

Marijuana Facilities and Land Use Zoning in Clackamas County*

Clackamas County Planning and Zoning Division

July 27, 2015

The Clackamas County Board of Commissioners is considering amending the county Zoning and Development Ordinance (ZDO) to consider new land use regulations for businesses that grow, process, wholesale or retail recreational or medical marijuana. The table below shows the current and potential regulation of licensed marijuana facilities in different zoning districts throughout Clackamas County as of July 27, 2015:

KEY: P – *permitted* by state law or county time, place and manner regulations
 U – *unregulated* (not addressed one way or the other) in state law or county time, place and manner regulations
 (X) – *prohibited* by county if current county land use regulations are applied
 X – *prohibited* by state law or county time, place and manner regulations
 (P) – *permitted* by county if current county land use regulations are applied, as limited by state law
 Uses in blue boxes are set by county time, place and manner regulations; uses in yellow boxes are set by state law; uses in white boxes are at the discretion of the county

ZONE	EFU (Natural Resource)	TBR, AG/F (Natural Resource)	RR, RA-1, RA-2, RRFF-5, FF-10, FU-10 (Rural Residential)	Rural Commercial / Rural Tourist Commercial	Rural Industrial	Urban and Mt. Hood Low- Density Residential	Urban and Mt. Hood Multi- family Residential	Urban Industrial	Urban Commercial
TYPE OF LICENSE									
RECREATIONAL									
Grow/Production	P	U (P)	U (P)	U (X)	U (P)	U (X)	U (X)	U (P)	U (X)
Processing	P	U (P)	U (P)	U (X)	U (P)	U (X)	U (X)	U (P)	U (X)
Wholesaling	P	U (P)	U (P)	U (P)	U (P)	X	X	U (P)	U (X)
Retail/Dispensary	X	X	X	X	X	X	X	X	P
MEDICAL									
Processing	X	X	U (P)	U (X)	U (P)	X	X	U (P)	U (X)
Retail/Dispensary	X	X	X	X	X	X	X	X	P

ADDITIONAL INFORMATION

State law gives the county the authority to adopt “reasonable regulations” regarding recreational marijuana. The law defines the categories as follows:

- *Production* means manufacture, planting, cultivation, growing or harvesting of marijuana in Oregon
- *Processing* means processing, compounding or conversion of marijuana into cannabinoid products, concentrates, or extracts; excluding packaging or labeling
- *Wholesaling* means purchasing marijuana items in Oregon for resale to a person other than a consumer in Oregon
- *Retail/dispensary* means selling marijuana items to a consumer in Oregon

PUBLIC INPUT and MEETINGS

Interested members of the public who would like to comment on marijuana land use regulations in Clackamas County are welcome and encouraged to do so in writing, by email to ZoningInfo@clackamas.us or by mail to Planning Division, Development Services Bldg., 150 Beaver Creek Rd., Oregon City, OR 97045. The public is also welcome to attend any of the upcoming public meetings (see list to the right) and provide verbal testimony at public hearings.

An advisory task force of people representing various stakeholder interests will meet in August 2015. Task force meetings have not yet been scheduled, but will be publicized and open to the public.

The following meetings of the Board of County Commissioners and Planning Commission are open to the public. Verbal testimony is permitted at the public hearings listed below, as noted. Meeting agendas, recordings and/or summaries will be posted at www.clackamas.us/planning/marijuana.

- **Planning Commission Study Session (no public testimony)**-- 6:30 p.m., Monday, Aug. 24; Auditorium, Development Services Building 1st floor
- **Planning Commission Public Hearing (public testimony permitted)**-- 6:30 p.m., Monday, Oct. 12; location TBD
- **Planning Commission Public Hearing (public testimony permitted)** -- 6:30 p.m., Monday, Oct. 26; location TBD
- **Board of County Commissioners Planning Session (no public testimony)**-- 1:30-3:30 p.m., Tuesday, Nov. 10; BCC Hearing Room, Public Services Building 4th floor
- **Board of County Commissioners Public Hearing (public testimony permitted)**-- 9:30 a.m., Monday, Nov. 23; BCC Hearing Room, Public Services Building 4th floor
- **Board of County Commissioners Public Hearing (public testimony permitted)**-- 9:30 a.m., Wednesday, Dec. 2; BCC Hearing Room, Public Services Building 4th floor

*This document presents a broad summary based on the best professional research and opinion of Clackamas County Planning & Zoning Division staff; it is not intended as legal guidance. It will be updated in the future as marijuana land use issues continue to evolve.