

City Council Meeting

Planning Commission Recommendation on Marijuana Businesses

May 27, 2014



BACKGROUND

- Staff briefed the Planning Commission on May 6, 2014 and reviewed current LCB Rules, legal issues and a legislative update.
- On May 20, 2014, staff continued the discussion on marijuana businesses with the Commission and the Commission formulated a recommendation.

POLICY CONSIDERATIONS

- The Planning Commission did not evaluate the policy issue of allowing a land use activity that is inconsistent with Federal law.
- If the Council opts to amend City policy to allow any of the marijuana activities permitted by the State under I-502, revised public policy language will also need to be incorporated into the SMC.

Planning Commission Recommendation

	Planning Commission Recommendation	If, Yes	If , No	Comments/Issues
Maintain Current Code – No Change Option	No	No further action required; Existing regulation would not allow the permitting of marijuana businesses within the City.	Determine appropriate zones and regulations for marijuana businesses.	<ul style="list-style-type: none"> • City should explore possible revenue sources that would apply to marijuana businesses only to mitigate potential impacts to the City.

Planning Commission Recommendation

	Planning Commission Recommendation	If, Yes	If, No	Comments/Issues
Allow Marijuana Producers	Yes	Determine appropriate zones and regulations for marijuana businesses.	Determine appropriate zones and regulations for marijuana businesses.	<ul style="list-style-type: none"> • Planning Commission recommends marijuana producers be an allowed land use. • Should be limited to industrial or other appropriate zones within the City. • Should comply with LCB rules and any additional City regulations. • Let market determine the number of producers given state regulations and compatible City zones.

Planning Commission Recommendation

	Planning Commission Recommendation	If, Yes	If, No	Comments/Issues
Allow Marijuana Processors	Yes	Determine appropriate zones and regulations for marijuana businesses.	Determine appropriate zones and regulations for marijuana businesses.	<ul style="list-style-type: none"> • Same as above; and • Planning Commission recommends marijuana processors be an allowed land use. • Let market determine the number of producers given state regulations and compatible City zones.

Planning Commission Recommendation

	Planning Commission Recommendation	If, Yes	If, No	Comments/Issues
Allow Marijuana Retailers	No	Determine appropriate zones and regulations for marijuana businesses.	Determine appropriate zones and regulations for marijuana businesses.	<ul style="list-style-type: none"> • Before considering retail marijuana businesses, Planning Commission recommends further study of potential impacts and not allow for a period of 1 year, July 2014 to July 2015. • PC recommends a public input process be utilized in zones that may accommodate marijuana businesses.

Planning Commission Recommendation

	Planning Commission Recommendation	If, Yes	If, No	Comments/Issues
Medical Marijuana	No	A recent case before the Court of Appeals, State of Washington ruled that medical marijuana is illegal under state law.	Add language to the Municipal Code that specifically prohibits the land use.	<ul style="list-style-type: none"> • None.
Collective Gardens	No	A recent case before the Court of Appeals, State of Washington ruled that medical marijuana is illegal under state law.	Add language to the Municipal Code that specifically prohibits the land use.	<ul style="list-style-type: none"> • None.

Questions & Discussion

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