

How do I find out my parcel's zoning district or how to apply for a permit or Site Plan Review?

Begin by visiting the Planning Division's webpage, and click on the 'Planner District Map' link. From there, in the upper left corner, you can type in your address and find your zoning district and your County Planner (click the 'layer' icon to the left of the map). The Planner can walk you through the process. If your project involves another agency, they will direct you to that agency. For assistance you can phone 541.474.5421 or visit the county website at:

www.co.josephine.or.us/planning/

What is a LUCS?

A 'LUCS' is a 'Land Use Compatibility Statement' and is required by the Oregon Liquor Control Commission (OLCC) to grow some types of marijuana. They cannot issue a license unless the county has signed your LUCS application verifying the zoning does not prohibit the proposed marijuana use. The application can be obtained from the OLCC website. Be advised this license can be revoked if local laws (the codes mentioned herein) have not been followed. The OLCC website is (click on 'Forms'):

<http://www.oregon.gov/olcc/marijuana/>

What about water?

Call the State of Oregon Water Master at 541.479.2401.

Violations

We take violations seriously. If non-compliant with state or county codes, it could affect your OLCC license, or result in legal action.

Disclaimer

This brochure is for information purposes only and is not a complete list of all codes relating to marijuana. This flyer is intended to clarify the most common uses or structures requiring a permit or explanation. The complete set of codes is available online and at the Community Development Department. Rules are subject to change, and likely will. Please always check to verify you have the most current flyer or codes, both available on the website.

PLEASE BE A GOOD NEIGHBOR!



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JOSEPHINE COUNTY COMMUNITY DEVELOPMENT



MARIJUANA Rules and Regulations for Medical and Recreational Marijuana

Where can I grow marijuana?

Marijuana is allowed anywhere agriculture is allowed. That means, the growing of marijuana is allowed in all zoning districts *except* the Rural Commercial and Community Commercial zoning districts. However, in the Rural Residential and Serpentine districts, accessory buildings for the crop are *not* allowed unless there is a home on the property. No permit is required for growing marijuana unless in an Industrial zone (Site Plan Review is required to grow in an Industrial zone). For all zones, permits are required for the greenhouse, fence, etc. (see more information further in this flyer).

Where is processing allowed?

Processing (conversion of the raw product into edibles or other value-added products) is allowed in the Rural Commercial and Community Commercial zones, provided there is a retail or service component that meets the intent of the commercial zone. Also, it is allowed in the Industrial and Farm zones, but no retail or service component is required. In all these districts the use has to be approved by Site Plan Review.

Where can I wholesale or sell marijuana?

Wholesaling and retail stores are both allowed in the Commercial (*except* Forest Commercial) and Industrial zones; however, retail is only allowed in the Industrial zone *if* it is incidental to wholesaling. The use(s) must be approved by Site Plan Review.

Where can I conduct research or have a laboratory?

Research and/or labs are only allowed in Industrial zones, but requires Site Plan Review.

What structures/uses take permits?

Permits are required by the Planning Division, and/or Building Division, both within the Community Development Department. Structures *also* need to meet setbacks, and sometimes are limited in size. Examples of structures, activities or uses that require permits include but are not limited to:

- Sight-obscuring fences over 7' (see 'Fences' brochure)
- Green houses/hoop houses, sheds, workshops, etc. (See 'Accessory Buildings' brochure)
- Storage containers
- Most water tanks
- Security systems, solar systems, generators or other uses that require electric or gas
- Plumbing
- Temporary structures

What else is regulated?

- You cannot fill a floodplain
- You cannot alter a watercourse
- You cannot remove vegetation in a riparian area without prior approval
- You cannot alter a slope without proper approvals from the Planning Division
- You cannot clear-cut more than one acre without approval from the Oregon Department of Forestry

What is prohibited?

You cannot use mobile homes, campers or yurts for storage, processing, trimming, etc. Storage bins can be used, *provided* the correct permits are secured.

Can I have a guard/'guard shack' on site?

A second dwelling, like a mobile home or camper, is not allowed. However, in the Farm and Forest zones, if no short term (thirty days maximum) camper is on site, one 'guard shack' is allowed provided they get permits and meet the following:

- The 'shack' is at least 200 square feet in area, must meet all ventilation and other State Building Code requirements—including being attached to a permanent foundation
- There cannot be a kitchen (no kitchen/bar sink or cupboards)
- There can be no restroom, unless an approved septic is connected to the shack—in such case there can be no tub or shower (no exceptions). If there is no approved septic servicing the shack, an approved portable toilet (e.g. 'Porta Potty') must be on site
- There cannot be a bedroom
- There can be no outside storage of materials, garbage or other material
- All exterior lighting shall use a hood and lens that cast light downward; said light to be contained on site
- All interior light shall not be visible from adjacent properties between dusk and dawn

In Industrial zones, there are special 'caretaker' rules, which are not listed here.

Are new rules proposed?

Yes. Some have had public hearings and are in the process of further discussion or the adoption process. These proposed rules may limit where production is allowed, setbacks, and other factors affecting your proposal. Please check back for updated codes.