

CITY OF SEATAC
PLANNING COMMISSION
Minutes of May 6, 2014
Regular Meeting

Members Present: Joe Adamack, Roxie Chapin, Tom Dantzler, Robert Scully

Members Absent: Jim Todd

Staff present: Joe Scorcio, CED Director; Steve Pilcher, Planning Manager; Al Torrico, Senior Planner; Julia Yoon, Asst. City Attorney; Jeff Robinson, Economic Development Manager

1. Call to Order

Chairman Adamack called the meeting to order at 5:32 p.m.

2. Approve minutes of April 15, 2014 Meeting

The minutes were not provided in the Commission packet, so could not be considered.

3. Public Comment

None.

4. Briefing /Discussion on Recreational Marijuana (I-502)

Planning Manager Steve Pilcher reminded the Commission that the City Council has asked for the Commission to consider this issue and make a recommendation as to what course of action the City should take regarding whether to legalize the production, processing and retail sales of marijuana for recreational use. Staff is scheduled to present the Commission's recommendation at the May 27th City Council meeting. In order to meet that deadline, staff is not planning to bring forth any other items for the Commission's consideration at either of its two May meetings. Mr. Pilcher asked that the Commission provide direction to staff regarding any additional information that may be provided before the next regularly scheduled meeting on May 20th.

Senior Planner Al Torrico presented a series of slides that reviewed the status of marijuana regulations both within the city and at the state level. He noted that all forms of marijuana uses (medical or recreational) are currently not allowed within the city limits due to a Zoning Code amendment adopted in January 2013. However, staff has received notice from the State Liquor Control Board (LCB) for three producer or processor license. He also noted that the LCB website indicates two businesses were in the lottery system for securing a retail license.

Mr. Torrico noted that the City would receive its share of sales tax revenues (\$.0085 /\$1) and a business license fee of \$35. The majority of the tax benefit of recreational marijuana will accrue to the State. There are no special taxes associated with this activity.

Mr. Torrico noted that the State regulations provide standards for these uses, including a 1000 ft. separation required from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center or library. A map produced by the City's GIS staff depicts "exclusion areas" where marijuana businesses could not locate. These exclusion areas do not include required separation from the listed land use from within adjacent jurisdictions. Generally, areas along International Blvd. would potentially be eligible for retail businesses, while there are industrial areas located to the north and south of the airport that could be eligible for all aspects of the recreational marijuana business. Asst. City Attorney Julia Yoon commented that a new map is being prepared that will include local zoning information.

The Port of Seattle has indicated in conversations that it does not intend to allow any recreational marijuana businesses on any of its properties.

Mr. Torrico advised the Commission that medical marijuana and collective gardens remain a prohibited land use within the city limits. The passage of I-502 did not change the state law regarding medical marijuana. Efforts in the past State Legislative session to address issues of possible conflict between medical and recreational marijuana laws and regulations failed to be approved.

The Washington State Attorney General has issued an opinion that local government has the right, under its exercise of zoning powers, to prohibit marijuana. However, the issue has not been adjudicated by a court of law.

The Commission inquired whether the Council wants to legalize recreational marijuana. Staff replied that at this time, they have only asked the Commission to look at the issue and render a recommendation of whether to legalize and if so, what are some issues to consider.

The Commission also inquired whether the City could impose additional standards that go beyond those required by the LCB. Staff indicated the City can add greater restrictions, but cannot relax any State standards.

Chairman Adamack asked the Commissioners whether they feel there is a need to consider potential legalization. The majority of those present agreed the matter should be further explored.

The Commissioners asked a variety of questions of staff and of a representative of Seaweed Farms, a potential production business that has applied for a license to operate within the city limits. Concerns raised included:

- what are some of the operational issues associated with these facilities?
- information concerning number of employees, trips/day, material used;
- differences between the "tiers" of producers;

- whether this should be considered like urban farming or an industrial use.

Staff asked the Commission to provide any other questions within the next few days so it will have time to research and respond in advance of the next meeting.

Earl Gipson, SeaTac resident, voiced his concern that the City should allow production and processing as soon as possible. He indicated that retail sales could be addressed separately.

5. CED Director's Report

Mr. Scorcio stated that he and Senior Planner Mike Scarey attended the National APA Conference in Atlanta last week and will have a report for the next Commission meeting.

6. Commissioner's Comments

None.

7. Adjournment

Moved and seconded to adjourn. Motion passed 4-0. The meeting adjourned at 6:35 p.m.

.....