



CLACKAMAS COUNTY PLANNING AND ZONING DIVISION
BEN BLESSING, PLANNER
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
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Supplemental Application

Marijuana Production within RRF-5 or FF-10 Districts

(June 2016)

APPLICANT INFORMATION

Applicant: _____ File Number: _____

WHAT IS MARIJUANA PRODUCTION?

Marijuana production is the manufacture, planting, cultivation, growing, trimming, harvesting, or drying of marijuana, provided that the marijuana producer is licensed by the Oregon Liquor Control Commission (OLCC), or registered with the Oregon Health Authority (OHA) and a “person designated to produce marijuana by a registry identification cardholder.”

WHAT IS NEEDED FOR APPROVAL?

Production of marijuana may be permitted after evaluation according to the applicable standards in the zoning district and the criteria in Section 841 of the Zoning and Development Ordinance (ZDO). The county must provide written findings to support the decision. The applicant is responsible for providing evidence to support the request.

APPLICATION PROCESS

Applications for marijuana production in an RRF-5 or FF-10 zoning district are subject to a Type I land use application. The Type I process, as established by Section 1307 of the ZDO, does not include public notice. The decision is made by the Planning Director and is the final decision of the county.

If the application receives preliminary approval, the applicant must comply with all specified conditions of approval, including the submittal of any additional required documentation.

STAFF WILL ATTACH THE FOLLOWING PERTINENT INFORMATION

___ Land Use Application ___ ZDO Section 841

___ Plot Plan Template

The information requested below will be used in considering your request and is required: Please type or print in black or blue ink.

APPLICANT:
CHECK AS
COMPLETED

- 1. Land Use Application Form – Information on applicant and land involved in this application. **All owners of the subject property must sign this application.**
- 2. Supplemental Application – Information requested on this form. Please be as complete and thorough as possible. Use additional sheets as necessary.
- 3. Application Fee – _____ (*Fee is nonrefundable upon decision.*)
- 4. Plot Plan must be drawn to scale on 8-1/2" x 11" or 8-1/2" x 14" paper. The plot plan must include the following information (when applicable):
 - a. In addition to the general plot plan requirements listed on the plot plan template, show that all structures used for indoor marijuana meet the 50-foot minimum setback requirement from all property lines.
 - b. Show all existing and/or proposed outside light fixtures and label what their purpose is (e.g., security, safety).
 - c. Show and label all existing and proposed access, driveways, and onsite circulation. Provide the length of the driveway from the property line to the marijuana production area and buildings.
- 5. Provide a floor plan for all structures, or portions thereof, used for marijuana production and related activities on the subject property, including square footage and dimensions of the structures.
- 6. Provide to-scale elevation drawings for any structure that is being used for marijuana production. Elevation drawings show each side of a building (not the elevation above sea level), including windows and doors. If the structure will be for marijuana production and personal use, show how these areas will be separated by a 7-foot or higher wall as prescribed by the Building Codes Division. A "man door," capable of being closed, may be included within the partition wall separation.
- 7. Provide evidence that the parcel is a minimum of five acres in size, or that the property is at least two acres in size and that the majority of abutting properties are equal to, or greater than, two acres. Include all properties across a private drive, or private, public, or county road, provided the functional classification is below that of a collector.

8. Complete the following table and provide a statement that all marijuana production will be located entirely within one or more completely enclosed buildings, not to exceed 5,000 square feet total. Production includes the manufacture, planting, cultivating, growing, trimming, harvesting or drying of marijuana:

<i>Type of Use</i>	<i>Number of Structures</i>	<i>Total square feet</i>
INDOOR PRODUCTION		
Structures used for indoor production		
OTHER ACTIVITIES RELATED TO PRODUCTION		
Structures used for related activities, such as office space, security system and restrooms, but not for marijuana production		

9. Demonstrate that the subject property has frontage on, and direct access from, a constructed public, county, or state road, or takes access on an exclusive road or easement serving only the subject property. This standard will be waived if the property takes access via a private road or easement which also serves other properties and evidence is provided in the form of a petition signed by all other property owners who have access rights to the private road or easement that they agree to allow the specific marijuana production described in the application. Such evidence shall include any conditions stipulated in the agreement.

10. How will you ensure that light cast from interior light fixtures will not be visible from outside any structure used for marijuana production from 7:00 p.m. to 7:00 a.m. the next day?

11. How will you ensure that light cast by exterior light fixtures will not be directed skyward and will be directed within the boundaries of the subject property?

12. Provide a statement or other documentation that the project will comply with Subsection 841.03(G)(1) through (7) in regard to an odor filtration system and negative air pressure as designed by a mechanical engineer licensed by the State of Oregon.

13. Provide a statement that the project will comply with Subsection 841.03(H) in regard to noise standards.

14. If used, how will you ensure that security cameras will be directed to record only the subject property and public right-of-ways as applicable, except as required by OLCC or OHA?

15. Submit one of the following:
(A) Water Right Permit or Certificate Number;
(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 water for marijuana production is from a source that does not require a water right.

16. How will you ensure that all marijuana waste is stored in a secure waste receptacle in the possession of the OLCC licensee or OHA registrant?

17. Provide residency evidence for the owner of the subject property or a holder of an OLCC license that applies to the property.

18. If this application is for medical marijuana production pursuant to registration with the OHA, then standards of Subsections 841.03(F)(3) and (G) through (L) *[items # 11, 12, 13, 14, 15, 16 and 17 in this application]* may be waived by the county provided that the minimum front, rear, and side yard depths for any structure used for marijuana production shall be 100 feet. Please check the box below that identifies the type of production that you are proposing:

- Recreational marijuana.
- Medical marijuana with compliance with all standards of this code.
- Medical marijuana with a waiver of the standards identified in item #18.

QUESTIONS: Contact Ben Blessing, Planner at (503)742-4521 or bblessing@clackamas.us