

October 15, 2019

Benton County Planning Department
c/o Inga Williams

We are writing to voice our opposition to proposed code amendments that would allow the commercial growing of hemp and marijuana in rural residential neighborhoods. Over 30 years ago we chose to build our home on property zoned rural residential because of the quality of life we found in rural residential living. The proposed loosening of restrictions to permit the growing of marijuana and hemp on property zoned rural residential directly puts our way of life at risk.

From what we have read in multiple publications, it is quite clear that whether or not a grow operation is inside or out, it will produce a threat to the healthy lifestyle we currently enjoy. Included among potential problems are the extensive use of pesticides, the increased use of water from aquifers, a decrease in property value for property close to grow operations, and the production of offensive odors. With regard to the latter, one of us suffers from heightened sensitivity to strong odors. There is no doubt that we would have to sell our home and move away if a grow operation was close enough to blanket our home with its offensive odors.

It is hard to understand why there is a need to change the rural residential code guidelines when the rural residential zone comprises such a limited area of the county. Plenty of other land exists that would allow such grow operations. Rural residential zoning offers a unique living environment, one that should be allowed to continue as is.

Sincerely,

Stephen and Beverly Hobbs
8070 NW Ridgewood Dr.
Corvallis, OR 97330

WILLIAMS Inga

From: Ken Funk <funkkh@gmail.com>
Sent: Monday, October 14, 2019 12:01 PM
To: WILLIAMS Inga
Subject: comments on proposed marijuana/hemp amendments

Dear Ms Williams,

Thank you for the opportunity to comment on the proposed marijuana, hemp and industrial code amendments. I was present at the 9 October workshop, where I spoke briefly, but I am providing more detail below.

As I understand them, the proposed amendments would prohibit the production of marijuana and hemp on Rural Residential properties except through Conditional Use Permits. It is on the permit criteria and process which I want to focus. In particular, the first criterion of the CUP is that the proposed use

will not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

Until recently, the production of marijuana was illegal, conducted secretly, and its environmental and social impacts were not open to public scrutiny much less systematic study. As a result, the science on the impacts of such production is new and we do not adequately understand the following:

1. The magnitude of greenhouse gas production from both on-site operations and off-site generation of power for those operations.
2. Energy requirements, especially for indoor operations.
3. The effect of water demand on local aquifers.
4. The environmental impact of fertilizer, pesticide, and fungicide residues in effluent waste water on ground water supplies.
5. The amount and nature of solid waste, both hazardous and non-hazardous, generated by production operations and the environmental impacts thereof.
6. The effect of light pollution from greenhouses on night-time aesthetics and on plants and wildlife.
7. Additional traffic and noise created by these operations.
8. The social impacts of marijuana and hemp production in residential areas.

In our ignorance of these and other important considerations, it is impossible to develop sound, objective, specific criteria to judge compliance with the first general criterion (cited above) on CUP applications for marijuana and hemp production. Without such specific criteria, no applicant could prove compliance with the general criterion and no public official nor even any environmental or social scientist could make an objective determination with respect to an applicant's compliance. No county decision on a CUP could withstand smart legal challenge of an application approved or denied.

Therefore, as a resident of a Benton County Rural Residential zone, registered voter, and taxpayer, I assert that **marijuana and hemp production should be unconditionally prohibited in Rural Residential zones and there should be no provision for such use by Conditional Use Permits.**

Besides my main argument above, there are at least two other factors that support my position. First, areas zoned Rural Residential comprise only a small fraction of land already available for marijuana and hemp production in Benton County; the marginal benefits from using Rural Residential land for these crops would be

minuscule in comparison to the harm done to residential neighborhoods and environments. Second, enforcement of marijuana/hemp CUPs should be an important and urgent matter, but would be resource-intensive, with little revenue coming for it from permitting and taxation; given the relatively small size of these operations, it is likely that regular oversight as well as investigation of alleged violations of CUP conditions would receive low priority causing neighborhoods and environments to suffer.

Please change the Code to unconditionally prohibit marijuana and hemp production on Benton county land zoned Rural Residential.

Sincerely,

Kenneth H. Funk II, PhD
Tampico Road

WILLIAMS Inga

From: Jerry & Arden <ardenr@proaxis.com>
Sent: Wednesday, October 9, 2019 3:51 PM
To: WILLIAMS Inga
Subject: CUP

Hi Inga,

With the money and greed involved in growing these 3 crops, organized crime will take it over. Any dissenting neighbors will have a price and a target on their heads. Arden Ray

WILLIAMS Inga

From: Dorothy Balisok <dorothy@balisok.com>
Sent: Wednesday, October 9, 2019 12:30 PM
To: WILLIAMS Inga
Cc: Julie; 'Tony Pappas'; Russ Balisok
Subject: Commercial growing of Hemp and Marijuana in RR zoning
Attachments: Opp ltr re marijuana hemp growing.pdf

Greetings,

We reside at 37592 Zeolite Hills Road, Corvallis, OR 97330.

Because of our recent travels, we have been away from home out of state, but we want to weigh in on this serious issue. We join other concerned citizens of Benton County in opposing the proposed change in zoning laws to permit commercial marijuana and hemp growing. It poses serious health issues in the area of unknown consequences affecting all citizens, especially the health of infants, young children, teens and the elderly. Attached is our letter of opposition so that we may be counted among the citizens protecting the air quality and future of all our citizens.

Thank you for your care and attention.

Dorothy & Russell Balisok

WILLIAMS Inga

From: Sharon Nissen <yoruba@comcast.net>
Sent: Monday, October 7, 2019 4:02 PM
To: WILLIAMS Inga
Subject: Re: Comments on Proposed Code Amendments

Greetings Inga:

Thanks so much for all of the information and the definitions therein... I believe my concerns, as a homeowner, will be adequately addressed in the: Conditional Use Criteria for Marijuana and Hemp Production, Subsection: 91.575 Conditional Use Process Requirements.

In the spirit of excellence,

Sharon

On 10/7/2019 10:07 AM, WILLIAMS Inga wrote:

Sharon,

All county land use regulations are enforced by the Code Enforcement Officer, a planner who works in the Community Development Department.

Regarding your question on the definition:

Marijuana had originally been called out specifically as a farm crop in the Farm Use definition. Hemp was not because it did not need to be separately identified; it is a farm crop by state and federal law. We decided to remove the sentence that is highlighted because the State defines marijuana as a farm crop and we didn't feel it needed to be called out separately.

Then we decided to create a new definition that is being used in the RR zone, see further below, which calls out hemp production and marijuana production as uses that are not considered farm uses for the purposes of the definition. This allows the County to then include, or not include them, as individual uses in other areas of the code – such as the Conditional Use section.

(1518) "Farm use" ~~means the following:~~

(a) Farm use means and includes the following:

~~(A) In only the Exclusive Farm Use, Forest Conservation, and Multi Purpose Agriculture zones, "use" means~~ The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or production of, livestock, poultry, fur-bearing animals, or honeybees, or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. wholesale or retail plant nursery is considered horticultural use and therefore is allowed under definition

~~(B) Marijuana, grown commercially pursuant to a license issued by the State of Oregon, is a "Farm Use" includes~~ The preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. A farm stand is allowed under definition providing it is used only to sell products or by-products that have been exclusively produced from the farm under the same ownership as the stand, the farm product is not marijuana or a marijuana product, and the stand is no larger than 199 square feet.

~~(C) "Farm use" also includes~~ The current employment of land for the primary purpose of obtaining profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows.

~~(D) "Farm Use" also includes~~ The propagation, cultivation, maintenance and harvesting of aquatic bird and other animal species that are under the jurisdiction of the State Fish and Wildlife Commission to the extent allowed by the rules adopted by the Commission.

~~(E) "Farm use" includes~~ The on-site construction and maintenance of equipment and facilities for the activities described in this subsection.

(19) "Farm use, Limited" allows, with exceptions, the same uses as "farm use". The following uses considered farm uses and, unless otherwise listed as uses in certain zoning districts, are prohibited:

(a) Stabling or training equines for a profit in money including, but not limited to, providing lessons, training clinics and schooling shows;

(b) The propagation, cultivation, maintenance and harvesting of bird and other animal species under the jurisdiction of the State Fish and Wildlife Commission;

(c) On-site construction and maintenance of equipment and facilities used for farm use;

(d) Hog farms.

(e) Feed lots.

(f) Marijuana production.

(g) Hemp production.

From: Sharon Nissen <yoruba@comcast.net>

Sent: Sunday, October 6, 2019 2:07 PM

To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>

Subject: Re: Comments on Proposed Code Amendments

Greetings Inga:

My question about a "homeowner's recourse" is strictly pertaining to what county entity will be addressing issues a homeowner might have with a producer of a marijuana or hemp crop?

Also, I was under the impression that the definition of a "crop" has been changed to include marijuana or hemp production...

In the spirit of excellence,

Sharon

On 10/4/2019 5:21 PM, WILLIAMS Inga wrote:

That is a very wide open question.

The Department of Agriculture are the best people to talk to about agricultural crops <https://www.oregon.gov/oda/programs/NaturalResources/Pages/NRCComplaints.aspx>

It could be us if it is a building violation or a use violation.

Could you be more specific?

From: Sharon Nissen <yoruba@comcast.net>

Sent: Friday, October 4, 2019 3:21 PM

To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>

Subject: Re: Comments on Proposed Code Amendments

Greetings Inga:

I appreciate the time you are investing in getting me up to speed... Just one more question: If a homeowner has concerns about conditions pertaining to a "crop" that a producer has in process, what recourse will the homeowner have?

In the spirit of excellence,

Sharon

On 10/3/2019 3:16 PM, WILLIAMS Inga wrote:

Sharon,

Those statements are correct. That is the current code.

That is not what we are proposing. The code amendments that staff put out for public comment propose to restrict those uses by requiring a conditional use review. A conditional use review allows staff to require that the use meet certain standards to conduct business. Those proposed standards are:

CONDITIONAL USE CRITERIA FOR MARIJUANA AND HEMP PRODUCTION

91.570 Definitions. In this subsection:

- (1) "Building" means any building, including greenhouses, hoop houses, and other similar structures used for marijuana and hemp production.
- (2) "Production area" means the entire area encompassed by the plants and any fencing.

91.575 Conditional Use process requirements. The following requirements are in addition to the normal conditional use process.

(1) Prior to submittal of the conditional use application, a producer will notify the County that they wish to initiate the process. The County will then poll all owner(s) of any dwelling within 1000 feet of the proposed production. The applicant will be charged for one hour of staff time and actual cost of mailings.

(a) The dwelling owner will be asked to approve or deny the proposed production use.

(b) The dwelling owner will be given two weeks from the date of mailing to communicate with the County. If no communication is received, consent will be assumed.

(c) If any dwelling owner submits a denial of the proposed use, the County will not accept the conditional use application.

(2) An approved use will be subject to an annual review to ensure that the conditions of approval are being met.

(a) The producer will pay an inspection to the County to cover the cost of this inspection.

(b) If a violation of the conditions of approval is found, the County will assess the severity of the violation and the stage of production the use is in. Until and unless the violation is eliminated, the County may require:

(A) A modification to or an immediate cessation of production operations, or

(B) A fine that may be cumulative on a monthly basis, or

(C) Removal of the Conditional Use permit.

91.575 Standards applicable to hemp and marijuana production.

(1) Setbacks.

(a) No building or production area shall be located closer than 300 feet from an existing dwelling not located on the same property.

(b) No building or production area shall be located closer than 50 feet from any property line.

(c) No building or production area shall be located closer than 1,000 feet from a public or private school, and public or private park.

(d) A change in use on another property or new dwelling constructed after a marijuana or hemp production use is in place shall not result in the marijuana or hemp production being in violation of this section.

(2) Water. Provide proof of a legal source of water as evidenced by:

(a) A copy of a water right permit, certificate, or other water use authorization from the Oregon Water

Resources Department; or

(b) A statement that water is supplied from a public or private water provider, along with the name and contact information of the water provider; or

(c) Proof from the Oregon Water Resources Department that the water to be used for production is from a source that does not require a water right.

(3) Odor Control.

(a) Odor from the crop shall not be detectable to normal sensory perception beyond the boundary of the property.

(b) All buildings shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.

(A) The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.

(B) The filtration system shall be maintained in working order. The filters shall be changed a minimum of once every 365 days.

(C) Negative air pressure shall be maintained inside buildings.

(D) Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.

(4) Lighting.

(a) Inside building lighting shall not be visible from adjacent properties between sunset and sunrise.

(b) Light cast by outdoor lighting fixtures shall not shine directly onto adjacent properties, nor shall any illumination cast by the fixture fall onto an adjacent property. Lighting fixtures shall be fully shielded in such a manner that all light emitted directly by the lamp or a diffusing element, or indirectly by reflection or refraction, is projected below the horizontal plane through the lowest light-emitting part.

(5) Noise control.

(a) Sound from generators as well as mechanical equipment used for heating, ventilating, air conditioning, water pumps, or odor control that is detectable beyond the property line of the lot or parcel on which the production is occurring is prohibited. For purposes of this subsection, a sound is detectable if it can be detected by a reasonable person of ordinary sensitivities using the person's unaided hearing faculties.

(6) Fences, walls or other screening associated with the production operation.

(a) Shall not be electrified, use barbed wire, razor wire, concertina coils, anti-climb spikes or any other similar security feature designed to discourage ingress through the potential of causing bodily harm.

(b) Shall not include plastic sheeting, knitted polyethylene, woven polypropylene, vinyl coated polyester, or similar materials.

So, while the proposal is not to prohibit these uses, it does actually place regulation on something that is currently not regulated. And these are just the initial drafts. Based on comments we have received we will no doubt make changes to the draft before we send them up to the Board for any official action.

Thank you for following up on the question,
Inga

From: Sharon Nissen <yoruba@comcast.net>
Sent: Thursday, October 3, 2019 2:54 PM
To: WILLIAMS Inga
<Inga.Williams@Co.Benton.OR.US>
Subject: Re: Comments on Proposed Code Amendments

Greetings Inga:

Maybe I am confused, and maybe you can clear up the meaning of the following phrase in bold lettering that was listed in the Supplemental Explanation ... on page 5 that states: Hemp and Marijuana

Raising, harvesting, processing and selling crops in the RR and UR zones does not include raising, harvesting, processing, and selling recreational marijuana². It does include medical marijuana and hemp.

The production of medical marijuana is legal, subject to a state license and **with no county oversight**. The production of hemp is legal with **no county oversight**.

In the spirit of excellence,

Sharon

On 10/3/2019 8:19 AM, WILLIAMS Inga wrote:

Ms. Nissen,
Since the proposal that the County put forth is to regulate (require a Conditional Use permit)

medical marijuana and hemp, uses which are currently not regulated in the RR and UR zones, I am confused by your letter. You say you are against any such changes which leads me to believe that you support keeping medical marijuana and hemp unregulated in these zones. However the rest of your letter would indicate that you do support regulating these uses.

I thought we had clearly and succinctly stated why we are doing these amendments in the Supplemental Explanation document. Would you please let me know what is confusing? I would like to be able to provide further information if it will help clear up the issue.

Inga

-----Original Message-----

From: Sharon Nissen
<yoruba@comcast.net>
Sent: Wednesday, October 2, 2019 7:25 PM
To: WILLIAMS Inga
<Inga.Williams@Co.Benton.OR.US>
Subject: Comments on Proposed Code Amendments

Greetings Inga:

Please see attached letter with our comments on the proposed Code Amendments.

In the spirit of excellence,

Jerry and Sharon Nissen

WILLIAMS Inga

From: Cat Newsheller <cnewsheller@icloud.com>
Sent: Friday, October 4, 2019 8:50 PM
To: WILLIAMS Inga
Subject: comments on Hemp production, etc., in RR zones

Dear Ms. Williams,

How many times are you going to bring this before the public before you win? Was it not clear the last time we spoke that we do not want the production of marijuana in RR areas? We know that once a CUP is issued you will never be back to check on it and make sure everything is in compliance. This already happened in Soap Creek years ago when a neighbor was allowed to build a huge barn for personal use on the intersection of Soap Creek and Sulphur Springs Road. The owner began using it as a commercial property immediately, and despite proof presented by neighbors, the County never did a thing! What reason do we have to believe you when you keep coming back to us with the same issue? We are zoned RR for a reason and that is one fo the reasons I moved here. Why do you think we misunderstood anything? Was is because we came to an overwhelmingly different opinion than what you hoped for?

Sincerely,
Cat

WILLIAMS Inga

From: whittedd1@aol.com
Sent: Thursday, October 3, 2019 5:14 PM
To: WILLIAMS Inga
Subject: Re: Supplemental Information on the proposed Code amendments

To: Inga Williams
Re: Response to Supplemental Explanation
From: Debra Whitted
Date: Thursday, October 3, 2019

I received your email that included the "Supplemental Explanation" regarding proposed hemp and marijuana code amendments. It became clear that you have failed to understand the message that I and a large majority of my Rural Residential neighbors have delivered. It was true in December of 2016 and it is true now that we strongly oppose the growing, production, or any related processing of marijuana and hemp ("since the impacts to adjacent residential uses from this crop are similar to those experience through marijuana") in Rural Residential Zones...**period**.

Your words in the proposed amendments to our Rural Residential Zone are very clear:

1. You want to "grandfather" permitted uses that were never granted because they were never permitted
2. You want to allow recreational marijuana growing, production, and processing under a Conditional Use Permit (CUP)
3. You want to allow hemp growing, production, and processing under a Conditional Use Permit (CUP)

I was not confused by your words of proposed change to loosen restrictions by utilizing a Conditional Use Permit process. I was not confused that you have no way to monitor compliance, should a CUP be granted. I was not confused that Rural Residents were under represented in The Working Group Meeting. I was not confused when I read through the Working Group Minutes that the third-party facilitator pressed a clearly biased agenda.

In conclusion, I **am** distressed that I have to worry about defending the expressed purpose of Rural Residential Zones for the purpose they were created: **Residential**.

-----Original Message-----

From: Benton County Community Development <inga.williams@co.benton.or.us>
To: whittedd1 <whittedd1@aol.com>
Sent: Wed, Oct 2, 2019 2:58 pm
Subject: Supplemental Information on the proposed Code amendments

Supplemental Explanation
from
Benton County Community Development



We have received many comments on the proposed hemp and marijuana Code amendments.

Thank you to everyone who took the time to make comments on the Konveio website, send us an email, phone us, visit in person and send us mail.

While reviewing the comments, it became clear that we have failed to give you an clear explanation about what these amendments are, why they are being proposed, and other facts and reasons. As a result, many people have been distressed by misinformation. Please read the document linked to the words "**Supplemental Explanation**" above and feel free to send us any other questions on the process.

Please share this with your neighbors as this notice is only going out directly to those of you whose emails we have.

Benton County Community Development | 360 SW Avery Ave, Corvallis, OR 97333

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WILLIAMS Inga

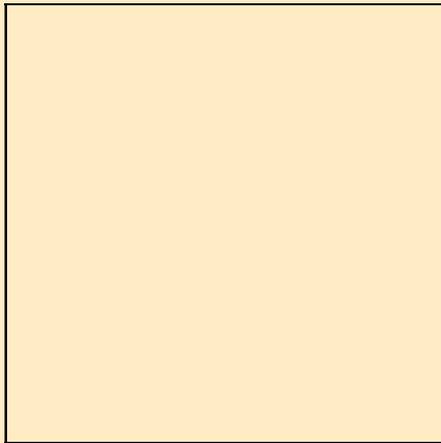
From: Pete Scott <p.scott@comcast.net>
Sent: Thursday, October 3, 2019 4:45 PM
To: WILLIAMS Inga
Subject: RE: Supplemental Information on the proposed Code amendments

Ms. Williams—I have read your additional information and our position is not changed. We don't want these practices allowed in Rural Residential zoned areas. It looks as if this work-shop on Oct. 9th is an exercise in developing the conditional use criteria to go forward. The residents of rural Benton County should all be asked whether they want to allow this to happen. Seems as if the question has already been answered by others who may not represent the residents. Pete Scott

From: WILLIAMS Inga [mailto:Inga.Williams@Co.Benton.OR.US]
Sent: Wednesday, October 02, 2019 3:57 PM
To: 'p.scott@comcast.net' <p.scott@comcast.net>
Subject: Supplemental Information on the proposed Code amendments



Supplemental Explanation from Benton County Community Development



We have received many comments on the proposed hemp and marijuana Code amendments.

Thank you to everyone who took the time to make comments on the Konveio website, send us an email, phone us, visit in person and send us mail.

While reviewing the comments, it became clear that we have failed to give you an clear explanation about what these amendments are, why they are being proposed, and other facts and reasons. As a result, many people have been distressed by misinformation. Please read the document linked to the words "**Supplemental Explanation**" above and feel free to send us any other questions on the process.

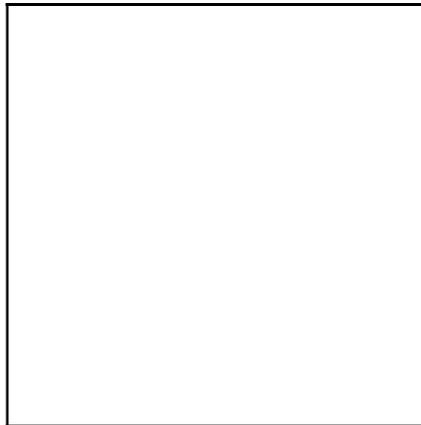
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WILLIAMS Inga

From: James Bard <ancient.penny@gmail.com>
Sent: Thursday, October 3, 2019 10:25 AM
To: WILLIAMS Inga
Subject: Re: Supplemental Information on the proposed Code amendments

Its the industrial interests who want to create large hemp farms. I'm referring to Rural Residential areas. You are correct about EFU. Those of us living in RR areas don't want hemp farming in our neighborhoods (for the reasons I outlined earlier).

On Thu, Oct 3, 2019 at 8:29 AM WILLIAMS Inga <Inga.Williams@co.benton.or.us> wrote:

Sir,

I am not sure to exactly what you are referring to when you say we have failed. From this phrase, "Taxpayers or the industrial interests who want to turn rural Benton County into a big hemp/marijuana farm?" I get the impression that you believe we can limit hemp farming throughout the county? Hemp is a legal agricultural crop and subject to right-to-farm laws. The state of Oregon prohibits the county from limiting farm uses in the EFU zones.

Inga

From: James Bard <ancient.penny@gmail.com>
Sent: Wednesday, October 2, 2019 5:15 PM
To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Subject: Re: Supplemental Information on the proposed Code amendments

I'm not impressed with your "process". This "process" still leaves homeowners in the area with unmitigated impacts. Yes, you read that correctly. Unmitigated impacts. Therefore, your "process" is fatally flawed and you/county will be sued.

We don't want growing of hemp in our neighborhood. Your "process" has not addressed increased environmental impacts, social impacts, environmental justice (yes, even 'rich' people are entitled to environmental justice), increased crime, increased pollution, drawdown of water tables. Have you considered the cumulative impacts of allowing cultivation of hemp?

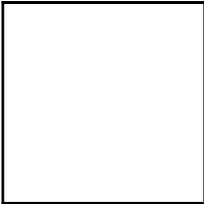
What about the need for additional law enforcement? Who will pay for this? Taxpayers or the industrial interests who want to turn rural Benton County into a big hemp/marijuana farm?

How will air quality (odors) be eliminated? Why should local residents be subject to ANY odors from hemp operations? Do you live out here? How would YOU like to live next to a big hemp farm? Will you feel safe with undocumented workers (aka: illegal aliens) working next to your home? What about transportation impacts on our roads? What about increased traffic?

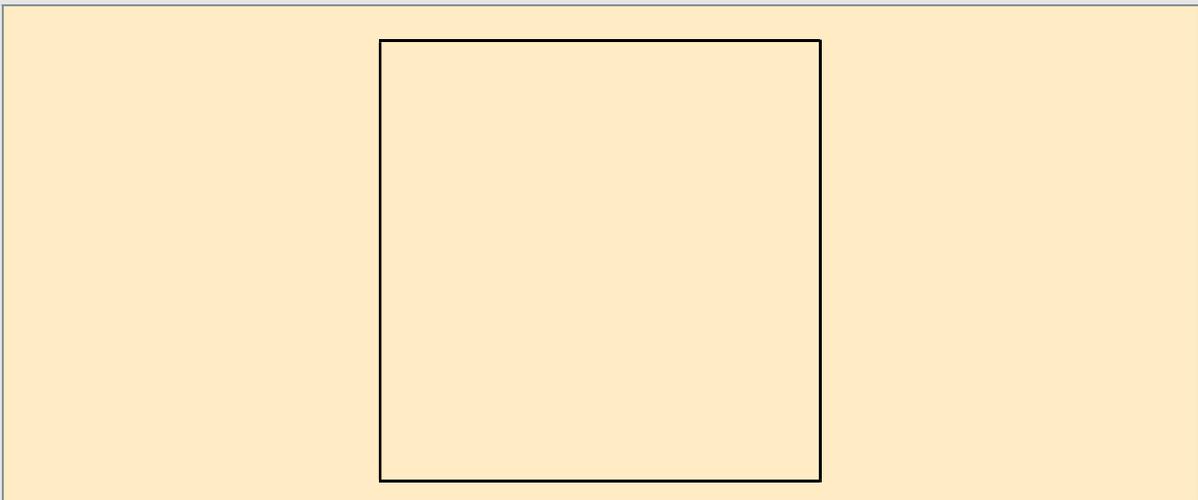
Frankly, your "process" has failed the taxpayers.

Jim Bard

On Wed, Oct 2, 2019 at 3:26 PM Benton County Community Development <inga.williams@co.benton.or.us> wrote:



Supplemental Explanation
from
Benton County Community Development



We have received many comments on the proposed hemp and marijuana Code amendments.

Thank you to everyone who took the time to make comments on the Konveio website, send us an email, phone us, visit in person and send us mail.

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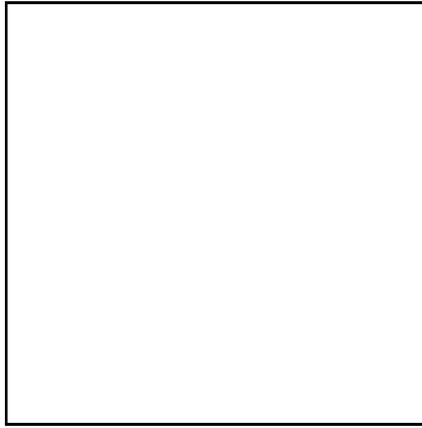
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--

James C. Bard, Ph.D., RPA

Principal
ANCIENT ARTIFACT LLC

6645 NW Burgundy Drive

Corvallis, OR 97330

ancient.penny@gmail.com

541-740-2199

--

James C. Bard, Ph.D., RPA

Principal

ANCIENT ARTIFACT LLC

6645 NW Burgundy Drive

Corvallis, OR 97330

ancient.penny@gmail.com

ancient.artifactJimBard@Outlook.com

ancient.artifact@hotmail.com

541-740-2199

www.ancientartifactllc.com

WILLIAMS Inga

From: Jerry & Arden <ardenr@proaxis.com>
Sent: Wednesday, October 2, 2019 4:35 PM
To: WILLIAMS Inga
Subject: RE: Supplemental Information on the proposed Code amendments

Emphasizing that the facilitator was “neutral and third-party” does nothing to instill a sense of fairness regarding the structure of the working group. Look at the list of participants and note how many were involved in the marijuana and hemp industry versus the four “neighbors” tasked with representing the thousands of residential property owners who will be impacted by the regulations. CUP does nothing to instill a sense of involvement in the permit process. There are no personnel and no budget to assure growers’ compliance. There are no consequences set out for their noncompliance, and most of all, there is no clarity on who has input on the CUP. At times we were told it was adjacent properties, and at times we learned that it was just the county planners.

From: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Sent: Wednesday, October 2, 2019 3:45 PM
To: 'Annette Sievert' <Annette@annettesievert.com>
Cc: Rich Mason <rich.mason@criticalinfra.com>; Bill Witt <bill@wittconsulting.com>; ardenr@proaxis.com; carolynleewebb76@gmail.com; Abigail Haberman <alh@cmug.com>
Subject: RE: Supplemental Information on the proposed Code amendments

[Word of mouth is a definite help to getting the word out.](#)

From: Annette Sievert <Annette@annettesievert.com>
Sent: Wednesday, October 2, 2019 3:44 PM
To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Cc: Rich Mason <rich.mason@criticalinfra.com>; Bill Witt <bill@wittconsulting.com>; ardenr@proaxis.com; carolynleewebb76@gmail.com; Abigail Haberman <alh@cmug.com>
Subject: RE: Supplemental Information on the proposed Code amendments

The reason why you get these large amounts of responses is us, not you... I sometimes ask myself who is working and is getting paid by whom...

Annette Sievert
Principal Broker
Coldwell Banker Valley Brokers
541 207 5551
annette@annettesievert.com
www.mycorvallisrealestate.com

[TAKE THE QUIZ AND FIND THE PERFECT NEIGHBORHOOD](#)

[READ MY REVIEWS HERE](#)

From: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Sent: Wednesday, October 2, 2019 3:38 PM
To: Annette Sievert <Annette@annettesievert.com>
Cc: Rich Mason <rich.mason@criticalinfra.com>; Bill Witt <bill@wittconsulting.com>; ardenr@proaxis.com;
carolynleewebb76@gmail.com; Abigail Haberman <alh@cmug.com>
Subject: RE: Supplemental Information on the proposed Code amendments

As indicated in the portion of the Explanation copied below, all property owners that could be impacted by this change will be noticed

“Subsequent to the Workshop: Based on suggestions from on-line comments and the public workshop, changes to the revisions will be drafted and placed on-line for more public comment. Notice of the public hearings will be mailed to all property owners affected by the changes, which will be almost all property owners in the unincorporated areas of the County.”

It would be fiscally irresponsible to send out multiple notices to all property owners. We have utilized a number of free methods to provide notice of the public commenting period and the workshop. Given the number of comments that we have received, this notice was received by a large number of people.

From: Annette Sievert <Annette@annettesievert.com>
Sent: Wednesday, October 2, 2019 3:02 PM
To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Cc: Rich Mason <rich.mason@criticalinfra.com>; Bill Witt <bill@wittconsulting.com>;
ardenr@proaxis.com; carolynleewebb76@gmail.com; Abigail Haberman <alh@cmug.com>
Subject: Re: Supplemental Information on the proposed Code amendments

And once again I think this is so badly done. If this goes through it will change the life of many people in RR for the worse.

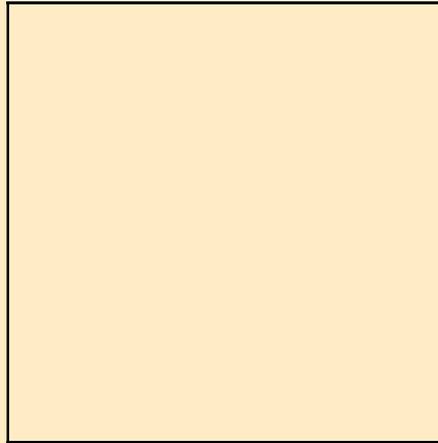
You need to send at the very least a post card to RR owners. Why was that possible 3 years ago and is not now ???

Annette Sievert
Principal Broker
Coldwell Banker Valley Brokers
[541 207 5551](tel:5412075551)
annette@annettesievert.com
www.mycorvallisrealestate.com
[TAKE THE QUIZ AND FIND THE PERFECT NEIGHBORHOOD](#)

On Oct 2, 2019, at 2:58 PM, Benton County Community Development
<inga.williams@co.benton.or.us> wrote:



[Supplemental Explanation](#)
from
Benton County Community Development



We have received many comments on the proposed hemp and marijuana Code amendments.

Thank you to everyone who took the time to make comments on the Konveio website, send us an email, phone us, visit in person and send us mail.

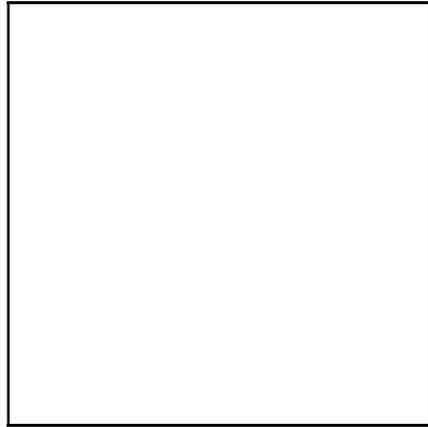
While reviewing the comments, it became clear that we have failed to give you an clear explanation about what these amendments are, why they are being proposed, and other facts and reasons. As a result, many people have been distressed by misinformation. Please read the document linked to the words "**Supplemental Explanation**" above and feel free to send us any other questions on the process.

Please share this with your neighbors as this notice is only going out directly to those of you whose emails we have.

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WILLIAMS Inga

From: jeff@pmsinstrument.com
Sent: Wednesday, October 2, 2019 4:04 PM
To: WILLIAMS Inga
Cc: 'Amy'; 'Quinton Hamel'; 'Danita Hamel'; 'Gabriela Hamel'; 'Mikaela Hamel'; 'Seth Hamel'
Subject: RE: Supplemental Information on the proposed Code amendments

Inga Williams,
Thank you for sending this updated pdf link.

I would like to again **add to this public record** and clarify that as a county, we do not have to bend to social pressure of this plant.

It would be great for us to take a stand and start in Benton County a movement of “resistance” – not toward our President, but toward the use of Marijuana.

We as an extended life-long family in Benton County have seen no good come about this little “Reefer Madness” plant. I know there will be a bunch of CBD OIL experts to refute me prude opinion, but in our family marijuana and all associated products have not produced anything truly good.

We would again even after this clarifying work that you have distributed – resist any marijuana, medical, recreational, CBD, Oil, whatever you might what to label it – we don’t want it in our county. We don’t want our soil wasted producing this product.

We want to take the hardest stand against it. I’m sure that is not popular with the minority who are the loud-crowd, but most people we know in Benton County do not want anything to do with it.

Please put us down for “NO-VOTE” on any advances in extending farming rights for Marijuana Growers.

Sincerely yours,

Jeff Hamel
5255 NW Winn Dr.
Albany OR 97321
T. 541-602-1999

From: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Sent: Wednesday, October 2, 2019 3:30 PM
To: 'jeff@pmsinstrument.com' <jeff@pmsinstrument.com>
Subject: RE: Supplemental Information on the proposed Code amendments

<https://files.constantcontact.com/65003203601/31e3eea0-b336-4610-bd2b-892124bba549.pdf>

Your email must not allow pictures and links to download automatically. Do you get a message similar to the one below?

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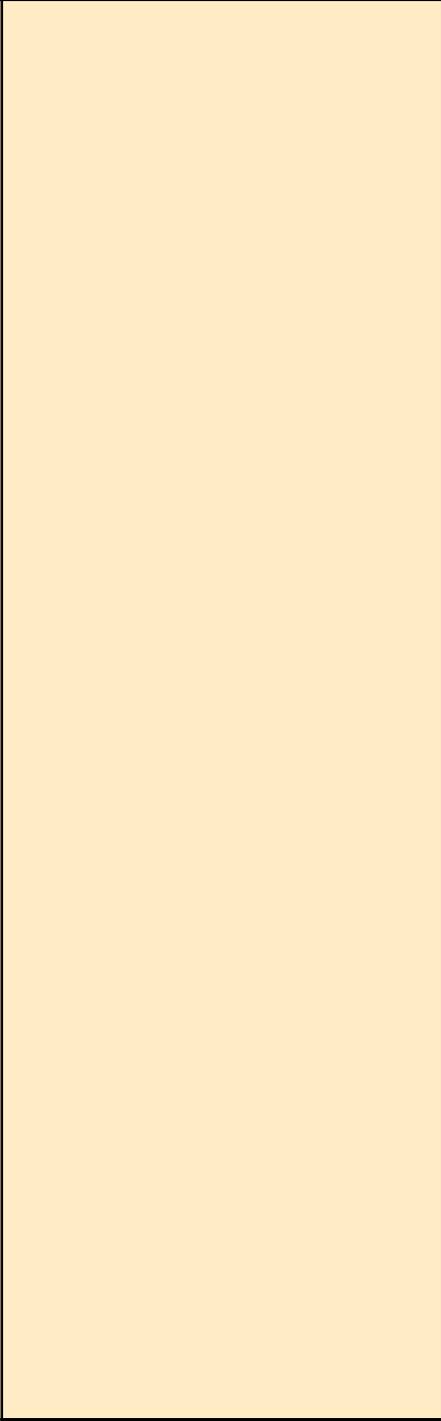
From: jeff@pmsinstrument.com <jeff@pmsinstrument.com>
Sent: Wednesday, October 2, 2019 3:20 PM
To: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>
Subject: RE: Supplemental Information on the proposed Code amendments

No link

Jeff Hamel
5255 NW Winn Dr.
Albany OR 97321
T. 541-602-1999

From: Benton County Community Development <inga.williams@co.benton.or.us>
Sent: Wednesday, October 2, 2019 2:59 PM
To: jeff@pmsinstrument.com
Subject: Supplemental Information on the proposed Code amendments

Supplemental Explanation
from
Benton County Community Development



We have received many comments on the proposed hemp and marijuana Code amendments.

Thank you to everyone who took the time to make comments on the Konveio website, send us an email, phone us, visit in person and send us mail.

While reviewing the comments, it became clear that we have failed to give you an clear explanation about what these amendments are, why they are being proposed, and other facts and reasons. As a result, many people have been distressed by misinformation. Please read the document linked to the words "**Supplemental Explanation**" above and feel free to send us any other questions on the process.

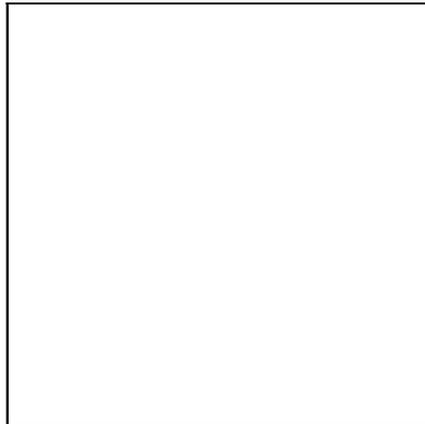
Please share this with your neighbors as this notice is only going out directly to those of you whose emails we have.

Benton County Community Development | 360 SW Avery Ave, Corvallis, OR 97333

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WILLIAMS Inga

From: Bruce Smith <jlsbks@msn.com>
Sent: Monday, September 30, 2019 9:52 PM
To: WILLIAMS Inga
Subject: Marijuana and Hemp not welcome in Rural Residential

Please add my voice to those who do not welcome marijuana and hemp to rural residential properties. The nasty smell, the lights of greenhouses, and the association of something that is still illegal at the federal level and the strong association with the criminal elements in society are things we don't want. I strongly object to bringing marijuana to where our children live. Didn't we already learn that sucking smoke into your lungs is not a good idea? Does anybody out there actually believe that putting drugs into our children is a good thing? Oh, wait.....tobacco companies and drug dealers do. Stop this madness! Why would we put this stuff where children live? Is the county that greedy for taxes that it puts our kids in harms way for a few more dollars? Please use some common sense and keep this craziness out of our neighborhoods.

Sincerely,

Bruce Smith
37492 Blue Heron Road
Corvallis; Oregon 97330

Sent from my iPhone

WILLIAMS Inga

From: zachnkelly@peak.org
Sent: Monday, September 30, 2019 7:16 PM
To: WILLIAMS Inga
Subject: Soap Creek Valley feedback on growing marijuana

I want to express my extreme concern about growing commercial crops in Soap Creek Valley. The water is not plentiful here. We had to dig a new well a few years ago because our first well failed. We had to drill down over 500 feet and still only have 1 gallon per minute with our new well. Unless Corvallis wants to bring city water out here than additional burdens on the aquifers is very irresponsible for this valley. We have lived in Oregon since the early seventies. Went to OSU. Have owned our place in Soap Creek Valley since 1993. There is no good reason to allow this type of farming here. Sincerely, Kelly Nutter, 28309 Stage Stop Lane, Corvallis, OR 97330

WILLIAMS Inga

From: Abigail Haberman <alh@cmug.com>
Sent: Monday, September 30, 2019 4:52 PM
To: WILLIAMS Inga
Subject: Re: [ADV] New Code Amendments - Please Comment
Attachments: Testimony-RR marijuana issue.docx

Benton County Community Development:

I am providing my comments to you via email as this appears to be much easier than through the website provided for public comments.

The majority of those present at the round table meetings held this summer in order to come to a “consensus” represented marijuana and hemp growers and those interested in participating in the industry. The minority of those present were rural residential property owners. The meetings were run in such a way as to limit comments by those opposed to allowing commercial marijuana/hemp operations in rural residential zones.

The county should in no way be planning to allow such operation in RR zones. RR property owners made their opposition to this plan very clearly known several years ago. But here we are again in 2019 and the county is attempting to do the same thing.

The county has a conflict of interest in attempting to do so as it will benefit financially from these commercial operations and should cease proceeding with any such plans because of that.

RR property owners who live adjacent to such grows will not experience any financial benefit from these operations. In fact, property owners will experience many negative effects—light, sound, air, water, and soil pollution as well as security issues.

The county has no plan to compensate property owners for the following as a result of adjacent operations:

- 1) Loss of property value because of adjacent operations
- 2) Cost of having to drill new wells
- 3) Health issues from airborne toxins and marijuana/hemp compounds

4) Contamination of fruits, vegetables, soil, air, and water with herbicides, pesticides, and marijuana/hemp compounds

I live where I do so that I can grow as much of my own food as possible for health reasons. Contamination of my food from adjacent operations will cause a significant setback of the improvements in my health that I have achieved through extensive labor in my garden.

There are already several lawsuits going on regarding contamination of grapes in vineyards from adjacent marijuana/hemp operations so it is clear that these are not unjustified concerns.

The issue has been raised of increasing homeowner's insurance premiums because of adjacent operations. The county has made no plan to compensate RR property owners for this either.

It is not appropriate for the county to be using taxpayer dollars/taxes to proceed with changing rules and regulations that will cost taxpayers more money.

There is already extensive concern regarding drought and decreasing water supply, water tables. One need not look far in the Willamette Valley to see evergreen trees dying at the edges of the forest. To support a crop that will further the water supply in our valley is short-sighted at best.

Benton County has been quite vocal about the concerns surrounding vaping but seems to have no concern regarding marijuana and hemp being closely accessible to the children in our county. This makes no sense!

RR property owners purchased land in RR zones with the understanding that they had protection from such operations. Then their own government, which is put in place to protect the rights of the people/property owners, moves to take away those protections.

It appears that Benton County is interested solely in its own profit margin but has no interest in the financial ramifications of its residents. This is not a government by the people and for the people. This is a government that is essentially acting as a for-profit corporation.

Cease and desist all attempts, now and in the future, to destroy the value and quality of life that rural residential property owners have but also have paid to have.

I have attached the testimony I provided in 2016 as I provided an extensive amount of information in that as well. If you are unable to open it, please let me know and I will send it in another email.

Sincerely,

Abigail Haberman, M.D.

Rural Residential Property Owner

On Sep 4, 2019, at 11:26 AM, Benton County Community Development
<inga.williams@co.benton.or.us> wrote:



Public Comments Requested

Marijuana and Hemp Code Amendments

Benton County Planning Division is using Konveio, an interactive public engagement website, to solicit public input about proposed changes made to the County's Development Code, specifically addressing marijuana and hemp. All you need to do is click on the image above and sign up and you will be able to make comments within the documents.

The commenting period will close on September 30th at 5pm.

If you have any questions please contact Inga Williams at 541-766-6819 or inga.williams@co.benton.or.us.

Benton County Planning Division | 541-766-6819

Benton County Community Development | 360 SW Avery Ave, Corvallis, OR 97333

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WILLIAMS Inga

From: Dick Green <minymo.green@gmail.com>
Sent: Monday, September 30, 2019 4:24 PM
To: WILLIAMS Inga
Subject: Hemp.

I am wondering just what part of NO do you people understand. I have lived in the rural for over 50 years and again No Growing Hemp Here. Keep it out in the farm land where it can be looked after properly. Rural Residential is not a good place to have such a business.

Seems like we have enough growing now to over flood the market.

Sincerely,

Dick Green

Resident Soap Creek Valley

Corvallis Oregon

WILLIAMS Inga

From: Randy and Pam Comeleo <rottlyer@peak.org>
Sent: Monday, September 30, 2019 4:17 PM
To: WILLIAMS Inga
Cc: AUGEROT Xanthippe; MALONE Patrick; JARAMILLO Annabelle E
Subject: No Commercial Cannabis Production in Rural Residential Areas

September 30, 2019

Dear Ms. Williams and Commissioners,

We are writing to express our disapproval of the proposal to allow the production of cannabis (hemp and marijuana) in rural residential areas. As in other residential zones, commercial production of cannabis should be prohibited.

While rural residents expect, and welcome, traditional small farm activities near our homes, the production of cannabis produces unreasonable amounts of noise, light, odor, and traffic and requires excessive amounts of water, electricity, herbicides, pesticides, and security fencing.

Cannabis requires at least 20-30 inches of rainfall throughout its growing season or requires irrigation if precipitation is less than adequate. If not irrigated continuously during our dry growing season, the crop will be stunted. In total, 80-130 gallons of water are required to produce only 1 kg of dry fiber (<https://www.hempbasics.com/hhusb/hh2cul.htm#HH23>).

The Chinook Road District where we live has a limited amount of groundwater which supplies our home wells and cannot accommodate the amount of water required to irrigate commercial cannabis crops.

Besides, what is the rationale behind permitting cannabis production in ANY of the small residential areas of the county when it can be grown nearly everywhere else?

Thank-you for considering our comments.

Randy and Pam Comeleo
Chinook Road District

WILLIAMS Inga

From: Carol McClelland Fields <carolmcclelland44@gmail.com>
Sent: Monday, September 30, 2019 3:56 PM
To: WILLIAMS Inga
Subject: Comment on proposed Marijuana and hemp codes

My understanding is that the online system is no longer available for comments. I was told this email was the best way to submit the thoughts of those in my household. I was away on a business trip last week so couldn't comment earlier.

We live on a RR10 lot in Soap Creek Valley.

I very strongly object to allowing ANY growing and processing of commercial marijuana and hemp in Rural Residential Zones in Benton County, Oregon. I also know that conditional use permits and grandfathering any existing commercial marijuana and hemp growing & processing facilities should not be issued as these activities have never been legal in our county. Please do not let this happen.

Not that long ago in December 2016, I submitted a similar email with my concerns about allowing marijuana crops. I didn't like the idea then. And I don't now. *WHY are we revisiting this issue again? It makes no sense!* Just to add hemp to the equation? When all of the issues are similar and we communicated recently that they are not wanted in a rural residential area? I don't understand.

I am concerned that Rural Residential zoned land will be treated differently than other residential areas. Why is that?

I am concerned that if my neighbors decided to grow marijuana or hemp as a serious crop that it would severely impact water use and availability in the valley, would likely lower our property values, would add a distinctive odor to the area, create unwanted light pollution, increase traffic during harvest, and more.

I've recently learned of the extreme flammability of extracting processes which is quite concerning in our valley as we are surrounded by McDonald Dunn and Starker forests. *Why allow a crop to be grown in this region? It makes no sense!!*

I purchased my rural residential property as an investment. I enjoy the quiet, peaceful, beautiful region. I understood the logging industry would impact my property - unexpected view changes, traffic at certain times of year, harvesting noise, etc. I understood those components before I purchased my property. Allowing for hemp, marijuana, whether medical or recreational (beyond personal use), in Rural Residential Zones is not beneficial to our area - even at a conditional level or grandfathered in.

There are plenty of zones where these crops can be grown freely. If someone wants to grow these crops then they need to purchase land that is zoned accordingly. There is no need to turn a residential area into crop land for marijuana and hemp production.

Please treat Rural Residential lands as you do other residential zones when it comes to growing marijuana and hemp.

Carol McClelland Fields & Kent Fields
37326 Soap Creek Road

Corvallis, OR 97330

Cc:
Annabelle Jaramillo, Chair
Xan Augernot
Pat Malone

--
--

~~~~~  
**Carol McClelland Fields, PhD, BCC**  
Deep Clarity Coach, Transition Trainer, Change Catalyst  
[www.Fourish as a Change Catalyst.com](http://www.Fourish as a Change Catalyst.com)

Clarity Coaching  
Transition Training  
Entrepreneur Retreats

[Change Catalysts on the Growing Edge Radio Show](#)  
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541.224.8129

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## **WILLIAMS Inga**

---

**From:** Mardi Bilsland <vaubil@peak.org>  
**Sent:** Monday, September 30, 2019 3:50 PM  
**To:** WILLIAMS Inga  
**Subject:** Marijuana/ hemp

We oppose the changes to allow any further growing in rural housing areas. With water becoming more scarce and we depend on clean dependable wells for household use. We know of several rural homes who wells went dry to the watering of hemp/ marijuana plants from nearby grow operations. The smell is so overpowering I can't imagine living within miles of such a farm.  
Thank you Mardi and Doug Bilsland

Sent from my iPad