



October 5, 2017

## **MEDICAL MARIJUANA INFORMATION BULLETIN 2017-08**

**Subject: Plant Limit Changes and Grow Site Inspections**

---

Governor Brown signed House Bill (HB) 2198 into law on August 2, 2017, which made some changes to plant limits at medical marijuana grow sites. These changes are currently in effect and apply to all grow sites, even some previously grandfathered grow sites.

**Remember that a grower can grow no more than 6 mature plants and 12 immature plants per patient.** The plant limits listed for the different categories below are the maximum number of plants that can be grown at the grow site.

### **PLANT LIMITS**

**Category 1 –Grow Site is Located at the Patient’s Residence and a Patient or Caregiver is Designated as the Grower - The most significant changes have occurred in this category.**

The grow site is limited to:

- 12 mature plants
- 24 immature plants in total
- 4 recreational plants if they belong to a non-OMMP cardholder who lives at the address

No matter the combination of medical or recreational plants, the mature plant limit is 12 and the grow site cannot be grandfathered.

**Anyone growing at a location that is the patient’s residence, where that patient or the patient’s caregiver is the grower, is affected by this change and is subject to the plant limits listed above.**

If a grow site in Category 1 was previously granted grandfathered status, that status is now void and the grower must make changes to their grow site registration to come into compliance with the new plant limits.

**Category 2 - Grow Site Within City Limits AND Zoned Residential (Not Grandfathered) - Changes to immature plant limits were made in this category.**

The grow site is limited to:

- 12 mature plants;
- 24 immature plants 24 inches or more in height; and
- Unlimited number of immature plants less than 24 inches in height.

**Category 3 - Grow Site Outside City Limits or Inside City Limits but Not Zoned Residential (Not Grandfathered)** - Changes to immature plant limits were made in this category.

The grow site is limited to:

- 48 mature plants;
- 96 immature plants 24 inches or more in height; and
- Unlimited number of immature plants less than 24 inches in height.

**Category 4 - Grandfathered Grow Site Within City Limits and Zoned Residential**

The grow site is limited to:

- No more than 24 mature plants\*
  - No more than 48 immature plants 24 inches or more in height; and
  - Unlimited number of immature plants less than 24 inches in height.
- \* The mature plant limit was listed on the grandfather authorization letter.

**Category 5 - Grandfathered Grow Site Outside City Limits; or, Inside City Limits but Not Zoned Residential**

The grow site is limited to:

- No more than 96 mature plants\*;
  - No more than 192 immature plants 24 inches or more in height; and
  - Unlimited number of immature plants less than 24 inches in height.
- \* The mature plant limit was listed on the grandfather authorization letter.

**Grandfathered Grow Sites:** Grandfathered status is authorized if the grow site meets the requirements outlined in OAR 333-008-0500.

**Recreational Plants:** Except for category one, a household at a medical marijuana grow site may have 4 recreational plants in addition to the medical marijuana plant limit.

**Zoning:** Check with your local city or county office for the zoning of the grow site.

**OMMP Compliance Inspections:**

OMMP is conducting inspections of grow sites that were allowed 12 or more mature plants prior to the passage of HB 2198 to confirm compliance with the current laws and administrative rules. For routine, proactive inspections, OMMP staff will send a letter to each grower at least 10 calendar days in advance of an inspection and follow that up with a confirmation call or email within 24-30 hours of the inspection.

At least one grower, who has authority to grant the inspectors access to the grow site, must be onsite to assist with the inspection. If multiple growers are present at the time of the inspection, one grower must be designated to assist during the inspection.

You can go to the OMMP website if you have more questions about plant limits. Go to [FAQS](#) under the “Growers” section.