



SUPPLEMENTAL APPLICATION
Marijuana Production Within EFU, TBR or AG/F Districts

May 2018

APPLICANT INFORMATION

Applicant \_\_\_\_\_ File \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

(If same as the applicant, write "same")

What is marijuana production?

Marijuana production is the indoor and outdoor manufacture, planting, cultivation, growing, trimming, harvesting, and/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.

What are the chances for approval?

Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the ZDO. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

Application process:

Applications for marijuana production in an EFU, TBR or AG/F zoning district are subject to a Type I land use application without public notice. The application is subject to the process as provided for in Section 1307 of the ZDO. This decision is the final decision of the County. There is no County-level appeal process provided for a Type I land use decision.

If the application receives preliminary approval, the applicant must meet all specified conditions of approval. The applicant is then responsible for submitting all necessary documentation and evidence that supports satisfaction of those conditions of approval.

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.

1. Land Use Application – Information on applicant and land involved in application (**ALL owners of the subject property must sign the 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 on an 8-1/2" x 11" or 8-1/2" x 14" paper and drawn to scale. The plot plan must include the following information (when applicable):
  - a. In addition to the general plot plan requirements and underlying zoning district setbacks, show that all outdoor grow sites for marijuana production are a minimum of 100 feet from all property lines of the subject tract. If the subject tract contains one or more contiguous lots of record under the same ownership, show the common boundary lines (interior boundary lines of the tract). Note that the minimum yard depth standards of the subject zoning district still apply.
  - b. Show all existing and/or proposed outside lighting and label what their purpose is (e.g., security, safety).
  - c. Show all existing and/or proposed access, driveways, and onsite circulation.
5. Provide a floor plan for all structures, or portions thereof, used for activities associated with marijuana production on the subject property, including square footage and dimensions.
6. Provide to-scale elevation drawings for any structure that is being used for marijuana production. Elevation drawings show each side of a building, including windows and doors. It does not mean elevation above sea level.
7. For indoor production, provide evidence that the parcel is a minimum of two acres in size. For outdoor production, provide evidence that the parcel is a minimum of five acres in size.  
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\_\_\_\_\_
8. 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 pm to 7:00 am the next day?  
\_\_\_\_\_  
\_\_\_\_\_
9. Demonstrate that the subject property has direct 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 that 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. Provide the following summary information about structures and areas planned for marijuana production and related activities. Production includes the manufacture, planting, cultivating, growing, trimming, harvesting, or drying of marijuana.

<b>Type of use</b>	<b>Number of structures</b>	<b>Total square feet</b>
<i>Indoor production</i>		
Structures used for indoor production		
<i>Outdoor production</i>		
Greenhouse, hoop house, or similar non-rigid structure that does not use any artificial lighting on mature marijuana plants		
An expanse of open or cleared ground	N/A	
<i>Other activities related to production</i>		
Structures used for related activities, such as office space, security system, restrooms, etc., but not for marijuana production.		

11. How will you ensure that no outdoor grow lights will be illuminated from 7:00 pm to 7:00 am the next day?

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12. How will you ensure that exterior lighting will not be directed skyward and will only be directed to the interior boundaries of the subject property?

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13. For indoor production, 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, or an alternative odor control system designed by a mechanical engineer licensed by the State of Oregon that will comply with Subsection 841.03(H)(7).

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

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

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16. Submit one of the following: (A) Water Right Permit or Certificate Number; (B) a statement from a public or private water provider that they are providing water on the subject property, including

their name and contact information; 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.

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17. 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?

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18. How will you ensure that all fencing, walls, or other barriers used will not exceed 10 feet in height, be electrified, or use barbed wire, razor wire, concertina coils, anti-climb spikes, or any other similar security feature that is designed to discourage ingress through the potential of causing bodily harm?

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19. If this application is for medical marijuana production pursuant to registration with the OHA, then standards of Subsections 841.03(g)(3) and (H) through (N)--items # 12, 13, 14, 15, 16, 17, and 18 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 identify which type of marijuana production you are proposing:

*Mark one:*

<input type="checkbox"/>	Recreational marijuana production
<input type="checkbox"/>	Medical marijuana with compliance with all standards of this code.
<input type="checkbox"/>	Medical marijuana with a waiver of the standards identified above.

**QUESTIONS:** Contact Lizbeth Dance, Planner at (503)742-4524 or [LDance@clackamas.us](mailto:LDance@clackamas.us)