



PSILOCYBIN
Initiation of a Major Text Amendment to the Jackson
County Land Development Ordinance Regarding
Psilocybin

Item No. 40.02

Board Letter No. 13099

Agenda: September 7, 2022

Honorable Members of the Board of Commissioners:

An Order initiating a Major Text Amendment to the Jackson County Land Development Ordinance (JCLDO) to develop recommended land use regulations and requirements for the growing, processing, manufacturing, testing, and administering of psilocybin in the unincorporated areas of Jackson County has been prepared as an item for the September 7, 2022, Board meeting agenda. The Order has been approved by County Counsel as to legal sufficiency.

Synopsis and Benefit to Jackson County

Oregon Ballot Measure 109 (2020), also known as the Oregon Psilocybin Services Act, was voted into law by Oregonians in 2020, and was codified as Chapter 475A of the Oregon Revised Statutes (ORS). The ORS provided for a two-year development period for psilocybin services to be implemented from January 1, 2021, to December 31, 2022. The program is still currently under development and is slated to begin statewide on January 2, 2023.

On July 27, 2022, the Board of Commissioners adopted Ordinance No. 2022-2 which would prohibit psilocybin product manufacturers and psilocybin service center operators within the unincorporated areas of Jackson County if approved by the voters at the next General Election on November 8, 2022, pursuant to ORS 475A.718. In the event that the voters of Jackson County choose not to opt out of the psilocybin program, it is imperative to have some type of guidance or regulation in place that is no less restrictive than State guidelines. The Oregon Health Authority (OHA), which is charged with the rulemaking, will not release the draft rule proposals until September 1, 2022, and, in order to have the County's own time, place, and manner of rules in place, the text amendments to the JCLDO need to be initiated in order to be adopted by January 2, 2023.

Benefit to Citizens of Jackson County

The text amendments to the JCLDO will identify regulations for the growing, processing, manufacturing, testing, and administering of psilocybin. This will provide clarity to the citizens of Jackson County regarding psilocybin processes.

Financial Impact

There is no direct financial impact.

Board of Commissioners

September 7, 2022

Page 2 of 2

Recommendation

The Development Services Director recommends approval of the Board Order. The County Administrator concurs with the recommendation of the the Development Services Director. Should the Board of Commissioners concur with their recommendations, approval of the Board Order will implement that action.

Respectfully submitted,

/s/ DANNY JORDAN

Danny Jordan
County Administrator