kirby prosed to continue hearing until October 13th 2022 and commence deliberation on October 27th 2022.

Vote: Unanimous vote to approve motion.

V. Planning Commission and Staff Comments

- Will provided brief update on work plan. Staff will bring work plan to the Board of County Commissioners for proposed project prioritization on October 13th 2022.
- Peter shared that Nicole Mardell, Senior Planner, will provide a Comprehensive Plan update ahead of the public hearing portion of the meeting on the 13th and deliberation of text amendments regarding additional dwelling units.
- Commissioner Cyrus encouraged those who provided testimony to provide very specific examples of how their proposed changes could be implemented.
- Commissioner Altman commended the quality of the meeting testimony.
- Commissioner Hovekamp advocated for sincere consideration of public testimony provided in this process.
- Commissioner Cyrus and Crawford commended the testimony provided in this meeting.
- Commissioner Hovekamp also encouraged the public to provide examples of how their recommendations may be implemented.
- Commissioner Williams shared her appreciation for public input provided this meeting.

VI. Adjourn

The meeting was adjourned at 9:02pm

Respectfully submitted by

Brooke Clark

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