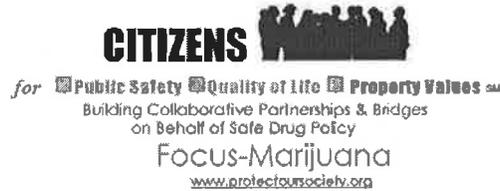


from Shirley Morgan
August 19, 2015



THE IMPACTS OF MEDICAL MARIJUANA & MARIJUANA LEGALIZATION ON LAND USE

First I consider the impacts of medical marijuana and marijuana legalization very important for many reasons. Most importantly its impact on public safety, quality of life, and our property values, but for this discussion I will focus on the issues we feel most important related to land use issues.

Since HB3400 redefined marijuana as an agricultural crop it allows it to be grown in public view in all EFU areas and as well may be grown in all other rural residential areas also. This poses a number of public safety and quality of life risks to our rural residential communities.

NOTE: Marijuana should be treated differently because it brings a lot of additional risks to our community, because it is a federally illegal drug. Clackamas County Zoning should not allow commercial marijuana to be grown in any rural residential communities of any type for the below reasons. I also believe that there are zoning issues ahead for all EFU properties in Clackamas County.

PUBLIC SAFETY

1. Colorado does not allow any commercial marijuana grows to be grown in public view only in industrial areas.
 - In public view provides easy access by criminals and burglars seeking to steal from those open grows and because these businesses operate by cash and there are often large amounts of cash available on these properties making it an invitation for criminals.
 - Easy access by children who are stealing pot and then selling it to friends from growers.
2. There is limited law enforcement in our rural communities and therefore enforcement would be impossible and is impossible now with Oregon's medical marijuana program.
3. Not only does growing marijuana in your backyard, garage, apartment, basement or barn pose dangers for the users, but for those growing the marijuana and the neighborhood as well. Just before 10pm, on Friday, April 10th, 2015 in NE Portland,

Oregon, a gunman from Texas who wanted to buy medical marijuana, entered the home of a large medical marijuana grower (who by the way had already had two prior robberies) and with single bullet shots to the head, shot Gary Pham, 33, Susie Chang, 41, and Andrew Pham, 35, all while a 13 week old baby slept in the next room.

Bernstein, Maxine. Suspected gunman in Portland double homicide was hounding victims for medical marijuana, lawyer says. 16, April 2015.

http://www.oregonlive.com/portland/index.ssf/2015/04/suspected_gunman_in_portland_d.html

4. Fire Safety issues are of great concern as there are numerous hash oil explosions and fires caused by high intensity grow lights, which puts our residential communities at risk as well as our industrial and commercial areas at risk.

Building licensed to grow medical marijuana destroyed by fire in Langley

<http://globalnews.ca/news/1167951/building-licensed-to-grow-medical-marijuana-destroyed-by-fire-in-langley/>

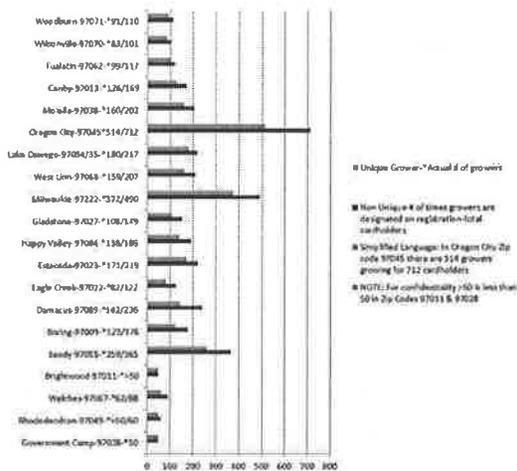
Hash oil explosions on the rise in Oregon

<http://www.kgw.com/story/news/investigations/2015/06/01/oregon-hash-oil-explosions/28312933/>

5. Currently there are over 47,530 medical marijuana growers in Oregon, of which there are 3,448 of those growers are in Clackamas County, these grows are in all of our residential communities in both city and rural areas. They are being grown in homes, in backyards, in pole barns, in houses, and in industrial and commercial areas, basically without any controls.

CLACKAMAS COUNTY ZIP CODES

* Actual # of Marijuana Growers/Total cardholders



The bigger question is where can't you grow marijuana in Oregon? It is everywhere! Thus the importance of keeping any additional commercial grows out of these zoning areas.

QUALITY OF LIFE

Issues that seem to surface the most around potential zoning no matter what zone they are in rural residential or EFU lands include:

1. Nuisances

- a. Single road accesses issues
- b. Road easement and maintenance issues
- c. Water usage
 - i. There are properties who are setting up potential recreational marijuana grow sites and there are no water rights or well permits that have been provided and they are trucking in the water to water their plants, the question is, where are they getting the water from?
- d. Invasive neighbor and camera security systems
- e. Smells and odors
- f. Clear cutting of trees to open up sun areas to plant large marijuana grows, very concerning for all zones including AG Forest and TBR zones
- g. Sounds-late night noise from large greenhouse fans
- h. Lighting invasion with high intensity led lighting that are being used in greenhouses 24 hours a day therefore affecting the night sky views of our rural areas where street lights and other lighting can be bothersome to many residents

- i. Electrical fences being installed posing threats to wildlife and other potential invaders
- j. 1000 gallon propane tanks being used for marijuana extraction processes, which poses dangers to surrounding neighbors should one blow up
- k. Site issues using large semi-truck storage containers to store farm products therefore making it unsightful for neighbors in the area
- l. No required neighbor notification, conditional use permits, or setback requirements
- m. HB3400 allows multiple licenses to be owned by one person therefor allowing production, processing, wholesaling and retailing. HB3400 does not stipulate in the language that one commercial marijuana grow site only can be located at a one site property, therefore commercial marijuana producers, processes, and wholesalers are targeting rural residential properties and EFU lands to set up multiple production and wholesaling sites at one location turning it into a manufacturing site rather than a rural residential and farming site. Zoning should incorporate language that only allows one process to be conducted at one site.

IRRELEVANT FACTS WHEN IT COMES TO ZDO ZONING ISSUES

Because I advocate on behalf of citizens that have been impacted by marijuana grows and distribution sites, I find that there are a lot of impactful non related ZDO issues that surface. Though they are irrelevant to the ZDO process, they are relevant in terms of understanding the impacts, so I list them here as a consideration.

1. We cannot ignore that marijuana cannot be treated like all other land use issues, because it is a federally illegal drug and brings a lot of public safety and quality of life risks to our communities.
2. Property Values
 - a. Would you buy a home next to a large commercial marijuana growing operation?
 - b. The only offers that have been provided to property owners that find themselves impacted are from the marijuana industry who wants to buy them out and expand.
 - c. Properties in all zones across the nation are being destroyed by those who are using homes and properties for the sole purpose of growing marijuana; we should not zone any additional commercial use in our rural residential areas.

Side effects of legal marijuana

<http://themtnear.com/2015/05/side-effects-of-legal-marijuana/>

3. Bad Neighbors

- a. There is a consistent and arrogant attitude that we have seen in all of the locations that I am working with that is far from neighborly. Many marijuana dealers are not good neighbors, and they bring with them an attitude of its legal now there is nothing you can do about it and you are just going to have to live with it. I don't abide by the law and with that they bring in heavy traffic, unwanted visitors, suspicious vehicles, late night traffic, loud music and noise, install invasive neighbor security systems, and they prey on vulnerable areas in which they know there is little law enforcement so that they are free to abuse and ignore the law because they know there is not enough resources to enforce laws in many of our Oregon Counties leaving many innocent neighbors without any tools to deal with the nuisances of this industry.

4. A sense of security in your community is lost

- a. In some cases there is also vulnerable societies such as the disabled and single women and elderly who live in these areas that are frightened by this type of activity and they lose all sense of security because they know that there is nothing they can do if they had an in home invasion robbery or burglary of which happens in this industry on a consistent and regular basis. Just this year alone in Multnomah County there have 4 fatal shootings all related to medical marijuana grow sites that are nestled inside our communities. Colorado is also seeing large commercial industrial grow sites that are being robbed as well as many fatal shootings in medical marijuana dispensaries and recreational retail sites.

Bernstein, Maxine. [Suspected gunman in Portland double homicide was hounding victims for medical marijuana, lawyer says](#). 16, April 2015.

http://www.oregonlive.com/portland/index.ssf/2015/04/suspected_gunman_in_portland_d.html

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3. Safe Streets Alliance. [Colorado New Vision Hotel/Holiday Inn and O'Rielly's RICO lawsuit filed](#). 19, February, 2015. <http://blogs.findlaw.com/courtside/2015/02/anti-pot-group-files-rico-suit-over-colos-marijuana-law.html>
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5. Gartner, Monika. Testimony: Let me tell you what it's like to live in my house now - after an illegal pot grow center moved into the barn. Letter to the author. 23, April, 2015.



DenverDA

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July 27, 2015

Clackamas County
Commissioner Chair Ludlow
Commissioner Bernard
Commissioner Smith
Commissioner Schrader
Commissioner Savas
2051 Kaen Road Road
Oregon City, Oregon 97045

Dear Commissioners,

As you know, Colorado legalized small amounts of marijuana for medical use several years ago and then approved a measure allowing retail marijuana for personal use in January 2014, just about seven months ago. While the full impact may not be known for some time, we already are seeing some of the effects. This includes seeing retail marijuana explode into a multi-million dollar industry that exists simultaneously with a continuing black market. Recent findings from the Rocky Mountain High Intensity Drug Trafficking Area give us a snapshot of what is happening, and it is concerning.

We now have nearly 500 medical marijuana dispensaries in Colorado, and 212 retail stores. Most are in Denver (215 medical marijuana dispensaries and 77 retail stores). There are also hundreds of cultivation facilities and dozens of infused marijuana product businesses.

While pro-marijuana groups are touting selected statistics to the media suggesting that crime is down since the legalization of marijuana, we are beginning to see the effects in our emergency rooms, junior and senior high schools, on our roadways and in our homes.

Since 2007, there have been 15 violent deaths related to medical marijuana in Colorado. In each of these deaths, the victim was a medical marijuana caregiver, was killed in the presence of a caregiver or was trying to rob a caregiver. Dispensaries and stores are lucrative targets for burglaries and robberies. The large sums of cash at these sites have led to execution-style murders and shootouts in residential neighborhoods. There have also been more than 300 burglaries and 7 armed robberies in Denver in the last two years; I do not expect the figures this year to improve.

From 2011 to 2013, there was a 57-percent increase in emergency room visits related to marijuana, and ER doctors noted they treated more small children for accidental overdoses of marijuana. Children are also being exposed when mothers use pot during pregnancy or breastfeeding, as an increasing number of women now report they are trying marijuana for morning sickness or other uses while pregnant. There has also been an increase in calls to our local poison control center involving marijuana and children.

July 27, 2015

The National Institute on Drug Abuse reports marijuana use among high school seniors is increasing and may soon become more common than cigarette smoking. This may be connected to the increase we are seeing in the number of adults who encourage marijuana use among young people and adults who are actually using marijuana with a minor. There was a 26-percent increase in monthly marijuana use in Colorado among young people, ages 12-17, in the three years after medical marijuana was commercialized (2009) compared to the three years prior to commercialization.

There was a 32-percent increase in drug-related suspensions and expulsions in Colorado for academic school years 2008/2009 to 2012/2013. A June 2014 Rocky Mountain HIDTA survey of 100 Colorado school resources officers revealed 89-percent have seen an increase in student marijuana-related incidents since retail marijuana was legalized. And, it appears there is a greater likelihood of young people trying marijuana. A study found that 10-percent of high school students who would otherwise be at low risk for habitual pot smoking now say that they *would* use marijuana if it were legal. It is not my intent in this letter to discuss the health impacts of marijuana on young adults, such as lowered IQ and memory impairment, but there is clearly cause for concern.

We have seen a sharp increase in dangerous hash oil explosions. In the first six months of 2014 there have been 26 confirmed explosions and 27 reported injuries. The number of confirmed explosions directly related to the illegal processing and extraction of hash oil in just six months is more than double the total reported in all of last year.

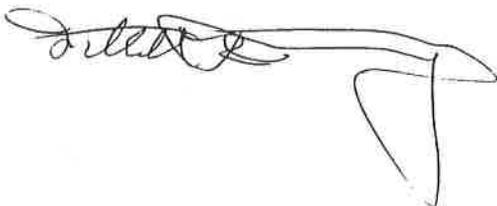
And we have seen an impact on our roads. One in nine drivers in fatal crashes now test positive for marijuana. While the overall number of car crash fatalities were down in Colorado between 2007 and 2012 (down by 14%), fatalities involving drivers who test positive for marijuana are up 100%.

The Colorado State Patrol DUID program (Driving Under the Influence of Drugs), initiated in 2014, show in the first six months of 2014 that 77% of the 454 DUIDs involved marijuana and 42% of the 454 DUIDs involved marijuana only. I do not expect this to improve as another study from 2013 shows marijuana causes more car accidents than any other illicit drug.

The advent of medical marijuana and retail marijuana has not, unfortunately, eliminated the illegal cultivation, possession and sale of marijuana. There remains a robust black market that carries all the risk of illegal drug dealing and continues to require significant public safety resources. Our Crime Lab has requested an additional forensic scientist just to test the volume of marijuana seized over the legal limit.

I believe when the majority of people in Colorado voted to approve Amendment 64, their intention was to de-criminalize the private, personal use of marijuana by adults and that they had no idea marijuana would become the latest multi-million dollar industry in our state. I also believe they did not anticipate the impacts I've outlined in this letter. We will see what the rest of the year holds and what other unintended consequences we discover.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitch Morrissey", with a long horizontal flourish extending to the right.

Mitch Morrissey
Denver District Attorney

● Page 3

July 27, 2015

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7-23-15

Dear Commissioners,

Chair Ludlow, Commissioners Bernard, Smith, Schrader, Savas

I posed the below question to the Director of the Colorado HIDTA and got the below response.

Shirley Morgan
Citizens for Public Safety, Quality of Life, & Property Values
www.protectoursociety.org
Unwantedpotgrows.com

From: Shirley Morgan
Sent: Wednesday, July 22, 2015 7:54 AM
To: 'Tom Gorman' (tgorman@rmhidta.org)
Subject: Tom Gorman Director Colorado Rocky Mountain HIDTA
Importance: High



Mr. Tom Gorman-Director
Colorado Rocky Mountain High Intensity Drug Trafficking Area
303-671-2180 ext 221

Dear Mr. Gorman,

In researching the various medical marijuana and recreational marijuana programs in Colorado and Washington, I noticed that Colorado does not allow any recreational marijuana outdoor grows. I am wondering if you can provide some insight as to why?

Thank you,
Shirley Morgan
Citizens for Public Safety, Quality of Life, Property Values
P. O. Box 1351
Welches, Oregon 97067

From: Tom Gorman [mailto:tgorman@rmhidta.org]
Sent: Thursday, July 23, 2015 1:59 PM
To: Shirley Morgan
Subject: RE: Tom Gorman Director Colorado Rocky Mountain HIDTA

Shirley:

- You don't want cultivation open to the public view, particularly youth. Tends to normalize, advertise and condone marijuana use.
- Security problem: More subject to theft since high price "crop", as well as theft by youth for both use and sale.
- Harder to control and regulate.
- Some concern with environmental impact; i.e., water usage.

Thomas J. Gorman
Director, Rocky Mountain HIDTA
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tgorman@rmhidta.org
www.rmhidta.org