



# LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

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Room 114, Linn County Courthouse  
PO Box 100, Albany, Oregon 97321  
Phone 541-967-3816 Fax 541-926-2060  
[www.co.linn.or.us](http://www.co.linn.or.us)

## **Marijuana Processing**

Linn County has adopted operating and development standards for establishing a marijuana processing operation. The purpose of these standards is to mitigate associated impacts and maintain compatibility with surrounding uses.

These standards do not ensure compliance with federal or state regulations. Furthermore, new laws may be adopted by the State legislature, Oregon Health Authority (OHA) and the Oregon Liquor Control Commission (OLCC) that may restrict the location and operating characteristics of all marijuana facilities, including grow sites. It is the owner's responsibility to ensure compliance with any other applicable law.

### **When do these standards apply?**

Linn County Code (LCC) defines "marijuana processing" as:

The processing, compounding, or converting of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts, provided that the marijuana processor is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

Based on this definition and adopted regulations, the standards summarized here apply to all marijuana processing operations.

### **Where is processing allowed?**

Marijuana processing is permitted as a conditional use in the following zones:

<b>EFU</b>	Exclusive Farm Use
<b>F/F</b>	Farm/Forest
<b>AB</b>	Agribusiness
<b>FIC</b>	Freeway Interchange Commercial
<b>HI</b>	Heavy Industrial
<b>LI</b>	Limited Industrial
<b>RCM</b>	Rural Commercial
<b>UD-II</b>	Urban Development

## **Do I need a land use approval?**

**Yes, land use approval is required prior to initiating the use.** A conditional use permit review is required for processing operations in all applicable zoning districts.

You must submit the correct fee and application materials in order for your application to be deemed complete. Incomplete applications will not be accepted by the Planning & Building Department until the missing information and material is provided.

The application requires a public notice period of 21 days. The total review time for the application is typically 6-8 weeks. Applications are processed in the order they are received.

The Planning & Building Department will be able to sign your OLCC land use compatibility statement only after the land use review is completed.

## **Application forms and fees**

Application forms and fees are available online at [www.co.linn.or.us](http://www.co.linn.or.us). Click on Planning & Building Department under the Departments link. Applications can be found under the Land Use Permit Application Forms link on the Planning & Building Department page.

## **Required application materials:**

1. Completed application form.
2. Copy of the deed showing current ownership of the property
3. Written statement and other documentation that shows how all the applicable standards will be met.
4. Site Plan, including:
  - Property Boundaries
  - Road Access
  - Setbacks
  - Location and size of existing and proposed buildings, septic system, well, exterior lighting and other improvements
  - Special topographic features including rivers, streams, etc.
  - North arrow and scale

## **Standards for Marijuana Processing Operations**

### **LIGHTING**

- Light cast by light fixtures inside a building used for marijuana processing shall not be visible outside the building between the hours of 7:00 p.m. to 7:00 a.m., except for the months of June, July and August, where light cast by light fixtures inside a building used for marijuana processing shall not be visible outside the building between sunset and sunrise.
- Light cast by exterior light fixtures other than marijuana grow lights (e.g., security lights, driveway lights) shall be directed downward and shall be directed within the boundaries of the subject property.

### **ODOR**

- The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
- The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
- The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
- Negative air pressure shall be maintained inside the building.
- Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
- The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with the odor standards as described in this section.
- An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.

### **NOISE**

The applicant shall submit a noise study by an acoustic engineer licensed in the State of Oregon that demonstrates that generators as well as mechanical equipment used for heating, ventilating, air conditioning, or odor control will not produce sound that, when measured at any property line of the subject property, exceeds 50 dB(A).

### **WATER**

The applicant shall provide to the Linn County Planning & Building Department:

1. A water right permit or certificate number for the proposed marijuana processing;
2. 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
3. Proof from the Oregon Water Resources Department that the water to be used for marijuana processing is from a source that does not require a water right.

## **SECURITY CAMERAS**

If security cameras are used, they shall be directed to record only the subject property and public right-of-way, except as required to comply with licensing requirements of the OLCC or registration requirements of the OHA.

## **SECURE WASTE DISPOSAL**

Marijuana waste shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee or OHA registrant. Outdoor storage of marijuana waste is prohibited. Marijuana waste burning is prohibited.

## **FIRE PROTECTION**

Marijuana processing is permitted only on properties located within the boundaries of a fire protection district.

## **ADDITIONAL STANDARDS**

Processing operations in the AB, FIC, HI, LI, RCM, and UD-II zoning districts are subject to these additional operating standards:

- No on-site retail sales are allowed.
- No outdoor storage of marijuana in any form, including remnants, by-products, and waste is allowed.

Processing operations in the EFU and F/F zoning districts are subject to these additional operating standards:

- Only dry, water, or CO-2 processing is allowed.
- All marijuana processing shall be located entirely within one or more completely enclosed buildings.