



## MARIJUANA RETAIL

Deschutes County has adopted standards for establishing a marijuana retail operation in unincorporated Deschutes County 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, the Oregon Health Authority (OHA) 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?

Deschutes County Code defines “**Marijuana Retailing**” as:

The sale of marijuana items to a consumer, provided that the marijuana retailer is licensed by the Oregon Liquor Control Commission for recreational marijuana sales or registered with the Oregon Health Authority for medical marijuana sales.

The standards summarized here apply to all new marijuana retailing as defined above, including medical and recreational.



## Standard for Marijuana Retailing

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### ZONING

Marijuana retailing is allowed the following zones as a conditional use:

<b>RSC</b>	Rural Service Center
<b>TeC</b>	Terrebonne Commercial
<b>TeCR</b>	Terrebonne Commercial Rural
<b>TuC</b>	Tumalo Commercial
<b>Tul</b>	Tumalo Industrial
<b>RI</b>	Rural Industrial
<b>SUC</b>	Sunriver Commercial
<b>SUTC</b>	Sunriver Town Center
<b>SUBP</b>	Sunriver Business Park

### SEPARATION DISTANCES

The building space occupied by the operation shall be located a **minimum of 1000 feet** from all of the following:

- A public, private, or parochial elementary or secondary school including any parking lot and property used by the school.
- A licensed child care center or licensed preschool including any parking lot and any property used by the child care center or preschool. This does not include licensed or unlicensed child care which occurs at or in residential structures.
- A youth activity center.
- National monuments and state parks.
- Any other marijuana retail facility licensed by the OLCC or marijuana dispensary registered with the OHA.

All distances shall be measured from the lot line of the affected properties to the closest point of the buildings space occupied by the retailer, except distance between retailers. Distances between retailers shall be measured from the closest point of the building space occupied by one marijuana retailer to the closest point of the building space occupied by the other marijuana retailer.

### HOURS

Hours of operation shall **9:00 a.m. to 7:00 p.m.** on the same day.

### ODOR

The building, or portion thereof, used for marijuana retailing shall be designed or equipped to prevent detection of marijuana plant odor off premise by a person of normal sensitivity.

### 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.

### ANNUAL REPORTING

An annual report shall be submitted to the Community Development Department, including the applicable fee, and a fully executed Consent to Inspect Premises form that includes:

- Documentation demonstrating compliance with the:
  1. Land use decision and permits.
  2. Fire, health, safety, waste water, and building codes and laws.
  3. State of Oregon licensing requirements.
- Other information as may be reasonably required to ensure compliance with Deschutes County Code, applicable State regulations, and to protect the public health, safety, and welfare.
- Marijuana Control Plan to be established and maintained by the Community Development Department.
- Conditions of Approval Agreement to be established and maintained by the Community Development Department.

Failure to timely submit the annual report, fee, and Consent to Inspect Premises form or to demonstrate compliance shall serve as acknowledgement that the otherwise allowed use is not in compliance and may be relied upon by the State of Oregon to deny new or license renewal(s) for the subject use and subject to Deschutes County Code Enforcement.

### PROHIBITED

#### MINORS

**No person under the age of 21** shall be permitted to be present in the building, or portion thereof, occupied by the marijuana retailer, except as allowed by state law.

#### CO-LOCATION OF RELATED ACTIVITIES AND USES

Marijuana and tobacco products **shall not** be smoked, ingested, or otherwise consumed in the building space occupied by the marijuana retailer. In addition, marijuana retailing shall not be co-located on the same lot or parcel or within the same building with any marijuana social club or marijuana smoking club.

#### WINDOW SERVICE

The use **shall not** have a walk-up or drive-thru window service.

## Do I Need Land Use Approval?

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**YES**, approval of a **conditional use permit** and **site plan review** are required prior to initiating the use. The level of site plan review (new, alteration, change of use) will vary based on the development history of the location.

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 Division until the missing material is provided.

**Application Fee:** Application forms and fee schedule are available online at: [www.deschutes.org/cd](http://www.deschutes.org/cd)



### **Application Materials:**

1. Completed application form.
2. A copy of the deed showing current ownership of the property.
3. Written statement and other documentation that shows how all of the applicable standards will be met.
4. Plot Plan:
  - 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, or rimrock
  - North arrow, scale

## Where can I get more information?

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**Web Address:** [www.deschutes.org/marijuana](http://www.deschutes.org/marijuana)

**Main Office:** Deschutes County  
Community Development Department  
P.O. Box 6005, 117 NW Lafayette Ave.  
Bend, OR 97708-6005  
**Please send all mail to the Main Office P.O. Box.**

**Main Phone:** 541-388-6575      **Planning Division:** 541-388-6560  
**Building Safety:** 541-388-6574      **Environmental Soils:** 541-388-6519



To request this information in an alternate format, please call (541) 617-4747 or send email to [ken.harms@deschutes.org](mailto:ken.harms@deschutes.org).

Para solicitar esta información en un formato alternativo, llame al (541) 617-4747 o envíe un correo electrónico a [ken.harms@deschutes.org](mailto:ken.harms@deschutes.org).