



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816 Fax 541-926-2060
www.co.linn.or.us

Marijuana Research and Testing

Linn County has adopted operating and development standards for establishing marijuana research and testing operations. 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 research" as:

A use that includes those activities specified in an OLCC approved research proposal that are conducted by qualified public or private researchers that are in possession of a valid OLCC Marijuana Research Certificate pursuant to ORS 845-025-5300.

Linn County Code defines "marijuana testing facility" as:

A use that includes the testing of marijuana in a laboratory certified by the authority under ORS 438.605 to 438.620 and for the purposes specified within OAR 845-025.

The standards summarized here apply to all new marijuana research and testing facilities as defined above, including medical and recreational.

Where is research and testing allowed?

Marijuana research and testing is permitted as a conditional use in the following zones:

- AB** Agribusiness
- FIC** Freeway Interchange Commercial
- HI** Heavy Industrial
- LI** Limited Industrial
- RCM** Rural Commercial
- UD-II** 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 research and testing operations in all applicable zoning districts.

You need to 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 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. 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 Research and Testing Operations

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 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.

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.

RESEARCH AND TESTING FACILITIES

Marijuana testing laboratory use must be conducted entirely indoors.

OTHER USES IN CONJUNCTION WITH RESEARCH AND TESTING

Marijuana research may be conducted in conjunction with marijuana production and processing or as a standalone use, as specified in the applicable zoning districts.