

18.05.215 Recreational marijuana facilities.

(1) Characteristics. Five types of recreational marijuana facilities are defined in Section 18.45.010. For purposes of this Code, recreational marijuana facilities must be licensed by the Oregon Liquor Control Commission. A facility not licensed by the Oregon Liquor Control Commission is not permitted in any zone.

(2) Standards for recreational marijuana retail sales facilities.

(a) Public Access Prohibited. Access to a retail sales facility shall be limited to persons age 21 and older, except as provided by state law.

(b) Hours of Operation. Retail sales facilities shall operate only between the hours of 10:00 a.m. to 8:00 p.m. Monday through Thursday; and 10:00 a.m. to 10:00 p.m. Friday, Saturday and Sunday. An individual facility may set hours within those specified, but may not be open outside the hours authorized under this subsection.

(c) Security Measures Required.

(i) Landscaping shall be continuously maintained to provide clear lines of sight from public rights-of-way to all building entrances.

(ii) Facilities must maintain adequate outdoor lighting over each exterior exit.

(iii) Any security bars installed on doors or windows visible from the public right-of-way shall be installed interior to the door or window, in a manner that they are not visible from the public right-of-way.

(iv) A retail sales facility shall not have a drive-in or drive-through facility.

(d) Proximity restrictions. A retail sales facility shall not be located within 1,000 feet of a public or private elementary, middle, or high school or other school attended primarily by children under 18 years of age.

(3) Standards for recreational marijuana production, processing, testing laboratories, and wholesale sales facilities.

(a) Approval process. Where permitted in industrial zones, recreational marijuana facilities are subject to approval under Section 18.10.120 - Design review. Applications for design review approval shall include detailed responses to the applicable standards listed in this section.

(b) Facility construction requirements. Recreational marijuana production, processing, testing laboratories, and wholesale sales facilities shall only take place indoors within new or existing buildings.

(i) For production facilities, views from the exterior of the building into the production area are prohibited. Views of interior lighting in the production area from the exterior of the building are also prohibited.

(c) Public access prohibited. Access to an industrial facility shall be limited to persons age 21 and older, except as provided by state law.

(d) Security measures required

(i) Landscaping shall be continuously maintained to provide clear lines of sight from public rights-of-way to all building entrances.

(ii) Exterior lighting shall be provided and continuously maintained consistent with the standards of the applicable industrial zone.

(iii) Any security bars installed on doors or windows visible from the public right-of-way shall be installed interior to the door or window, in a manner that they are not visible from the public right-of-way.

(e) Odor mitigation measures required. Production and processing facilities shall install and maintain enhanced ventilation systems designed to prevent detection of marijuana odor from adjacent properties or the public right-of-way. Such systems shall include the following features:

(i) Installation of activated carbon filters on all exhaust outlets to the building exterior;

(ii) Location of exhaust outlets a minimum of 10 feet from the property line and 10 feet above finished grade; and

(iii) Maintenance of negative air pressure within the facility; or

(iv) An alternative odor control system approved by the Building Official based on a report by a mechanical engineer licensed in the State of Oregon, demonstrating that the alternative system will control odor equally or better than the required activated carbon filtration system.

(f) Waste security measures required.

(i) Prior to disposal, marijuana waste shall be rendered unusable by either grinding and mixing (at a ratio of at least 1:1) with other compostable materials or yard waste, or by mixing with non-compostable solid waste such as paper, cardboard, plastic, soils, or other approved materials.

(ii) Marijuana waste shall be temporarily stored in an indoor container until it is rendered unusable.

(iii) Any facility generating marijuana waste shall use the services of a solid waste franchisee or self-haul such materials to a properly licensed and approved solid waste disposal or recycling facility.