

**RS 7. D. 4/4/23
Presentation**

Psilocybin Code Amendments

Presentation to the
Milwaukie City Council
Vera Kolas, Senior Planner
April 4, 2023



Oregon Psilocybin Service Act (Ballot Measure 109)
allows the following:

Manufacture

Delivery

Administration

(Of psilocybin (mushrooms) at licensed facilities)

Oregon Health Authority began accepting
applications in January



The City can:

1. Prohibit licensed manufacturers or service centers (requires vote at an election)
2. Impose time, place, manner restrictions on licensed facilities

If not prohibited the City must provide OHA with a Land Use Compatibility Statement (LUCS) when requested by applicant.



OHA issues 4 Types of licenses:

- Service Center
- Service Facilitator
- Product Manufacturer
- Testing Facility



Psilocybin grow facility. *The Oregonian*



Psilocybin restrictions under State law:

- NOT available in stores or to take home
- Only administered in licensed settings
- Service center locational restrictions
- Manufacturing prohibited outdoors



PROPOSED AMENDMENT

Prohibit psilocybin-related businesses as home occupations:

19.507 HOME OCCUPATION STANDARDS

19.507.2 Prohibitions and Use Restrictions

G. All psilocybin-related businesses as defined in ORS 475A are prohibited as home occupations.



NMIA Zone

- Marijuana production = Conditional Use
- Multiple producers may operate; single producer limited to 10,000 sq ft.
- A marijuana producer cannot be located in a building that is within 1,500 ft of another building that is utilized for marijuana production.



OPTIONS FOR DISCUSSION

- Refer a ballot question to prohibit licensed facilities
- Enact time, place, manner restrictions (code amendments)
 - Prohibit as home occupations?
 - Restrictions on manufacturers in the NMIA?
- Do nothing at this time



QUESTIONS?



Extra Slides if Needed



Hillsboro Code

Allowed to:

- Operate in all the zones where Office uses are permitted as a primary use
- Operate during the hours of 8 am to 10 pm
- Operate within a maximum 2,000-square-foot footprint.



Home Occ – Marijuana – MMC 19.507

Marijuana-related businesses prohibited as home occupations.

