

SUMMARY OF ADOPTED COLUMBIA COUNTY MARIJUANA USE ZONING AMENDMENTS

Adopted by the Board of Commissioners on November 25, 2015

State Law-General Requirements:

- A land use compatibility statement(LUCs) from the County is required prior to issuance of recreational licences by OLCC.
- County may not be less restrictive than State rules but may be more restrictive. County allowed to adopt reasonable time, place and manner regulations

RESOURCE ZONES State Law: Defines recreational marijuana growing as a farm use Marijuana growing is outright permitted use in the PA- 80 zone. Prohibits marijuana farm stands, marijuana farm commercial activities and new farm dwellings based on marijuana crops in the PA-80 zone. Counties <u>may</u> allow marijuana growing in the FA-80 or PF-80 zone as a farm use in the same manner as it is allowed in the PA-80 zone.					
ZONING DISTRICT		GROWING	PROCESSING WHOLESALING	RETAILING	PAGE Att. 2
Primary Agriculture - 80	PA-80	Permitted	Prohibited	Prohibited	3
Forest Agriculture - 80	FA-80	Predominant Use: Agriculture: AR Forest Use: AR w/Special Use Standards	Prohibited	Prohibited	7
Primary Forest - 80	PF-80	AR w/Special Use Standards	Prohibited	Prohibited	7
RESIDENTIAL ZONES State Law: State Law is silent on location of marijuana grows in residential zones. Prohibits marijuana wholesaling and extract processing in residential zones. Prohibits medical dispensaries in residential zones.					
ZONING DISTRICT		GROWING	PROCESSING WHOLESALING	RETAILING	PAGE Att. 2
RURAL RESIDENTIAL ZONING					
Rural Residential - 5	RR-5	CUP in Enclosed Building w/Special Use Standards	Prohibited	Prohibited	8
Rural Residential - 2	RR-2	Prohibited	Prohibited	Prohibited	9
SUBURBAN RESIDENTIAL ZONING					
Single-Family Residential	R-10	Prohibited	Prohibited	Prohibited	-
Single-Family/Duplex Residential	R-7	Prohibited	Prohibited	Prohibited	-

Multiple-Family Residential	MFR	Prohibited	Prohibited	Prohibited	-
Mobile Home Residential	MHR	Prohibited	Prohibited	Prohibited	-
COMMERCIAL ZONES State Law:					
<p>Dispensaries may not be located within 1,000 feet of a school. Medical dispensaries may not be located within 1,000 feet of another medical dispensary. The County may not require a separation of recreational retail marijuana sites by more than 1,000 feet. Medical dispensary may not be on same site as grow or a site with another licenced medical marijuana dispensary</p>					
ZONING DISTRICT		GROWING	PROCESSING WHOLESALE	RETAILING	PAGE Att. 2
Rural Community	RC	CUP in Enclosed Building w/Special Use Standards	Prohibited	CUP w/Special Use Standards	9
Existing Commercial	EC	Prohibited	Prohibited	AR w/Special Use Standards	10
Highway Commercial	C-5	Prohibited	Prohibited	AR w/Special Use Standards	11
Neighborhood Commercial	C-4	Prohibited	Prohibited	Prohibited	11
General Commercial	C-3	Prohibited	Prohibited	AR w/Special Use Standards	11
Marine Commercial	C-2	Prohibited	Prohibited	Prohibited	11
INDUSTRIAL ZONES					
ZONING DISTRICT		GROWING	PROCESSING WHOLESALE	RETAILING	PAGE Att. 2
Industrial Park	M-3	AR in Enclosed Building w/Special Use Standards	AR in Enclosed Building w/Special Use Standards	CUP w/Special Use Standards	12
Light Industrial	M-2	AR in Enclosed Building w/Special Use Standards	AR in Enclosed Building w/Special Use Standards	CUP w/Special Use Standards	12
Heavy Industrial	M-1	AR in Enclosed Building w/Special Use Standards	AR in Enclosed Building w/Special Use Standards	CUP w/Special Use Standards	12
Airport Industrial	AI	Prohibited	Prohibited	Prohibited	13
Resource Industrial PD	RIPD	Prohibited	Prohibited	Prohibited	10

<p>SPECIAL USE STANDARDS</p> <p>Smal Case = State Standard</p> <p>BOLD ALL CAPS = Proposed County Standard</p>	<p>GROWING</p> <p>Page 14, Att. 2</p>	<p>PROCESSING WHOLESALING</p> <p>Page 14, Att. 2</p>	<p>RETAILING</p> <p>Page 15, Att. 2</p>
	<p>Proof of Licence or Registration</p>	<p>Proof of Licence or Registration</p>	<p>Proof of Licence or Registration</p>
	<p>Not on Same Site As Dispensary</p>	<p>Wholesaling and Extract Processing Prohibited in Residential Zones</p>	<p>May Not Be Located Within 1000 Ft. Of Schools, PUBLIC PARK OR CHILD CARE CENTER</p>
	<p>WITHIN AN ENCLOSED BUILDING IN RR-5, RC, M-1, M-2 and M-3.</p>	<p>WITHIN AN ENCLOSED BUILDING IN M-1, M-2, M-3</p>	<p>Dispensary May Not Be Located Within 1,000 Ft of Another Dispensary. RETAIL SITE MAY NOT BE LOCATED WITHIN 1,000 FT OF ANOTHER RETAIL SITE.</p>
	<p>SETBACKS:</p> <p>INDOOR GROWS IN FA-80, PF-80 and RR-5-INCREASE SETBACKS BY 50 FEET.</p>		<p>Prohibited in Residential Zoning Districts.</p>
	<p>IN RR-5:</p> <ul style="list-style-type: none"> • GROW MUST BE OPERATED BY A RESIDENT OR EMPLOYEE OF A RESIDENT. • GROW EMPLOY NO MORE THAN FIVE FULL TIME OR PART- TIME PERSONS. • NO MORE THAN ONE STATE ISSUED GROWING OR PRODUCING REGISTRATION OR LICENCE IS ALLOWED FOR EACH PARCEL OF RECORD. 		

**AMENDMENTS TO ZONING CODE
for Marijuana Land Uses**

Added Text: **Bold**
Deleted Text: ~~**Bold Strikeout**~~

ARTICLE I – GENERAL DEFINITIONS

Section 100 GENERAL DEFINITIONS:

For the purpose of this ordinance, the following terms are hereby defined:

- .16 Building Line: A horizontal line that coincides with the front side of the main building.

- .17 **Child Care Center: A facility that provides for the care of children, such as a day care center, nursery school, preschool, kindergarten, child play school, before- or after-school care, or child development center, and qualifies under one of the following:**
 - A. Certified by the State of Oregon to care for thirteen (13) or more children;**

 - B. Certified by the State of Oregon to care for twelve (12) or fewer children and located in a building constructed as other than a single family dwelling;**

 - C. A preschool recorded program, as defined by ORS 329A.250(9); or**

 - D. A school-age recorded program, as defined by ORS 329A.250(13).**

~~.17~~ .18 Commission: The Planning Commission of Columbia County, Oregon

... [Renumber the subsections which follow]

~~.29~~ .30 Farm Use: The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops, or by the feeding, breeding, management, and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees, or for dairying and the sale of dairy products, or any other agricultural or horticultural use or animal husbandry, or any combination thereof and includes the preparation and storage of products raised on such land for human use and animal use and disposal by marketing or otherwise. **Marijuana is a crop for the purposes of farm use as defined by ORS 215.203.**

~~.30~~ .31 Fence, Sight Obscuring: A fence, consisting of wood, metal or masonry, or an evergreen hedge or other evergreen planting, arranged in such a way as to obstruct vision.

.... [Renummer the subsections which follow]

.45 Home Occupation: An accessory non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building pursuant to ORS 215.448, except marijuana growing or producing, which is otherwise regulated as a farm use and the processing, wholesaling, dispensing or retailing of marijuana in conjunction with a dwelling.

~~.44~~ .46 Horticulture: The cultivation of plants, garden crops, trees and/or nursery stock.

.... [Renummer the subsections which follow]

.62 Marijuana: The plant cannabis family *cannabaceae*, any part of the plant cannabis family *cannabaceae* and the seeds of the plant cannabis family *cannabaceae*. Marijuana does not include industrial hemp as defined in ORS 571.300.

- A. Marijuana Growing or Producing: The manufacture, planting, cultivation, growing, trimming or harvesting of marijuana or the drying of marijuana leaves and flowers at a location registered under ORS 475.304 where medical marijuana is produced for use by an Oregon Health Authority (OHA) registry identification cardholder or produced by a marijuana producer issued a production license by the Oregon Liquor Control Commission (OLCC). It does not include the drying of marijuana by a marijuana processor, if the marijuana processor is not otherwise producing marijuana; or the cultivation and growing of an immature plant by a marijuana processor, marijuana wholesaler or marijuana retailer, if the marijuana was purchased or otherwise received from a marijuana producer.
- B. Marijuana Processing: The processing, compounding or conversion of marijuana into cannabinoid products, cannabinoid concentrates or cannabinoid extracts at a marijuana processing site registered with the OHA or licensed by the OLCC. Processing does not include packaging or labeling.
- C. Marijuana Wholesaling: The purchasing of marijuana items in

Oregon for resale to a person other than a consumer at a site licensed by the OLCC.

D. **Marijuana Retailing:** The selling of marijuana items to a consumer at a site registered as a marijuana dispensary by the OHA or licensed as a retail location by the OLCC.

~~60~~ .63 May: as Used in this Ordinance, May Is Permissive and Shall Is Mandatory.

[Renumber the subsections which follow]

....

Section 300 PRIMARY AGRICULTURE USE ZONE - 80 PA-80

302 Definitions. For purposes of the PA-80 Zone, the definitions in ORS 215.203, the Statewide Planning Goals, OAR Chapter 660 and the following definitions apply:

....

.7 "Farm use" as defined in ORS 215.203 **including marijuana growing or producing subject to standards in Section 1803.**

....

303 Table of Authorized Uses and Development. The following uses, activities and development are authorized in the Primary Agriculture Zone, subject to review and approval under applicable regulatory standards:

Key

HV	High-Value Farm Land
NHV	Other lands, not defined as High-Value Farm Land
P	Permitted
AR	Subject to administrative review and approval process described in Section 1601
CUP/PC	Subject to Planning Commission review and approval for Conditional Use described in Section 1503
NP	Use not permitted

Note: The CCZO Section Column below lists only subsections of authorization and specific criteria of this PA Zone. Other criteria of this ordinance may apply to a proposed use, including but not limited to site design review, conditional use permit review, special use standards, and overlay zoning.

TABLE OF AUTHORIZED USES & DEVELOPMENT			
RESOURCE USES	*HV	*NHV	PA-80 SECTION
Farm Use as Defined in ORS 215.203 subject to standards in Section 1803.	P	P	304.1
Use and Management of Forest Lands	P	P	304.2

<u>TABLE OF AUTHORIZED USES & DEVELOPMENT</u>			
Farm and Forest Accessory Structures	P	P	304.3
Forest Product Primary Processing Facility	AR	AR	305.19, 307, 308
Wetland Creation/Restoration and Enhancement; Fish & Wildlife Habitat Projs.	P	P	304.4
Aquaculture and Insect Cultivation	AR	AR	305.20 307
RESIDENTIAL	HV	NHV	PA - 80 SECTION
New Dwelling in conjunction with a marijuana crop	NP	NP	
Farm Dwelling	AR	AR	305.1, .2, .3, .4, 307, 308
Family Farm Help Dwelling	AR	AR	305.8, 307, 308
Lot of Record Dwelling – High Value Farmland – Not High Value Farmland	AR NA	NA AR	305.5, 307, 308 305.6, 307, 308
Nonfarm Dwelling	NP	AR	305.7, 307, 308
Replacement Dwelling	AR	AR	305.9, 307, 308
Replacement of Historic Dwelling	AR	AR	305.10, 307, 308
Temporary Medical Hardship Manufactured Home	AR	AR	305.12, 307, 308
Accessory Farm Dwelling(s)	AR	AR	305.11, 307, 308
Residential Care/Training/Foster Home or Facility	AR	AR	305.13, 307, 308
Dwellings provided for in ORS 215.799 for wildlife habitat land	AR	AR	305.14, 307, 308
COMMERCIAL	HV	NHV	PA - 80 SECTION
Farm Stands except when used in conjunction with a marijuana crop	AR	AR	305.18, 307, 308
Facilities for the processing of farm crops and related commercial activities or for the production of biofuel as defined in ORS 315.141 that are not permitted under ORS 215.203(2)(b)(L) or ORS 215.283 (1)(u)	AR	AR	305.22, 307, 308
Home Occupations Type I - Type II -	AR CUP/PC	AR CUP/PC	305.21, 307, 308, 306.1, 307, 308,
Kennels	NP	CUP/PC	306.2, 308
Training and Stabling Horses for Profit	P	P	304.1
Destination Resort	NP	CUP/PC	306.3, 307, 308

TABLE OF AUTHORIZED USES & DEVELOPMENT

Commercial activities that are in conjunction with a farm use and not otherwise permitted under Section 305.22, except commercial activities carried on in conjunction with a marijuana crop.	CUP	CUP/PC	306.4
Winery	AR	AR	305.24, 307
Landscaping Business in conjunction with a Nursery	AR	AR	305.23, 307, 308

....

304 Permitted Uses. The following specific development and uses are permitted in the PA-80 Zone and are subject to compliance with the procedures and criteria under Section 308 Development Standards, the prescriptive standards specified herein, and other applicable state, federal, and local regulations.

- .1 Farm use as defined by ORS 215.203(2) **including marijuana growing and producing subject to standards in section 1803;**
- .2 Propagation or harvesting of a forest products;
- .3 Accessory buildings and structures related to the use and management of farm uses. Roadside stands selling farm products produced on property owned or leased for farm use by the owner of the property on which the roadside stand is located **except when used in conjunction with a marijuana crop;**

....

305 Administrative Review. The following uses are permitted, subject to review and approval under the prescriptive standards specified herein, in Sections 307, 308, & 1550 and as may otherwise be **noted in this section and** indicated by federal, state and local regulations and permits.

SINGLE FAMILY RESIDENCES – 305 AR

The following single family residences may be allowed except for new dwellings used in conjunction with a marijuana crop:

- .1 Dwelling for the Farm Operator on High Value Farmland. A farm dwelling may be authorized on a tract of land classified as High Value Farmland where the tract meets the following criteria

....

COMMERCIAL RESOURCE RELATED USES – 305 AR

....

- .18 Farm Stand. Structures that are designed and used for the sale of farm

crops **except when used in conjunction with a marijuana crop** and livestock grown on farms in the local agricultural area may be allowed, including the retail sale of incidental items and fee based activity to promote the sale of farm crops or livestock sold at the stand. Together, these accessory items may account for no more than 25% of the total annual sales of the farm stand. Farm stands do not include structures designed for residential occupancy or to accommodate activities other than the sale of farm crops and livestock, nor do they include processing of farm crops, or structures for banquets, public gatherings or entertainment. Farm crops or livestock includes both fresh and processed farm crops and livestock grown on the farm operation or grown on other farm operations in the local agricultural area. Processed crops and livestock includes jams, syrups, apple cider, animal products and other similar farm crops and livestock that have been processed and converted into another product but not prepared food items. Local agricultural area includes adjacent counties bordering the property on which the farm stand is located and include adjacent counties in the State of Washington that border the farm stand(s).

....

21 Type I Home Occupations, as defined by and subject to the applicable provisions in Sections 307, 308 and 1507. **Home Occupations do not include commercial activities carried on in conjunction with a marijuana crop.**

.22 **A facility for the processing of farm crops or for the production of biofuel, as defined in ORS 315.141 (biomass production or collection), if the facility is located on a farm operation that provides at least one-quarter of the farm crops processed at the facility, or an establishment for the slaughter, processing or selling of poultry or poultry products pursuant to ORS 603.038 (licensing exemption for certain poultry processors). If a building is established or used for the processing facility or establishment, the farm operator may not devote more than 10,000 square feet of floor area to the processing facility or establishment, exclusive of the floor area designated for preparation, storage or other farm use. A processing facility or establishment must comply with all applicable siting standards but the standards may not be applied in a manner that prohibits the siting of the processing facility or establishment.**

....

COMMERCIAL ACTIVITIES – 306 CUP

.1 Type II Home Occupations, as defined by and subject to Section 1507, may be allowed pursuant to Sections 307, 308 and 1503 with an associated public hearing. **Home Occupations do not include commercial activities carried on in conjunction with a marijuana crop.**

....

.4 **Commercial activities that are in conjunction with farm use except commercial activities carried on in conjunction with a marijuana crop**

and not otherwise permitted under Section 305.22 require a conditional use permit pursuant to Section 1803.

....

Section 400 FOREST/AGRICULTURE - 80 FA - 80

...

404 Permitted and Conditional Uses: Permitted and Conditional Uses, partitioning, and development standards will be determined by the Predominant Use Test described in Section 402 above. Notwithstanding the Predominant Use Test, ~~...the rezoning and conversion of abandoned or diminished mill sites on farm or forest land to industrial uses pursuant to ORS 197.719, will be conditionally permitted subject to the applicable provisions of the Zoning Ordinance.~~
The following Permitted and Conditional Uses shall be reviewed, as follows:

...

.1 Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process in Section 1601:

A. Marijuana Growing or Producing subject to standards in Section 1803.

.2 Conditional Uses: The following uses shall be reviewed pursuant to Section 1803 and other applicable provisions of the Zoning Ordinance:

A. ~~T~~the rezoning and conversion of abandoned or diminished mill sites on farm or forest land to industrial uses pursuant to ORS 197.719. ~~will be conditionally permitted subject to the applicable provisions of the Zoning Ordinance~~

....

Section 500 PRIMARY FOREST ZONE - 80 PF-80

....

502 Table of Authorized Uses & Development. The following uses, activities, and development are authorized in the Primary Forest Zone, subject to review and approval under applicable regulatory standards:

Key

- P Permitted outright.
- AR Subject to administrative review pursuant to Section 1601.
- CUP/PC Subject to Planning Commission review and approval as a conditional use pursuant to

Section 1503.

Note: The CCZO Section Column lists only subsections of authorization and specific criteria of this PF-80 zone. Other criteria may apply to a proposed use such as site design review, overlay zoning, special use standards, or conditional use permits.

TABLE OF AUTHORIZED USES & DEVELOPMENT		
RESOURCE USES	AUTHORIZATION	PF - 80 SECTION
Forest Operations and Practices	P	503.1
Physical Alterations of the Land Auxiliary to Forest Practices	P	503.4
Farm Use as defined in ORS 215.203 except Marijuana Growing and Producing	P	503.2
Marijuana Growing and Producing subject to standards in Section 1803	AR	505.18
Soil, Air and Water Conservation Activities	P	503.5

....

503 Permitted Uses. The following uses are permitted in the Primary Forest Zone:

- .1 Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals, and disposal of slash.
- .2 Farm Uses as defined by ORS 215.203 **except marijuana growing and producing.**

....

504 Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process contained in Section 1601. All authorized dwellings and permanent structures shall meet the standards listed in Sections 506, 507, 508, 509 and 510 of this Ordinance.

....

.16 Marijuana growing and producing subject to standards in Section 1803.

....

Section 600 RURAL RESIDENTIAL - 5 RR-5

....

602 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined in ORS 215.203(2) **except marijuana growing and**

producing.

603 Conditional Uses:

....

- .6 **Marijuana growing and producing within an enclosed structure subject to standards in Section 1803.**

[Renumber the subsections which follow]

Section 620 RURAL RESIDENTIAL - 2 RR-2

....

622 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined in ORS 215.203(2) **except marijuana growing and producing.**

Section 650 RURAL COMMUNITY RC

....

652 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined by ORS 215.203(2) **except marijuana growing and producing.**

653 Conditional Uses: The following uses may be approved in accordance with the conditions noted for each use:

....

- .6 The following small-scale, low-impact commercial and industrial uses may be approved if the proposed use has been determined to be necessary for the continuation of the Rural Community and its surrounding environs, and if approved by the Planning Commission according to Section 1550, Design Review Standards. See Sections 654.8 and 654.9 for area limitations of commercial and industrial uses permitted in the RC zone

....

- B. General retail trades, including groceries, bakeries, hardware stores, seed and feed stores, **marijuana retailing subject to standards in Section 1803** and similar uses.

....

- J. Industrial uses necessary for the primary processing or manufacture of locally available natural resources, such as timber, minerals and agricultural produce, as per OAR 660-004-0220(3)(a)

except marijuana processing and wholesaling.

.9 Marijuana growing and producing within an enclosed structure subject to standards in Section 1803.

....

Section 670 EXISTING COMMERCIAL EC

....

673 Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process contained in Section 1601.

.1 Marijuana retailing subject to standards in Section 1803.

...

~~673~~ **674 Conditional Uses:**

....

674 675 Standards:

.1 The minimum lot or parcel size for uses permitted under Sections 672, **673** and ~~6734~~ shall be 5 acres.

.2 The minimum lot or parcel size for uses permitted under Sections 672, **673** and ~~6734~~ shall be 2 acres when it can be shown that:

...

~~675~~ **676 Lots of Record: Lots or parcels lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office, shall be eligible to receive a building permit for any use permitted by Sections 672, **673** and ~~6734~~, if such permit would have been issued otherwise but for the lot or parcel width, depth, or area, but subject to all other regulations of this zone.**

[Renumber the subsections which follow]

Section 680 RESOURCE INDUSTRIAL - PLANNED DEVELOPMENT RIPD

....

682 Permitted Uses:

.1 Farm use as defined by Subsection 2 of ORS 215.203 **except marijuana growing and producing.**

683 Uses Permitted Under Prescribed Conditions: The following uses may be permitted subject to the conditions imposed for each use:

....

.5 Home occupations consistent with ORS 215.448. **Home occupations do not include commercial activities carried on in conjunction with a marijuana crop.**

....

684 PROHIBITED USES:

.1 Marijuana growing and producing.

....

~~684~~ **685 Standards:**

[Renumber the subsections which follow]

Section 800 HIGHWAY COMMERCIAL C - 5

....

802 Permitted Uses:

....

.10 Retail trade establishment such as a food store, drug store, or gift shop **except marijuana retailing.**

....

803 ~~Uses Permitted Under Prescribed Conditions:~~

Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process in Section 1601.

....

.3 Marijuana retailing subject to standards in Section 1803.

....

804 Conditional Uses

.1 Greenhouses **except for the growing or producing of marijuana;**

....

Section 810 NEIGHBORHOOD COMMERCIAL C - 4

....

812 Permitted Uses:

....

.6 Drug Store **except marijuana retailing**

....

815 Prohibited Uses:

.1 Marijuana retailing

~~815~~ **816 Standards:**

[Renumber the subsections which follow]

Section 820 GENERAL COMMERCIAL C - 3

....

822 Permitted Uses:

....

.16 Retail trade establishment such as food store, drug store, gift shop, hardware store, and furniture store **except marijuana retailing.**

823 ~~Uses Permitted Under Prescribed Conditions:~~

Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process in Section 1601.

....

.3 Marijuana retailing subject to standards in Section 1803.

...

Section 830 MARINE COMMERCIAL C - 2

....

832 Permitted Uses:

....

.5 Retail sale of sporting goods, groceries, or similar commodities **except marijuana retailing.**

....

835 Prohibited Uses:

.1 Marijuana retailing

....

835 836 Standards

[Renumber the subsections which follow]

....

Section 910 INDUSTRIAL PARK M - 3

....

913 Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process in Section 1601.

.1 Marijuana growing, producing and retailing within an enclosed building subject to standards in Section 1803.

.2 Marijuana processing and wholesaling subject to standards in

Section 940 AIRPORT INDUSTRIAL AI

....

942 Uses Permitted Outright:

....

.10 Farm uses except marijuana growing and producing.

....

Section 1040 SURFACE MINING SM

....

1042 Permitted Uses: The following uses shall be permitted subject to compliance with Section 1044 and all other applicable rules, standards, or statutes governing such uses, including the Columbia County Comprehensive Plan, the Surface Mining and Land Reclamation Ordinance, the Zoning Ordinance of Columbia County, and Oregon Department of Environmental Quality rules governing sewage disposal, air, and water quality:

....

.4 Agricultural practices except marijuana growing and producing.

....

Section 1800 SPECIAL USE STANDARDS

1801 GENERAL PROVISIONS

Special uses are those included in Section 1800. Due to their public convenience and necessity and their effect upon the surrounding area, these uses are subject to conditions and standards that differ from those required of other uses. Special uses shall be subject to the provisions of the section that regulates the specific use and the provisions of the zoning district in which the special use will be located. Special uses are permitted only when specified as a primary, accessory, or conditional use in the subject zoning district. Where a dimensional or development standard for a special use differs from that of the subject zoning district, the standard for the special use shall apply.

....

1803 MARIJUANA LAND USES

.1 State Issued Marijuana License or Registration Required. All marijuana land uses except for those not required to be licensed by the Oregon Liquor Control Commission (OLCC) or registered by the Oregon Health Authority (OHA), such as home grown or home made marijuana, shall provide to the Land Development Services Department document of the issuance of the applicable state issued marijuana license or registration at the time of application for a required land use permit. Applicants for recreational marijuana land uses including producing, processing, wholesaling, and retailing shall also show evidence of a completed County land use compatibility statement for the use for which the application is being

submitted.

.2 Marijuana Growing or Producing Uses. The following standards shall apply to marijuana growing or producing uses:

- A. Co-location with a Dispensary. Medical grows may not be on the same site as a dispensary.**
- B. Within an Enclosed Building in Certain Zones. Growing and producing must be within an enclosed building in the RR-5, RC, M-3, M-2 and M-1 zones. For the purposes of growing and producing, an enclosed building includes an enclosed greenhouse.**
- C. Additional Setbacks for Indoor Grows in Certain Zones. In the FA-80, PF-80 and RR-5 zoning districts, minimum front, side and rear yard setbacks for buildings accommodating marijuana growing and producing shall be increased by 50 feet.**
- D. Additional Standards in the RR-5 Zone.**
 - 1. Growing and producing uses shall be operated by a resident or employee of a resident of the property on which the uses are located.**
 - 2. The growing and producing use shall employ on the site no more than five full-time or part-time persons.**
 - 3. No more than one State issued growing or producing registration or licence is allowed for each parcel of record.**

.3 Marijuana Processing and Wholesaling Uses. The following standards shall apply to marijuana processing and wholesaling uses:

- A. Within an Enclosed Building. Marijuana processing and wholesaling uses in the M-3, M-2, and M-1 zones shall be within an enclosed building. For the purposes of processing and wholesaling, a greenhouse does not qualify as an enclosed building.**
- B. Wholesaling and Extract Processing in Residential Zones: Marijuana wholesaling and extract processing is prohibited in residential zoning districts.**

.4 Marijuana Dispensary and Retailing Uses: The following standards shall apply to marijuana dispensary and retailing uses:

- A. Separation from Certain Uses: Marijuana dispensary and retailing uses may not be located within 1,000 feet of a public elementary or secondary school, private or parochial elementary or secondary school, public park or child care center.**
- B. Separation from Each Other: Marijuana dispensary and retailing uses may not be located within 1,000 feet of another marijuana dispensary or retailing use.**
- C. Prohibited in Residential Zoning Districts: Marijuana dispensaries and retailing uses are prohibited in residential zoning districts.**