



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: February 04, 2016
Jurisdiction: Wasco County
Local file no.: PLALEG-15-11-0001
DLCD file no.: 005-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/03/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 005-15 {24133}
2/3/2016

Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Wasco County

Local file no.: **PLALEG-15-11-0001**

Date of adoption: January 11, 201

Date sent: 2/3/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): November 11, 2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Yes, the adopted version included amendments recommended by the Planning Commission; please see attached.

Local contact (name and title): Angie Brewer, Planning Director

Phone: 541-506-2566

E-mail: angieb@co.wasco.or.us

Street address: 2705 East Second Street

City: The Dalles

Zip: 97058-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

No changes were proposed for the Comprehensive Plan text or zoning map; only changes to the text of the Land Use & Development Ordinance.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Addition of Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation).

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: N/A

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

PLALEG-15-11-0001 Board of Commissioner's Summary and Staff Report and the final adopted ordinance text.

FILED
WASCO COUNTY

2016 JAN 15 PM 3 43

LISA GAMBEE
COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF WASCO COUNTY, OREGON

IN THE MATTER OF THE WASCO COUNTY PLANNING)
DEPARTMENT'S REQUEST TO APPROVE THE PROPOSED)
LEGISLATIVE AMENDMENTS CONTAINED IN PLALEG-15-11-0001)
TO UPDATE THE LAND USE AND DEVELOPMENT ORDINANCE) ORDINANCE NO. 16-001
RELATED TO THE TIME, PLACE, AND MANNER OF THE)
PRODUCTION, PROCESSING, WHOLESALING, AND RETAILING)
OF RECREATIONAL AND MEDICAL MARIJUANA,)
PURSUANT TO OREGON HOUSE BILL 3400)

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and all of the Wasco County Board of Commissioners being present; and

WHEREAS, the following areas have been identified to be amended to regulate the time, place, and manner of the production, processing, wholesaling, and retailing of recreational and medical marijuana in the Wasco County Land Use & Development Ordinance: the addition of Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation).

WHEREAS, the Wasco County Board of Commissioners held publically noticed town hall meetings to receive and consider public input on the marijuana businesses and authorities provided by

House Bill 3400. The town hall meetings occurred on September 17, 2015 in Dufur, Oregon and September 21, 2015 in Mosier, Oregon.

WHEREAS, on October 21, 2015, the Wasco County Board of Commissioners directed the Wasco County Planning Department to initiate text amendments to the Ordinance related to the above matter pursuant to Chapter 9, Section A of the Wasco County Land Use & Development Ordinance.

WHEREAS, the Wasco County Planning Department sent notification to Department of Land and Conservation and Development (DLCD) pursuant to ORS 197.610 on November 11, 2015 and all affected property owners pursuant to ORS 215.503 (M56) on November 24, 2015; and

WHEREAS, the Wasco County Board of Commissioners appointed the Wasco County Planning Commission to host public work sessions on the subject. The four work sessions were open to the public and notified for public participation (occurred November 3, 9, and 23, 2015 and December 1, 2015).

WHEREAS, on December 16, 2015 and December 21, 2015 tow noticed public hearings before the Planning Commission were held in Wasco County to receive and consider public input specific to the staff proposal resulting from the work sessions. The Planning Commission reviewed the recommendations by staff, background information, and received public testimony. On December 21, 2015 the Planning Commission voted to elevate the request for legislative text amendments to the Wasco County Land Use & Development Ordinance with a recommendation of approval to the Wasco County Board of Commissioners with additional amendments (vote: 4 yes, 0 no, 1 abstained); and

WHEREAS, on December 28, 2015 the Wasco County Board of Commissioners met to conduct the first of two legally notified public hearings on the above matter. The Wasco County Board of Commissioners reviewed recommendations by the Wasco County Planning Commission, staff and received testimony from the public. The hearing was continued to January 11, 2016 pursuant to Chapter 9 timeline requirements for legislative text amendments to the Ordinance; and

WHEREAS, on January 11, 2016 the Wasco County Board of Commissioners met to conduct the second of two legally notified public hearings on the above matter. The Board of County Commissioners again reviewed background information and received additional public testimony. The Commissioners deliberated, and on a vote of 3 – 0 approved the recommendation by the Wasco County Planning Commission on the above matter and as contained in the attachment titled *Wasco County File PLALEG-15-11-0001 Proposed Zoning and Development Ordinance Amendments*, dated December 22, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF WASCO COUNTY, OREGON, ORDAINS as follows:

Section 1. The amendments to Chapters 1, 3, 11, 12 and 20 of the Wasco County Land Use and Development Ordinance are approved in light of the applicable criteria and findings presented in the Staff Report to Board of Commissioners dated December 22, 2015.

Section 2. The amendments contained in the attachment titled *Wasco County File PLALEG-15-11-0001 Proposed Zoning and Development Ordinance Amendments*, dated December 22, 2015, are ADOPTED and by reference made part of this Ordinance.

Section 3. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage on January 11, 2016.

Section 4. Severability: If any provision of this ordinance is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other provision of the Ordinance. The Ordinance shall be construed as if such invalid provision had never been included.

Dated this 11th day of January, 2016

BOARD OF COUNTY COMMISSIONERS
OF WASCO COUNTY, OREGON



ROD RUNYON, Commission Chair




STEVE KRAMER, County Commissioner



SCOTT HEGE, County Commissioner

Approved as to Form:



Kristen Campbell, County Counsel

Amendment Summary

Wasco County File # PLALEG-15-11-0001

Wasco County Adopted Ordinance # 16-001 (adoption date: January 11, 2016)

Purpose and Need

Oregon Measure 91 and Oregon House Bill 3400 identified medical and recreational marijuana related business that may now be regulated by local jurisdictions in several ways, including land use. To solicit community feedback on this issue, the Wasco County Board of Commissioners held two town hall meetings (September 17 in Dufur and September 21 in Mosier), and invited Planning staff to make regular presentations at their publically noticed meetings to answer questions about the new regulations as well as listen for additional community feedback. On October 21, 2015 the Board of Commissioners directed Staff to engage the Wasco County Planning Commission to add time, place, and manner ordinance amendments regulating marijuana businesses in Wasco County, outside incorporated cities and outside of the Columbia River Gorge National Scenic Area (Board Resolution # 15-017).

Summary of Process

Following the October 21, 2015 Board of County Commissioners meeting, the Wasco County Planning Commission has held four public work sessions and two hearings; all of which were publically noticed. The Board of County Commissioners held two public hearings to encourage more input and ensure timelines had been met before making a final decision. A Measure 56 Notice was provided to residents.

- November 3, 2015 - Discuss scope of task
- November 9, 2015 – Review Clackamas County and Deschutes County draft ordinances
- November 23, 2015 - Discuss staff's first draft ordinance, using the Clackamas draft as template.
- December 1, 2015 – Continue discussion of draft language and staff feedback
- December 16 and 21, 2015 – Planning Commission Public Hearings
- December 22, 2015 – Planning Commission Recommendation made available to the public and conveyed to Board of County Commissioners, including revised proposed ordinance language.
- December 28, 2015 – first hearing with the Board of County Commissioners (was continued).
- January 11, 2015 – final Board of County Commissioners hearing; emergency adoption date.

Other Significant Dates

- November 11, 2015 – Notice of text amendments provided to DLCD
- November 24, 2015 – Written notice mailed to all affected landowners (adhering to the requirements of the Measure 56 notice process)
- November 24, 2015 – Notice of Planning Commission Hearings published in The Dalles Chronicle newspaper
- November 25, 2015 – draft ordinance language, relevant documents, hearing dates and methods of public participation and comment posted on Planning Department website.
- November 25, 2015 –notification of all partner agencies and parties that requested notification to view content online and submit feedback.
- December 3, 2015 – revised draft ordinance language added to Planning Department website following December 1, 2015 Planning Commission work session.
- December 15, 2015 - Notice of County Board Hearings published in The Dalles Chronicle newspaper

Summary of Amendments

The proposed text amendments respond to changes in State Law. There's nothing contained within the staff report or the text amendments that constitute a departure from the adopted Wasco County Comprehensive Plan or Statewide Planning Goals.

The proposed ordinance amendments add and amend text to regulate the time, place and manner of recreational and medical marijuana businesses regulated by the OLCC and OHA. Text amendments add Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and make changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation). Please see the attached full text of the ordinance amendments. The staff report contains helpful matrices to compare previous ordinance regulations to newly adopted regulations.

The amendments only apply to lands in unincorporated areas of Wasco County, excluding federal lands, Tribal lands, and lands located within the Columbia River Gorge National Scenic Area.

//AB

Supplemental information for DLCD Form 2, Question 6:

Question: *Is the adopted change different from what was described in the Notice of Proposed Change?*

Answer: Yes. The following recommendations were provided by the Wasco County Planning Commission and included in the Board of County Commissioner's final decision to approve and adopt PLALEG-15-11-0001, Marijuana Production, Processing, Wholesaling, and Retail under Ordinance # 16-001:

1. Limit the prohibition of new dwellings in conjunction with marijuana crops to lands zoned exclusively for farm use, to be consistent with HB 3400 (see Section 34(2)(a)).
2. Modify the definition of "agriculture structure" in Section 1.090 to ensure new agriculture buildings can be approved for farm uses that comply with state law.
3. Correct errors in Staff Report and the proposed text amendment:
 - a. Staff Report: add references to Oregon Health Authority where applicable; and
 - b. Proposed Ordinance Text: add references to Farm-Forest (F-F 10) and Agriculture-Recreational (A-R) in new Chapter 11, Section 11.020(b) to be consistent with the language recommended for Chapter 3.
4. Include the following emergency clause: "Insomuch as this ordinance amendment is necessary for the immediate preservation of health, safety and welfare, an emergency is hereby declared to exist and this ordinance amendment shall be in full force and effect immediately upon its adoption by the County Court."

FILED
WASCO COUNTY

2015 NOV 32 PM 1 17

LISA GAMBEE
COUNTY CLERK

IN THE BOARD OF COUNTY COMMISSIONERS
OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF DIRECTING AND)
AUTHORIZING THE WASCO COUNTY)
PLANNING & DEVELOPMENT) RESOLUTION
DEPARTMENT TO INITIATE A) #15-017
LEGISLATIVE TEXT AMENDMENT TO THE)
LAND USE AND DEVELOPMENT)
ORDINANCE PURSUANT TO CHANGES)
RESULTING FROM HB 3400 OF THE 2015)
OREGON LEGISLATIVE SESSION. (FILE)
NUMBER PLALEG-15-11-0001)

1

2 WHEREAS, the above-entitled matter having come on regularly for consideration,
3 said day being one duly set in term for the transaction of public business and a majority of
4 the Board of County Commissioners being present; and

5 WHEREAS, HB 3400 of the 2015 Oregon Legislative Session enacted regulations
6 legalizing and regulating the use of marijuana; including commercial growing, warehousing,
7 wholesaling, and retailing of marijuana. Wasco County has elected to create time, place, and
8 manner ordinances as regulatory authority over marijuana business; and

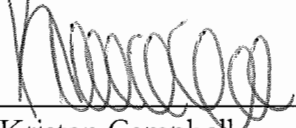
1 WHEREAS, the Wasco County Planning & Development Department therefore has
2 requested to initiate a legislative text amendment to the Land Use and Development
3 Ordinance to update the Wasco County Land Use and Development Ordinances to create
4 consistency with State Regulations pursuant to changes resulting from HB 3400 of the 2015
5 Legislative Session;

6 NOW, THEREFORE, IT IS HEREBY RESOLVED: That the Wasco County
7 Board of County Commissioners directs the Wasco County Planning & Development
8 Department to initiate a legislative text amendment to the Land Use and Development
9 Ordinance to update the Wasco County Land Use and Development Ordinances to create
10 consistency with State Regulations pursuant to changes resulting from HB 3400 of the 2015
11 Oregon Legislative Session.

12 SIGNED this 2nd Day of December, 2015.

WASCO COUNTY BOARD OF
COUNTY COMMISSIONERS

APPROVED AS TO FORM:



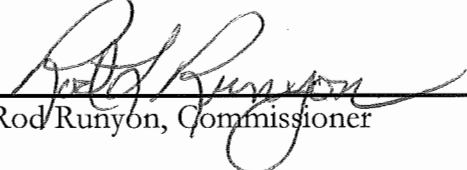
Kristen Campbell
Wasco County Counsel



Scott Hege, Chair of Commission



Steve Kramer, Commissioner



Rod Runyon, Commissioner



Wasco County Planning Department

"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058
(541) 506-2560 • wcplanning@co.wasco.or.us
www.co.wasco.or.us/planning

NOTICE OF PUBLIC MEETING **WASCO COUNTY BOARD OF COMMISSIONERS**

NOTICE IS HEREBY GIVEN that the WASCO COUNTY BOARD OF COMMISSIONERS will be meeting on **Monday, December 28, 2015**, beginning at **5:30 pm** at the Wasco County Courthouse, 511 Washington St, Room 302, The Dalles, OR 97058.

PLEASE NOTE: THE HEARINGS ARE APPLICABLE TO ALL PROPERTY OWNERS LOCATED IN WASCO COUNTY (Outside of the National Scenic Area).

LEGISLATIVE HEARING:

The December 28, 2015 hearing will explain the proposed text amendments to the Wasco County Land Use and Development Ordinance to establish Time, Place, and Manner regulations including, but not limited to, Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 11 (Marijuana Production, Processing, and Retailing), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation), to create consistency with state regulations and make other amendments appropriate for Wasco County.

PLEASE NOTE:

- Proposed amendments are available online at: http://co.wasco.or.us/planning/long_range.html
- If you cannot attend the hearing but wish to provide comments you may do so in writing at the address listed above or by email at the website listed above.

QUESTIONS/COMMENTS are to be submitted in writing to the Wasco County Planning and Development Office, 2705 East Second St., The Dalles, Oregon 97058, or in person at the hearing. Written testimony submitted by Testimony and evidence must be directed toward the listed review criteria or other criteria in the plan or land use regulation which the person believes to apply to that decision. Questions and comments should be directed to: Angie Brewer, Planning Director, at (541) 506-2566 and angieb@co.wasco.or.us.

AVAILABILITY OF INFORMATION: Any staff report used at the hearing shall be available for inspection at no cost at least seven (7) days prior to the hearing. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Copies of the application(s) and all documents and evidence relied upon by the applicant(s), all applicable criteria, and any staff reports are available for inspection at no cost and will be provided at reasonable cost at 2705 East Second Street, The Dalles, OR 97058.

Documents will be available online at: http://co.wasco.or.us/planning/long_range.html

The meeting facility is handicapped accessible, and language interpreters are available with one week notice. Please call (541) 506-2560 Monday through Thursday, from 9:00 a.m. to 4:00 p.m., if you need special accommodations to attend the meeting.

Dated at The Dalles, Oregon on this 8th day of December, 2015.

[PUBLICATION DATE: Tuesday, December 15, 2015]



Wasco County Planning Department

"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058
(541) 506-2560 • wcplanning@co.wasco.or.us
www.co.wasco.or.us/planning

SUMMARY OF INFORMATION

Prepared for Board of County Commissioners Hearing

File Number: PLALEG-15-11-0001

Request: Legislative text amendments to the Wasco County Land Use and Development Ordinance to regulate the time, place and manner of marijuana businesses, including the addition of Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation).

Prepared By: Angie Brewer, Planning Director on behalf of the Wasco County Planning Commission

Prepared For: Wasco County Board of Commissioners

**Board of County Commissioners
Hearing Dates:** December 28, 2015 and January 11, 2016

Procedure Type: Legislative

Applicant: Wasco County

Owners & Location: Amendments will regulate marijuana businesses in all zones on all non-federal and non-tribal trust properties, outside of incorporated communities and outside of the Columbia River Gorge National Scenic Area.

**Planning Commission
Recommendation:** Recommend a conditioned approval to the Board of County Commissioners, and that the final ordinance is adopted as an emergency for immediate implementation.

Attachments:

- A. Planning Commission Recommendation & Board Options
- B. Staff Report
- C. Proposed ordinance text amendments

ATTACHMENT A – PLANNING COMMISSION RECOMMENDATION

The full Planning Commission recommendation (Staff Report) with all proposed findings of fact and conclusions of law is enclosed as **Attachment B** and was made available at the Wasco County Planning Department and Board of Commissioners Office for review one week prior to the December 28, 2015, hearing (and January 11, 2016 hearing). The full staff report is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the Staff Report, but summarizes the results of the Planning Commission’s review and recommendation made December 21, 2015.

Measure 56 Notice was provided to all affected owners on November 24, 2015, and a Notice of Proposed Amendment was sent to DLCD on November 11, 2015.

PLANNING COMMISSION RECOMMENDATION:

Approval of the proposed text amendments as an emergency ordinance, with the following conditions:

1. Limit the prohibition of new dwellings in conjunction with marijuana crops to lands zoned exclusively for farm use, to be consistent with HB 3400 (see Section 34(2)(a)).
2. Modify the definition of “agriculture structure” in Section 1.090 to ensure new agriculture buildings can be approved for farm uses that comply with state law.
3. Correct errors in Staff Report and the proposed text amendment:
 - a. Staff Report: add references to Oregon Health Authority where applicable; and
 - b. Proposed Ordinance Text: add references to Farm-Forest (F-F 10) and Agriculture-Recreational (A-R) in new Chapter 11, Section 11.020(b) to be consistent with the language recommended for Chapter 3.
4. Include the following emergency clause: “Insomuch as this ordinance amendment is necessary for the immediate preservation of health, safety and welfare, an emergency is hereby declared to exist and this ordinance amendment shall be in full force and effect immediately upon its adoption by the County Court.”

BOARD OPTIONS

(Note: pursuant to WCLUDO Section 9.080, final action may not be taken until January 11, 2016)

Continue:

- Based on testimony and evidence presented at the hearing, continue the hearing if necessary. Note: additional testimony may provide specific reasons to approve or deny.

Approval:

- Based upon all of the findings of fact, the Board may approve the request as recommended by the Planning Commission; or
- Based upon amended findings of fact, the Board may approve the request with amendments;

Denial:

- Based upon amended findings of fact, the Board may deny the request.

ATTACHMENT B – PLANNING COMMISSION STAFF REPORT

File Number: PLALEG-15-11-0001

Request: Legislative text amendments to the Wasco County Land Use and Development Ordinance to regulate the time, place and manner of marijuana businesses, including the addition of Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation).

Prepared By: Angie Brewer, Planning Director on behalf of the Wasco County Planning Commission

Prepared For: Wasco County Board of Commissioners

Board of County Commissioners

Hearing Dates: December 28, 2015 and January 11, 2016

Procedure Type: Legislative

Applicant: Wasco County

Owners & Location: Amendments will regulate marijuana businesses in all zones on all non-federal and non-tribal trust properties, outside of incorporated communities and outside of the Columbia River Gorge National Scenic Area.

I. APPLICABLE STANDARDS

A. Wasco County Land Use and Development Ordinance:

1. Chapter 2 – Development Approval Procedures
 - Section 2.060 Application
 - Section 2.080 Notice
 - Section 2.090 Contents of Notice
 - Section 2.130 Establishment of Party Status
 - Section 2.140 Hearing Procedure
 - Section 2.150 Official Notice
 - Section 2.190 General Conduct of All Hearings; Legislative, Administrative or Quasi-judicial

2. Chapter 9 – Zone Change Ordinance Amendment
 - Section 9.050 Amendments to the Zoning Ordinance
 - Section 9.060 Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance
 - Section 9.070 Notice of Planning Commission Recommendation
 - Section 9.080 Action by County Governing Body

FINDING: Compliance with the applicable standards of Chapters 2 and 9 of the Wasco County Land Use and Development Ordinance are discussed below in Section III of this report.

II. BACKGROUND INFORMATION

Purpose and Need

Oregon Measure 91 and Oregon House Bill 3400 have identified medical and recreational marijuana related business that may now be regulated by local jurisdictions in several ways, including land use. To solicit community feedback on this issue, the Wasco County Board of Commissioners held two town hall meetings (September 16 in Dufur and September 21 in Mosier), and invited Planning staff to make regular presentations at their publically noticed meetings to answer questions about the new regulations as well as listen for additional community feedback. On October 21, 2015 the Board of Commissioners directed Staff to engage the Wasco County Planning Commission to add time, place, and manner ordinance amendments regulating marijuana businesses in Wasco County, outside incorporated cities and outside of the Columbia River Gorge National Scenic Area.

Summary of Process to Date

Following the October 21, 2015 Board of County Commissioners meeting, the Wasco County Planning Commission has held four public work sessions:

- November 3, 2015 - Discuss scope of task
- November 9, 2015 – Review Clackamas County and Deschutes County ordinances
- November 23, 2015 - Discuss staff's first draft ordinance, which used the Clackamas County draft as template.
- December 1, 2015 – Continue discussion of draft language and staff feedback
- December 16 and 21, 2015 – Planning Commission Public Hearings
- December 22, 2015 – Planning Commission Recommendation made available to the public and conveyed to Board of County Commissioners, including revised proposed ordinance language.
- December 28, 2015 – scheduled hearing with the Board of County Commissioners
- January 11, 2015 – tentative date of final Board of County Commissioners hearing

Other Significant Dates:

- November 11, 2015 – Notice of text amendments provided to DLCDC
- November 24, 2015 – Written notice mailed to all affected landowners (adhering to the requirements of the Measure 56 notice process)
- November 24, 2015 – Notice of Planning Commission Hearings published in *The Dalles Chronicle* newspaper

- November 25, 2015 – draft ordinance language, relevant documents, hearing dates and methods of public participation and comment posted on Planning Department website.
- November 25, 2015 –notification of all partner agencies and parties that requested notification to view content online and submit feedback.
- December 3, 2015 – revised draft ordinance language added to Planning Department website following December 1, 2015 Planning Commission work session.
- December 15, 2015 - Notice of County Board Hearings published in *The Dalles Chronicle* newspaper

Summary of Amendments

The proposed text amendments respond to changes in State Law. There’s nothing contained within this report or the proposed amendments that constitute a departure from the adopted Wasco County Comprehensive Plan or Statewide Planning Goals.

The proposed ordinance amendments will add and amend text to regulate the time, place and manner of recreational and medical marijuana businesses regulated by the OLCC and OHA. Text amendments are proposed to add Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing) and make changes to Chapter 1 (Definitions), Chapter 3 (Basic Provisions), Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones), Chapter 20 (Home Occupation). Please see **Attachment C** for the full text of the ordinance amendments, a summary and two matrix documents that compare existing ordinance regulations to the proposed regulations.

The proposed amendments will only apply to lands in unincorporated areas of Wasco County, excluding federal lands, Tribal lands, and lands located within the Columbia River Gorge National Scenic Area.

Department Coordination

To develop the proposed text, Planning Staff solicited feedback from all Wasco County Departments and State partner agencies. Among others, this included the Oregon Watermaster, the Wasco County Sherriff’s Office, North Central Public Health District and the Oregon Fire Marshal’s Office. Comments provided are part of the record and available upon request. All comments received prior to the Planning Commission’s December 16, 2015 hearing have been addressed and incorporated into the current proposal. Notice was provided to all other partner agencies and parties who have requested notice. Changes were made by the Planning Commission December 21, 2105 to recommend the draft language with the following changes to the Board of County Commissioners:

1. Limit the prohibition of new dwellings in conjunction with marijuana crops to lands zoned exclusively for farm use, to be consistent with HB 3400 (see Section 34(2)(a)).
2. Modify the definition of “agriculture structure” in Section 1.090 to ensure new agriculture buildings can be approved for farm uses that comply with state law.

3. Correct errors in Staff Report and the proposed text amendment:
 - a. Staff Report: add references to Oregon Health Authority where applicable; and
 - b. Proposed ordinance text: add references to Farm-Forest (F-F 10) and Agriculture-Recreational (A-R) in new Chapter 11, Section 11.020(b) to be consistent with the language recommended for Chapter 3.

New information brought to the hearings may be considered by the Board of County Commissioners.

III. FINDINGS

A. Wasco County Land Use & Development Ordinance Chapter 2 – Development Approval Procedures:

SECTION 2.060 Application/Completeness

Pursuant to Chapter 2, Section 2.060(B)(2), ordinance amendments shall be heard by the Planning Commission; it states:

B. The following matters shall be heard by the Planning Commission, pursuant to Sections 2.080, 2.090, 2.130, 2.140, 2.150, and 2.190 of this Ordinance:

...

2. Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment (Chapter 9)

FINDING: Sections 2.080, 2.090, 2.130, 2.140, 2.150, 2.190 and Chapter 9 are addressed below. Consistent with this rule, the proposed ordinance amendment was heard by the Planning Commission on December 16, 2015 and December 21, 2015. The Planning Commission used the information in this report to make a recommendation to the Board of County Commissioners, who will make the final decision.

SECTION 2.080 Notice

SECTION 2.090 Contents of Notice

SECTION 2.130 Establishment of Party Status

SECTION 2.140 Hearing Procedure

SECTION 2.150 Official Notice

SECTION 2.190 General Conduct of Hearings

FINDING: The above sections establish the requirements for providing notice and the general conduct of hearings. Most of the criteria specifically address requirements for administrative decisions, quasi-judicial ordinance amendments, comprehensive plan amendments and zone changes. The proposed text amendment is a legislative ordinance amendment and does not include an administrative decision, zone change or comprehensive plan amendment. The Wasco County Planning Commission hosted public hearings for the proposed amendment on December 16, 2015 and December 21,

2015. Notice of the hearing dates was published in *The Dalles Chronicle* on November 24, 2015. The Board of County Commissioners will host public hearings to hear the legislative text amendment on December 28, 2015 and January 11, 2016. Notice of the Board hearing dates was published in *The Dalles Chronicle* on December 15, 2015.

Because the proposed amendment is legislative in nature, staff elected to provide written notice to all Wasco County landowners¹, in compliance with the Measure 56 notification process. The written notice was mailed to all landowners on November 24, 2015 – more than the 20-day pre-notice required by Section 2. The notice described the proposed text amendments, accessing materials, Planning Commission and Board of County Commission hearing dates, and instructions for providing input.

To ensure the general conduct of the hearings comply with Section 2.190, the Planning Commission and Board of County Commissioners will be provided a script with procedural guidance.

B. Wasco County Land Use & Development Ordinance Chapter 9 – Zone Change and Ordinance Amendment

STAFF NOTE: Sections 9.010 through 9.040 address zone changes only. Sections 9.050 through 9.080 address zone changes and amendments to the zoning ordinance.

SECTION 9.050 Amendments to the Zoning Ordinance

Pursuant to Section 9.050 of the Wasco County Land Use and Development Ordinance, amendments to the ordinance may be initiated through the following actions:

- A. *By resolution of the County Governing Body referring a proposed amendment to the Planning Commission for its consideration, report and recommendations;*
- B. *By a majority vote of the Planning Commission confirmed by the Wasco County Governing Body;*
- C. *By request of the Director of Planning or the District Attorney to conform the Ordinance to changes in State Law;*

FINDING: At their October 21, 2015 meeting (a public meeting), the Wasco County Board of Commissioners provided direction to the Planning Department Staff and Wasco County Planning Commission to begin work on ordinance amendments to address the time, place and manner of marijuana businesses, as a direct response to new uses and authorities specified in Oregon House Bill 3400. A formal resolution referring the proposed plan amendment to the Planning Commission was signed by the Board of County Commissioners on December 2, 2015. The proposed amendment was initiated in a manner consistent with (A) above and therefore consistent with the requirements of Section 9.050.

¹ Using address data provided by the Wasco County Assessor's records, written notice was provided to all Wasco County landowners with property located outside of incorporated communities.

SECTION 9.060 Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance

After hearing, the Approving Authority shall recommend that the proposed zone change or amendment to the Zoning Ordinance be granted or denied. The Director of Planning or his assistants shall reduce to writing the Commission's recommendations together with a brief statement of the facts and reasons upon which such recommendation is based.

FINDING: Public Hearings before the Planning Commission are scheduled for December 16, 2015 and December 21, 2015. The Planning Commission will use the information contained in the Staff Report and the feedback provided by commenting parties (see Section 2 above) to provide a formal recommendation to the Board of County Commissioners for their final decision. Following the public hearings, the Planning Department will provide the Commission's recommendations in writing (this report) and will include a statement of facts and reasons for recommendations, consistent with this rule.

SECTION 9.070 Notice of Planning Commission Recommendation

Within ten (10) days of the final Planning Commission hearing, the Director of Planning or his assistants shall give notice thereof to any persons who signed in and testified at the hearing and to such other persons as may have requested the same in writing.

FINDING: Consistent with this rule, the Planning Department will provide notice of the Planning Commission recommendation within ten (10) days to persons who signed in and testified at the hearing and anyone who requested notification in writing.

SECTION 9.080 Action by County Governing Body

Upon receipt of the Commission report, the County Governing Body shall take such action as may appear appropriate to that body, or as it feels the public interest requires, provided that in no event shall the County Governing Body act until at least twenty (20) days after the Notice of Planning Commission Recommendation has been mailed.

FINDING: Upon completion of the Planning Commission hearing on December 21, 2015, the Commission's recommendation will be forwarded to the Board of Commissioners. Notice of the Board hearing will be published a minimum of ten days prior to the hearing. The Planning Commission recommendation will be mailed the day after their recommendation is made at their public hearing. The Board of Commissioners hearing has been scheduled for December 28, 2015. To meet the 20 day requirement, the Board will continue their hearing to a date and time certain before taking action. The continued hearing is tentatively scheduled for January 11, 2016.

IV. CONCLUSION

Several months of public meetings, agency coordination, and research have been dedicated to the development of the proposed ordinance amendments. As proposed, the amendments will regulate the time, place and manner of new marijuana businesses on non-federal and non-Tribal Trust lands located outside of incorporated communities and outside of the Columbia River Gorge National Scenic Area. The proposed amendments will ensure the health, safety and welfare of County residents; allow farm uses to continue in farm and forest resource zones, industrial uses to continue in industrial zones and commercial uses to continue in commercial zones; and will ensure the protection of limited and sensitive resources (e.g. water).

ATTACHMENT C – PROPOSED ORDINANCE TEXT AMENDMENTS

Proposed Zoning and Development Ordinance Amendments (begins on page 8)

Please Note: text to be added is shown in *italics and in red*.

As shown in the following documents, text amendments are proposed for the following Chapters:

- Chapter 1 (Definitions)
- Chapter 3 (Basic Provisions)
- Chapter 12 (Application for a Farm or Forest Related Dwelling (Primary Structure) on a Non-Conforming Lot-of-Record in the A-1 or FF Zones)
- Chapter 20 (Home Occupation), to create consistency with state regulations and make other amendments appropriate for Wasco County

The proposed amendments also include the creation and establishment of Chapter 11 (Marijuana Production, Processing, Wholesaling and Retailing).

Please see the attached matrices to reference the marijuana uses allowed in each zone based on existing zoning ordinances and the proposed ordinance amendments (begins on page 2).

Summary of Proposed Regulations

Please read the full text for a complete understanding of the proposed amendments.

The proposed zoning ordinance text amendments:

- Does not regulate personal (non-commercial) growing or processing as specified by State Law, OLCC and OHA regulations;
- Does not regulate the growing of medical marijuana by a medical marijuana cardholder at the cardholder's residence, as long as no more than 12 mature plants are grown at that address (up to six mature plants per cardholder are permitted by state law);
- Does not regulate the processing of medical cannabinoid products or concentrates by a medical marijuana cardholder or a designated primary caregiver for a cardholder;
- Does address both medical and recreation marijuana businesses regulated by the OLCC and OHA;
- Prohibits all marijuana businesses regulated by OLCC and OHA from Rural Residential, Farm-Forest and Agriculture-Recreation zones;
- Prohibits the use of marijuana in conjunction with home occupations in all zones;
- Provides 1,000 foot setbacks from schools, public parks, daycares preschools, and churches;
- Provides a 200 foot setback from all residential zoned properties;
- Requires the growing of marijuana on EFU lands to comply with the setbacks and requirements of new Chapter 11;
- Requires the growing of marijuana on non-EFU lands to provide a Type I application for review and approval with Chapter 11 and any other requirements of the zone;
- Addresses odor, water, lighting, waste management, access, and several other significant issues;
- Provides applicants with a two-year time frame to implement the business they've been approved for, consistent with existing permit timelines for the County Planning Department;
- Requires confirmation of OLCC license within 30-days of the date of the Planning Department's decision to comply with conditions of approval.

Marijuana uses under current zoning regulations in Wasco County*

*Outside incorporated communities and outside the Columbia River Gorge National Scenic Area

The following information is based on a preliminary review of the Wasco County Land Use and Development Ordinance and the information currently available to staff regarding Measure 91 and House Bill 3400. Marijuana regulations and permitting procedures is a dynamic conversation that is still evolving. **This document is intended to be used for discussion purposes ONLY, does not constitute official guidance for future applicants or applications and is NOT a land use decision or official interpretation to be relied upon in any way.**

Possible marijuana business uses as a result of Measure 91 and House Bill 3400:

1. Medical Marijuana processing sites;
2. Medical Marijuana dispensaries;
3. Recreational Marijuana producers (growers);
4. Recreational Marijuana processors;
5. Recreational Marijuana wholesalers; or
6. Recreational Marijuana retailers;

Potential translations for existing uses identified in the Wasco County Land Use and Development Ordinance:

Medical or Recreational Marijuana processing =	Depends on scale, could be home occupation (e.g. small batch baked goods), could be industrial (e.g. processing to extract oils for use by other manufacturers).
Medical Marijuana dispensaries =	Similar use to pharmacy unless recreation retail is included
Recreational Marijuana production =	Farm use (if grown for commercial gain)
Recreational Marijuana wholesaling =	Warehouse that stores packaged products and resells to retail
Recreational Marijuana retailer =	Commercial use such as a store or major home occupation that sells commodities.

Please see table below for zones and the possible review process currently available.

Important notes:

1. All licensed producers, processors, wholesalers, and retailers will be required to obtain a license from the OLCC and in some cases the OMMP. *The rules and regulations of these entities are still being developed.*
2. The OLCC will require setbacks from specific uses such as schools.
3. The OLCC will require sign off (a land use compatibility statement) from the Planning Department for all commercial growing and other marijuana businesses (and *Planning will coordinate with Watermaster*).
4. The law allows personal growing for personal use – County zoning cannot regulate this
5. HB 3400 prohibits new agriculture dwellings to support the commercial growing of marijuana
6. HB 3400 does not allow farm stands to sell marijuana products
7. Remember that all new buildings require a land use application or confirmation of exemption prior to construction.

Please Note:

The table shown below does not provide anyone, under any circumstance, with an approval for new development or the growing of marijuana in any zone. The table was created to provide a general illustration of how current zoning of unincorporated lands and land outside of the National Scenic Area, might respond to new proposed marijuana uses in the future.

This document was revised for technical corrections to the table below on 12/3/2015.

Key to Table: PLEASE READ THIS FIRST

Process Required by Current Zoning and the Wasco County Land Use and Development Ordinance	
(A)	Personal grows of up to 4 plants per household allowed by the State; County zoning cannot regulate this.
(B)	No permit required; Use permitted without review but OLCC LUCS is required to confirm zoning/permits. <i>(Note: the use of existing buildings for farming would not necessarily require review however all <u>new</u> farm buildings require land use review from planning; Planning will coordinate with Watermaster where possible).</i>
(C)	Permit required: Type 1, Ministerial review with application. Type 1 includes coordination with the Building Department and Environmental Health. No public notice or appeal period.
(D)	Permit required: Type 2, Subject to Standards review with application. Type 2 includes coordination with the Building Department, Environmental Health, Watermaster and several other partner agencies. Public notice is issued with the decision document within the appeal period.
(E)	Permit required: Type 2 or 3, Conditional Use review with application. Type 3 includes coordination with the Building Department, Environmental Health, Watermaster and several other partner agencies. Public Notice is issued prior to the decision being issued and the decision contains an appeal period.

Based on a preliminary review, the uses listed above could potentially be applied for in the following zones:

Zone	Personal Grows	Producing + Primary Processing	Processing Secondary Processing	Wholesaling (Selling in bulk)	Retail (Individual sales)	Comments:
Forest (F-1)	Yes (A)	Yes (B)	No	No	Maybe (C)	Retail as Home Occ
Forest (F-2)	Yes (A)	Yes (B)	No	No	Maybe (C)	Retail as Home Occ
Exclusive Farm Use (EFU) (A-1)	Yes (A)	Yes (B)	Maybe (D)(C)	Maybe (E)	Maybe (C)	Retail as Home Occ
Forest-Farm (F-F)	Yes (A)	Yes (B)	Maybe (E)	No	Maybe (E)	Retail as Home Occ
Agriculture-Recreation (A-R)	Yes (A)	Yes (B)	No	No	Maybe (E)	Retail as Home Occ
Rural Residential (R-R (10))	Yes (A)	Yes (B)	Maybe (E)	Maybe (E)	Maybe (E)	Retail as Home Occ
Rural Residential (R-R (5))	Yes (A)	Yes (B)	No	No	Maybe (E)	Retail as Home Occ
Rural Residential (R-R (2))	Yes (A)	Yes (B)	No	No	Maybe (E)	Retail as Home Occ
Rural Commercial (R-C)	Yes (A)	No	No	No	Yes	Retail or

					(C)(D)(E)	Medical
Rural Industrial (R-I)	Yes (A)	No	Yes (C)(D)	Yes (D)	Maybe (E)	Retail or Medical
Tygh Valley Rural Center Zones						
Residential (RC-TV-R)	Yes (A)	No	No	No	Maybe (E)	Retail as Home Occ
Commercial (RC-TV-C)	Yes (A)	No	No	No	Yes (C)(D)(E)	Retail or Medical
Light Industrial/Commercial (RC-TV-M1)	Yes (A)	No	Yes (C)(D)	Yes (C)	Maybe (E)	Retail or Medical
Medium Industrial (RC-TV-M2)	Yes (A)	No	Yes (C)(D)	Yes (D)	No	No note.
Rural Reserve (RC-TV-RR)	Yes (A)	No	No	No	No	No note.
Agriculture (RC-TV-AG)	Yes (A)	Yes (B)	Maybe (E)	Maybe (E)	Maybe (E)	Retail as Home Occ
Wamic Rural Center Zones						
Residential (RC-Wam-R2)	Yes (A)	No	No	No	Maybe (E)	Retail as Home Occ
Residential (RC-Wam-R5)	Yes (A)	No	No	No	Maybe (E)	Retail as Home Occ
Commercial (RC-Wam-C2)	Yes (A)	No	No	No	Yes (C)(D)(E)	Retail or Medical
Medium Industrial (RC-Wam-M2)	Yes (A)	No	Yes (D)	Yes (D)	No	No note.
Overlay Zones						
Big Muddy Limited Use	Yes (A)	No	No	No	No	
Badger Creek Limited Use	Yes (A)	No	No	No	Maybe (E)	Retail as Home Occ
Pine Hollow Airport	Yes (A)	No	No	No	No	
Camp Morrow Limited Use	Yes (A)	No	No	No	No	

Marijuana uses under Proposed Ordinance Amendments *

***Outside incorporated communities and outside the Columbia River Gorge National Scenic Area**

The following information is based on draft proposed ordinance revisions discussed at the December 1, 2015 Planning Commission work session. Marijuana regulations and permitting procedures is a dynamic conversation that is still evolving. **This document is intended to be used for discussion purposes ONLY, does not constitute official guidance for future applicants or applications and is NOT a land use decision or official interpretation to be relied upon in any way.**

Possible marijuana business uses as a result of Measure 91 and House Bill 3400:

1. Medical Marijuana processing sites;
2. Medical Marijuana dispensaries;
3. Recreational Marijuana producers (growers);
4. Recreational Marijuana processors;
5. Recreational Marijuana wholesalers; or
6. Recreational Marijuana retailers;

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Recreational Marijuana wholesaling =	Warehouse that stores packaged products and resells to retail
Recreational Marijuana retailer =	Commercial use such as a store or major home occupation that sells commodities.

Please see table below for existing zones and the possible review process currently proposed.

Important notes:

1. All licensed producers, processors, wholesalers, and retailers will be required to obtain a license from the OLCC and in some cases the OMMP. *The rules and regulations of these entities are still being developed.*
2. The OLCC will require setbacks from specific uses such as schools.
3. The OLCC will require sign off (a land use compatibility statement) from the Planning Department for all commercial growing and other marijuana businesses (and *Planning will coordinate with Watermaster*).
4. The law allows personal growing for personal use – County zoning cannot regulate this
5. HB 3400 prohibits new agriculture dwellings to support the commercial growing of marijuana
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7. Remember that all new buildings require a land use application or confirmation of exemption prior to construction.

Please Note:

The table shown below does not provide anyone, under any circumstance, with an approval for new development or the growing of marijuana in any zone. The table was created to provide a general illustration of how proposed zoning of unincorporated lands and land outside of the National Scenic Area, might respond to new proposed marijuana uses in the future.

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(C)	Permit required: Type 1, Ministerial review with application. Type 1 includes coordination with the Building Department and Environmental Health. No public notice or appeal period.
(D)	Permit required: Type 2, Subject to Standards review with application. Type 2 includes coordination with the Building Department, Environmental Health, Water Master and several other partner agencies. Public notice is issued with the decision document within the appeal period.
(E)	Permit required: Type 2 or 3, Conditional Use review with application. Type 3 includes coordination with the Building Department, Environmental Health, Water Master and several other partner agencies. Public Notice is issued prior to the decision being issued and the decision contains an appeal period.

Result of proposed revisions discussed December 1, 2015 by the Wasco County Planning Commission:

Zone	Personal Grows	Producing + Primary Processing	Processing Secondary Processing	Wholesaling (Selling in bulk)	Retail (Individual sales)
Forest (F-1)	Yes (A)	Yes (C)	No	No	No
Forest (F-2)	Yes (A)	Yes (C)	No	No	No
Exclusive Farm Use (EFU) (A-1)	Yes (A)	Yes (B)	Yes (D)	Yes (D)	No
Forest-Farm (F-F)	Yes (A)	No	No	No	No
Agriculture-Recreation (A-R)	Yes (A)	No	No	No	No
Rural Residential (R-R (10))	Yes (A)	No	No	No	No
Rural Residential (R-R (5))	Yes (A)	No	No	No	No
Rural Residential (R-R (2))	Yes (A)	No	No	No	No
Rural Commercial (R-C)	Yes (A)	No	No	No	Yes (C)
Rural Industrial (R-I)	Yes (A)	No	Yes (C)(D)(E)	Yes (D)	Yes (E)
Tygh Valley Rural Center Zones					
Residential (RC-TV-R)	Yes (A)	No	No	No	No
Commercial (RC-TV-C)	Yes (A)	No	No	No	Yes (C)(D)(E)
Light Industrial/Commercial (RC-TV-M1)	Yes (A)	No	Yes (C)(D)	Yes (D)	Yes (E)
Medium Industrial (RC-TV-M2)	Yes (A)	No	Yes (C)(D)	Yes (D)	No
Rural Reserve (RC-TV-RR)	Yes (A)	No	No	No	No

Agriculture (RC-TV-AG)	Yes (A)	Yes (B)	No	No	No
Wamic Rural Center Zones					
Residential (RC-Wam-R2)	Yes (A)	No	No	No	No
Residential (RC-Wam-R5)	Yes (A)	No	No	No	No
Commercial (RC-Wam-C2)	Yes (A)	No	No	No	Yes (C)(D)(E)
Medium Industrial (RC-Wam-M2)	Yes (A)	No	Yes (D)	Yes (D)	No
Overlay Zones					
Big Muddy Limited Use	Yes (A)	No	No	No	No
Badger Creek Limited Use	Yes (A)	No	No	No	No
Pine Hollow Airport	Yes (A)	No	No	No	No
Camp Morrow Limited Use	Yes (A)	No	No	No	No