



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

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Marijuana Wholesaling

Linn County has adopted operating and development standards for establishing marijuana wholesale 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 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 wholesaling" as:

The purchase of marijuana items for resale to a person other than a consumer, provided that the marijuana wholesaler is licensed by the Oregon Liquor Control Commission.

The standards summarized here apply to all new marijuana wholesaling as defined above. Wholesaling may be allowed for recreational marijuana only.

Where is wholesaling allowed?

Marijuana wholesaling 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 wholesale 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 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. 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 Wholesale 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 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).

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.

WHOLESALE SAMPLES

A sample of usable recreational marijuana or a cannabinoid product, concentrate, or extract may be provided to a marijuana wholesaler, retailer, or processor licensee for the purpose of licensee determining whether to purchase the product. The product may not be consumed on the property.

MARIJUANA WHOLESALING IN RURAL RESOURCE ZONES

Marijuana wholesaling is not authorized in the Exclusive Farm Use (EFU) and Farm/Forest (F/F) zoning districts, other than wholesale farm product sales allowed under the definition of farm use in LCC 920.100(B)(105).

PROHIBITED

Wholesale of marijuana to the general public is prohibited. Medical marijuana wholesale operations are not allowed.