

Memorandum

To: Planning Commission

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Date: March 7, 2014

Subject: **Marijuana Related Amendments to the Redmond Zoning Code**

BACKGROUND

The Planning Commission held its first study session on proposed marijuana related amendments to the Redmond Zoning Code on February 12, 2014. The purpose of the amendments is to establish local zoning regulations before the current interim regulations expire on September 2, 2014.

Three alternatives are being proposed. Alternative 1 bans all marijuana related uses in all zones throughout the City; Alternative 2 combines State required buffers and local zoning regulations; Alternative 3 provides the option of adopting either Alternative 1 or Alternative 2 as interim regulations.

PREPARATION FOR MARCH 12, 2014 STUDY SESSION

Please review the enclosed issue matrix. The issue matrix has been updated to reflect the February 26, 2014 public hearing and study session. Staff asks that the Commission identify any additional questions for discussion at the March 12, 2014 study session.

In this memo, staff has included an outline to assist the Planning Commission in their deliberation of the alternatives.

Alternative 1

Alternative 1 prohibits the production, processing, and retailing of all marijuana and marijuana-related uses within the City of Redmond.

The Planning Commission has the option of recommending that all marijuana and marijuana-related uses be permanently banned within the City of Redmond.

If the Planning Commission recommends Alternative 1 then:

1. All marijuana and marijuana-related uses would be permanently banned in all zones throughout the City.
2. An ordinance would be drafted amending the current interim regulations.

Alternative 2

Alternative 2 identifies two possible options.

The Planning Commission has the option of recommending that marijuana and marijuana-related uses be allowed within Redmond. The Planning Commission may also recommend implementing State-mandated I-502 buffers **WITH** additional protections added by the City to the State-mandated I-502 buffers.

If the Planning Commission recommends Alternative 2 with only State mandated I-502 buffers, then:

- Marijuana and marijuana related used would be allowed within the City of Redmond.
 - All marijuana and marijuana-related uses would be subject to State-mandated I-502 buffers.
 - All marijuana and marijuana-related uses would be subject to the City’s current land use regulations (per the comprehensive land use chart).
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The Commission may also recommend that **any or all** of the following protections be *overlaid* on top of the State-mandated I-502 buffers:

- Banning marijuana and marijuana-related uses in all residential zones.
 - Requiring a 1,000-ft. buffer around all residential zones.
 - Requiring a 1,000-ft. separation between marijuana related businesses.
 - Modifying the WAC definition of “child care centers” to include unlicensed child care (i.e. preschools).
 - Banning marijuana production and collective gardens in BCDD 1 & 2.
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Alternative 3:

Alternative 3 provides the option of adopting either Alternative 1 or Alternative 2 as interim regulations.

The Planning Commission also has the option of recommending Alternative 3. This means that either Alternative 1 **OR** Alternative 2 could be adopted as interim regulations.

If the Planning Commission recommends Alternative 3 then:

1. Marijuana and marijuana-related uses could be banned on an interim basis (length of time TBD).
2. Marijuana could be allowed per the State-mandated I-502 buffers (only) on an interim basis (length of time TBD).

3. Marijuana could be allowed per the State-mandated I-502 buffers with any combination of the additional protections on an interim basis (length of time TBD).

ADDITIONAL ITEMS

1. Per the Commission's request, staff has prepared regulatory language requiring that collective gardens, processing and marijuana retailers must operate in a permanent structure. If the Commission decides to include this language for City Council review, it may be added to the proposed ordinance and example language follows:

“All collective gardens, marijuana processors and marijuana retailers must operate in a permanent structure designed to comply with the City Building Code and constructed under a building permit from the City regardless of the size or configuration of the structure.”

2. In addition, the Planning Commission may determine that it would like to seek direction from the City Council regarding the consideration of areas within the City that are appropriate for retail sales of marijuana. If so, the Commission may request that the City Council ask the Planning Commission to consider the issue as a possible amendment to the Comprehensive Plan and Zoning Code. The City Council may also direct that this inquiry be part of the 2014-2015 Comprehensive Plan Amendment Docket.

REVIEW SCHEDULE

The Commission held its first study session on February 12, 2014 and held a public hearing and second study session on February 26, 2014. An additional study session is scheduled for March 12, 2014 to complete the Planning Commission's recommendation.

Please contact Deborah Farris with questions or concerns.

ENCLOSURES

Issue matrix