

## Minimum Marijuana Business License Requirements

On Tuesday, January 3, 2017, the City of Oregon City began accepting business license applications for marijuana businesses in the City of Oregon City. Because of specific Oregon City zoning regulations, such as the restriction that a marijuana retailer shall not locate within 1,000 feet of another marijuana retailer, the approval of a marijuana business license could be impacted by the issuance of a competitor's business license whose business license application was submitted earlier.

The City's acceptance of a business license application will secure a business location's place in the sequential order in which the City will process and approve business license applications for marijuana businesses. The business license position is maintained for 90 days from the date of the acceptance of your business license application by the City. If your application is not approved within 90 days, the City will deem the application expired. Expiration of a business license application will result in the City releasing the property as reserved for marijuana retail use. If all of the necessary requirements for obtaining a business license are submitted by the applicant and met within 90 days, the City will issue the business license. Business licenses are reviewed by multiple departments at the City and approval or conditional approval from each of the departments is required prior to issuance of a business license. **Applicants are required to submit a package including copies of the following to Business Licensing in order to obtain business license approval on or before April 3, 2017.**

### Business Licensing

- Completed Business License Application
- Completed Oregon City's Owner's Affidavit Form
- Payment of Business License Fee
- Documentation from OLCC that a complete application has been submitted. Note that the applicant shall provide final confirmation of OLCC approval prior to operating the business.

If the above are met, a business license will be approved or conditionally approved by the Business Licensing Division. A business license which does not have final approval from the OLCC will be approved with a condition that the OLCC approval be submitted to the City prior to operating a business or issuance of a certificate of occupancy. If any of the items above are not met the business license will be denied and any reservation of priority for purposes of complying with the spacing standards will be lost. If the application becomes invalid or is withdrawn, the conditional approval of the business license will be revoked and any reservation of priority for purposes of complying with the spacing standards will be lost.

### Planning

- Signed Land Use Compatibility Statement (LUCS), necessary for a complete OLCC license
- Completed Marijuana Business License Supplemental Questionnaire
- Documentation that all required land use applications have been submitted and have been deemed complete. An application is deemed complete when an applicant has received written notice from Planning Division staff that the application complies with OCMC 17.50.080. Note that the applicant shall provide final confirmation of compliance with all land use approvals approval prior to operating the business or issuance of a certificate of occupancy. If the application becomes invalid per OCMC 17.50 or is withdrawn, the conditional approval of the business license will be revoked.

- The requirements below are met (unless the applicant has filed an application to vary one or more of these standards and the variance application has been deemed complete by Planning staff):
  - The use is allowed. Note Variances for use are expressly prohibited.
  - Retailers are not within 250 feet of any public parks, licensed child care and day care facilities, and public transit centers. The measurement is taken from the closest point of the properties.
  - Retailers are not within 1000 feet of a public elementary or secondary school for which attendance is compulsory under ORS 339.020, or a private or parochial elementary or secondary school, teaching children as described in ORS 339.030(1)(a), or the property located at Clackamas County Map 3-2E-09C, Tax Lot 800. The measurement is taken from the closest point of the properties.
  - Retailers are not within 1000 feet of another marijuana retailer. The measurement is taken from the closest point of the properties.
  - The proposal is not a home occupation
  - The proposal is not a mobile vendor
  - The proposal is not at a special event
  - The proposal does not include an outdoor market
  - The proposal does not include a drive thru
  - The proposal does not include a walk-up
  - No portion of the business is conducted outside, including but not limited to outdoor storage, production, processing, wholesaling, laboratories and retail sale, except for temporary ingress and egress of vehicles, persons and materials associated with the permitted use.

If the above are met, a business license will be approved or conditionally approved by the Planning Division. Business licenses which do not have a final approval of a land use application will be approved with conditions that require all necessary land use approvals and that the site complies with the approval prior to operating a business or issuance of a certificate of occupancy. If any of the items above are not met, the business license will be denied and any reservation of priority for purposes of complying with the spacing standards will be lost. If the application becomes invalid per OCMC 17.50 or is withdrawn, the conditional approval of the business license will be revoked and any reservation of priority for purposes of complying with the spacing standards will be lost.

### **Building**

- An air filtration and ventilation system certified by an Oregon Licensed mechanical engineer to ensure that all odors associated with the marijuana are confined to the licensed premises to the extent practicable has been installed or a complete permit and associated fee have been submitted to the Building Division. Note that the applicant shall provide final confirmation of compliance with this requirement prior to operating the business.
- Building Permits  
Documentation that complete permits required by the Building Division in order to operate the business have been submitted, such as a change of occupancy, etc. Note that the applicant shall provide final confirmation of compliance with this requirement prior to operating the business. If the application becomes invalid per the Building Code or is withdrawn, the conditional approval of the business license will be revoked.

If the above are met, a business license will be approved or conditionally approved by the Building Division. If any of the items above are not met, the business license will be denied and any reservation of priority for purposes of complying with the spacing standards will be lost. If the application becomes invalid or is withdrawn, the conditional approval of the business license will be revoked and any reservation of priority for purposes of complying with the spacing standards will be lost.

The applicant may not begin operating the business or be issued a certificate of occupancy until all of the conditions of approval have been met (unless otherwise allowed in the approval). Please contact the Business License Division at 503.496.1519 with any questions.