

LAND MANAGEMENT DIVISION

Date Received:



TYPE I APPLICATION
Zoning Determination
Recreational Marijuana Uses

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only: FILE #

FEE:

Applicant (print name):
(If the applicant is not the owner, the applicant must provide documentation of the property owner's authorization to make the application for the subject property.)

Mailing address:

Phone: Email:

Signature:

Land Owner (print name):

Mailing address:

Phone: Email:

Signature:

PROPERTY LOCATION

Assessor's Map and Tax Lot

Site address (Note: Lane County does not address vacant land)

SUBMITTAL REQUIREMENTS

- (1) This completed Zoning Determination (ZD) form including a detailed description of the proposal.
(2) The Lane County application processing fee.
(3) A detailed, to scale site plan showing the subject property and surrounding properties. The site plan must be no smaller than 8 1/2" x 11" and no larger than 11" x 17". The site plan must conform to the Lane County Site Plan handout "How to Prepare Your Site Plan", and include all applicable information as required by the "Site Plan Checklist" that is included in the handout. The site plan handout can be obtained from our website at: www.lanecounty.org/LMD
(4) Proof of ownership or property owner authorization, if the applicant is not the property owner. A form for this purpose can be obtained from our website at: www.lanecounty.org/LMD

- (5) A ventilation plan stamped by a mechanical engineer, together with the required supporting information and materials specified in Lane Code 16.420(4)(b).
- (6) Lighting plan, together with the required supporting information and materials specified in Lane Code 16.420(4)(c).
- (7) A completed Oregon Liquor Control Commission (OLCC) LUCS form.
- (8) For processors:
  - (A) A description of the type of products to be processed, a description of equipment to be used, including any solvents, gases, chemicals or other compounds used to create extracts or concentrates.

**NOTICE:** The Applicant is responsible for providing enough information in this application for staff to determine compliance with the applicable standards.

The OLCC LUCS form will be returned to the applicant after staff has reviewed the submittal. It is the responsibility of the applicant to submit the OLCC form to the state.

The Lane County ZD process does not review for or approve properties for recreational marijuana uses for compliance with OLCC through OAR 845-025-1000 et seq. As examples, the County is not reviewing for such things as applicant qualifications, criminal background checks, security plans, water rights, separation from schools, canopy size limits, operating procedures, waste management, etc. You must check with the OLCC for conformance with its applicable standards. It is possible that Lane County may approve the property through our ZD application process and the property may not be allowed to have a Recreational Marijuana use based on OLCC requirements.

All Recreational Marijuana uses are subject to the applicable sections Lane Code (LC) 16.420, as well as the applicable zoning code section(s) of Lane Code.

If the proposed OLCC permit type or scope changes, a new ZD form with fee will be required to be submitted for Lane County review.

**I. OREGON LIQUOR CONTROL COMMISSION (OLCC) LICENSE INFORMATION**

**Proposed OLCC use/permit type** (A separate Lane County ZD will be required for each proposed use even if it is on the same property.)

- Producer   
  Wholesaler   
  Processor   
  Retailer   
  Laboratory   
  Research

Details of proposed use:

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**II. GENERAL PROPERTY INFORMATION**

Zoning of subject property: \_\_\_\_\_

Lane code section citation: \_\_\_\_\_

Overlay zone(s): \_\_\_\_\_

Acreage of subject property: \_\_\_\_\_

Comments:

**III. BUILDING INFORMATION**

New structure(s) proposed? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

Existing structure(s) proposed to be utilized? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

Existing structure(s) permitted? \_\_\_\_\_ Yes, or \_\_\_\_\_ No. Permit # \_\_\_\_\_

Existing structure(s) exempt (ag.)? \_\_\_\_\_ Yes, or \_\_\_\_\_ No. Permit # \_\_\_\_\_

Comments:

\*For all structures, existing or proposed, applicants must meet with or call Building Program staff to confirm permit requirements.

\*Installation of a security system may require a permit. See Building Program.

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**IV. OTHER DEVELOPMENT REQUIREMENTS**

New/proposed structure(s) is in or near a Riparian setback area? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

If yes, a Riparian declaration may be required.

New/Proposed structure(s) is in or near floodplain or floodway? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

If yes, a floodplain verification and/or a floodplain or floodway development permit may be required.

New/proposed structure(s) is in a Coastal Overlay Zone? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

If yes, a Preliminary Investigation or Hazards Checklist may be required.

Structure is in or near a wetland? \_\_\_\_\_ Yes, or \_\_\_\_\_ No.

If yes, the development may require referral to DSL (Division of State Lands) and may require a wetland determination by DSL.

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## V. CHECKLIST

**Applicant:** The applicant must self-certify that the applicable standards are met by checking off in the first column.

**Staff:** Lane County Land Management Division staff will confirm that the standards are met by checking off the second column.

### General requirements.

- Site plan included. (See Site Plan Handout)
- Setbacks for any outdoor production area, including structures associated with outdoor production use, are at least 100 feet from property lines in conformance with LC 16.420(4)(a)(i).
- Setbacks for structures used for indoor marijuana production or marijuana processing are located a minimum of 30 feet from property lines, or 100 feet from an existing dwelling that is not located on the same property as marijuana production or marijuana processing use, whichever is greater. L(C 16.420(4)(a)(ii))

### Ventilation and air filtration plan for indoor operations. (LC 16.420(4)(b))

*Note: If the proposed indoor production operation is greater than 100 feet from the nearest property line, no ventilation plan is required at this time. Processing operation proposals must have a ventilation plan.*

- Plan stamped by a mechanical engineer that is currently licensed in Oregon who has certified that the ventilation system is designed in conformance with the applicable standards. (The plan must be on a 11"x17" sized paper or smaller)
- Include evidence of equipment and materials used including manufactures specifications, and a design/schematic of the system showing how it will function.
- The ventilation plan shows that the ventilation system fan(s) are sized for cubic feet per minute (CFM) equivalent to the volume of the building divided by three.
  - What are the dimensions of the building? Length \_\_\_\_\_, Width \_\_\_\_\_, Height \_\_\_\_\_.
  - What is the volume of the building? \_\_\_\_\_.
  - What is the volume of the building divided by 3? \_\_\_\_\_.
  - What is the CFM rating for the proposed fan(s)? \_\_\_\_\_ CFM

- The opening for any exterior exhaust vent for the ventilation system is in conformance with LC 16.420(4)(b)(vii).
- Plan shows at least one fan and at least one charcoal or carbon filter.
- The charcoal or carbon filter is sized/rated for the required CFM as calculated above, and the filter must filter all of the circulated air.
- An alternative ventilation control system is provided, stamped by a mechanical engineer that is currently licensed in the State of Oregon. This mechanical engineer stamped plan demonstrates that the alternative plan will filter the air as well or better than the carbon filtration system otherwise required above.

**Lighting plan.** (LC 16.420(4)(c))

- The plan shows the location and design of any and all lighting fixtures associated with the use.
- The plan shows how any and all light fixtures associated with a marijuana production and/or marijuana processing use, inside any building(s) or greenhouse(s) are screened or shielded from view from sunset to sunrise the following day.
- Outdoor marijuana grow lights must not be illuminated from sunset to sunrise the following day.
- The plan shows how light cast by exterior light fixtures other than marijuana grow lights (e.g. security lights, driveway lights, etc.) do not shine, or direct illumination or glare onto adjacent properties.

**Other provisions**

- Noise from mechanical equipment must comply with LC 5.600 thru 5.635, where applicable. (LC 16.420(4)(d))
- For a marijuana processing use the property is located within the boundaries of a fire district. (LC 16.420(4)(e))
- For a marijuana testing laboratory the use is shown to be entirely indoors. (LC 16.420(4)(f))

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**VI. APPLICANT CERTIFICATION**

I, \_\_\_\_\_, as applicant, with authorization of the owner of  
*Applicant (Print Name)*  
the subject property, declare that I have read all of the foregoing and the information I have provided is  
accurate and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

**Lane County / Official Use Only**

\_\_\_ **Approved**

\_\_\_ **Denied**

\_\_\_ **Additional Permits Required**

**Planner:** \_\_\_\_\_ **Date:** \_\_\_\_\_