

March 20, 2019

Business and General Government Committee  
900 Court St, NE- HR B  
Salem, OR 97301

RE: SB 365- Relating to EFU and System Development Charges relating to Marijuana

Chair Riley, Vice-Chair Girod and Members of the Committee, my name is Jeston Black and I am the Director of Government Relations for Multnomah County. Thank you for the opportunity to provide written testimony and raise two concerns that Multnomah County has regarding SB 365.

Our first concern is the impact that this legislation could have on farm land. The Dash-2 amendment, which states that "the production of marijuana is an outright permitted use of land that is located within an Exclusive Farm Use (EFU) zone," is of concern to Multnomah County in that it would preclude our ability to limit licenses in EFU to one for production and/or licensing for each EFU lot. It would also impede our ability to control light and smell from indoor grow operations that have an impact on land owners and residents in the surrounding area. This could result in fields of marijuana with up to 40 times the number of plants currently allowed on our EFU properties as well as rows of greenhouses that would cause light pollution. These new developments would have a major effect on the rural character of valuable county farm land.

Second, we are concerned that we will be prohibited from collecting System Development Charges (SDCs) from Marijuana Related development. SDCs are an important tool used by government agencies to mitigate the impacts of development on agency assets such as roads and stormwater systems. SDCs are used to ensure that development pays for the effects of development. This prohibition would stunt the growth of important infrastructure such as roads that provide safe modes of travel and proper drainage systems that are needed with new development and changing land use policies. Without the ability to collect SDCs on marijuana developments, the county would be unable to match the existing infrastructure to what is needed with this new type of land usage. Additionally, we are concerned about the impacts on water quality and the quality of life of those who live and work in this area.

We urge the committee to remove these two components of the bill that would greatly impact farm lands and reduce county authority to mitigate impacts of marijuana related development on county assets.

Thank you,  
Jeston Black

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