

Marijuana uses under adopted zoning in Wasco County*

***Outside incorporated communities and outside the Columbia River Gorge National Scenic Area**

The following information is based on the zoning text amendments approved and adopted by the Wasco County Board of Commissioners on January 11, 2016, that became effective upon adoption. Marijuana regulations and permitting procedures is a dynamic conversation that is still evolving. **This document is intended to be used for discussion purposes ONLY, does not constitute official guidance for future applicants or applications and is NOT a land use decision or official interpretation to be relied upon in any way.**

Possible marijuana business uses as a result of Measure 91 and House Bill 3400:

1. Medical Marijuana processing sites;
2. Medical Marijuana dispensaries;
3. Recreational Marijuana producers (growers);
4. Recreational Marijuana processors;
5. Recreational Marijuana wholesalers; or
6. Recreational Marijuana retailers;

Potential translations for existing uses identified in the Wasco County Land Use and Development Ordinance:

Medical or Recreational Marijuana processing =	Depends on scale, could be home occupation (e.g. small batch baked goods), could be industrial (e.g. processing to extract oils for use by other manufacturers).
Medical Marijuana dispensaries =	Similar use to pharmacy unless recreation retail is included
Recreational Marijuana production =	Farm use (if grown for commercial gain)
Recreational Marijuana wholesaling =	Warehouse that stores packaged products and resells to retail
Recreational Marijuana retailer =	Commercial use such as a store or major home occupation that sells commodities.

Please see table below for existing zones and the possible review process currently proposed.

Important notes:

1. All licensed producers, processors, wholesalers, and retailers will be required to obtain a license from the OLCC and in some cases the OMMP. *The rules and regulations of these entities are still being developed.*
2. The OLCC will require setbacks from specific uses such as schools.
3. The OLCC will require sign off (a land use compatibility statement) from the Planning Department for all commercial growing and other marijuana businesses (and *Planning will coordinate with Watermaster*).
4. The law allows personal growing for personal use – County zoning cannot regulate this
5. HB 3400 prohibits new agriculture dwellings to support the commercial growing of marijuana
6. HB 3400 does not allow farm stands to sell marijuana products
7. Remember that all new buildings require a land use application or confirmation of exemption prior to construction.

Please Note:

The table shown below does not provide anyone, under any circumstance, with an approval for new development or the growing of marijuana in any zone. The table was created to provide a general illustration of how proposed zoning of unincorporated lands and land outside of the National Scenic Area, might respond to new proposed marijuana uses in the future.

Key to Table: PLEASE READ THIS FIRST

Process Required by Current Zoning and the Wasco County Land Use and Development Ordinance	
(A)	Personal grows of up to 4 plants per household allowed by the State; County zoning cannot regulate this.
(B)	No permit required; Use permitted without review but OLCC LUCS is required to confirm zoning/permits. <i>(Note: the use of existing buildings for farming would not necessarily require review however all <u>new</u> farm buildings require land use review from planning; Planning will coordinate with Water Mmaster where possible).</i>
(C)	Permit required: Type 1, Ministerial review with application. Type 1 includes coordination with the Building Department and Environmental Health. No public notice or appeal period.
(D)	Permit required: Type 2, Subject to Standards review with application. Type 2 includes coordination with the Building Department, Environmental Health, Water Master and several other partner agencies. Public notice is issued with the decision document within the appeal period.
(E)	Permit required: Type 2 or 3, Conditional Use review with application. Type 3 includes coordination with the Building Department, Environmental Health, Water Master and several other partner agencies. Public Notice is issued prior to the decision being issued and the decision contains an appeal period.

Zone	Personal Grows	Producing + Primary Processing	Processing Secondary Processing	Wholesaling (Selling in bulk)	Retail (Individual sales)
Forest (F-1)	Yes (A)	Yes (C)	No	No	No
Forest (F-2)	Yes (A)	Yes (C)	No	No	No
Exclusive Farm Use (EFU) (A-1)	Yes (A)	Yes (B)	Yes (D)	Yes (E)	No
Forest-Farm (F-F)	Yes (A)	No	No	No	No
Agriculture-Recreation (A-R)	Yes (A)	No	No	No	No
Rural Residential (R-R (10))	Yes (A)	No	No	No	No
Rural Residential (R-R (5))	Yes (A)	No	No	No	No
Rural Residential (R-R (2))	Yes (A)	No	No	No	No
Rural Commercial (R-C)	Yes (A)	No	No	No	Yes (C)
Rural Industrial (R-I)	Yes (A)	No	Yes (C)(D)(E)	Yes (D)	Yes (E)
Tygh Valley Rural Center Zones					
Residential (RC-TV-R)	Yes (A)	No	No	No	No
Commercial (RC-TV-C)	Yes (A)	No	No	No	Yes (C)(D)(E)
Light Industrial/Commercial (RC-TV-M1)	Yes (A)	No	Yes (C)(D)	Yes (D)	Yes (E)
Medium Industrial (RC-TV-M2)	Yes (A)	No	Yes (C)(D)	Yes (D)	No
Rural Reserve (RC-TV-RR)	Yes (A)	No	No	No	No
Agriculture (RC-TV-AG)	Yes (A)	Yes (B)	No	No	No
Wamic Rural Center Zones					
Residential (RC-Wam-R2)	Yes (A)	No	No	No	No
Residential (RC-Wam-R5)	Yes (A)	No	No	No	No
Commercial (RC-Wam-C2)	Yes (A)	No	No	No	Yes (C)(D)(E)
Medium Industrial (RC-Wam-M2)	Yes (A)	No	Yes (D)	Yes (D)	No
Overlay Zones					
Big Muddy Limited Use	Yes (A)	No	No	No	No
Badger Creek Limited Use	Yes (A)	No	No	No	No
Pine Hollow Airport	Yes (A)	No	No	No	No
Camp Morrow Limited Use	Yes (A)	No	No	No	No