



Planning Commission

Recommendation Regarding Permanent Retail Marijuana Regulations

Agenda Date: 9/22/2014
Agenda Item Number:
File Number: 14-0899

Type: recommendation **Version:** 2 **Status:** Passed

Title

Recommendation Regarding Permanent Retail Marijuana Regulations

Recommended Action

Discuss and amend the Interim Retail Marijuana regulations. Forward amended regulations to City Council for action.

Report

Issue:

At its August 18, 2014 meeting, the Planning Commission conducted a public hearing on the City's Interim Retail Marijuana Regulations. No member of the public spoke at that hearing. In the discussion following the close of the hearing, Planning Commission members had several questions about retail marijuana.

Staff Contact:

Chris Grabowski, Code Enforcement Officer, 753-8168

Presenter(s):

Chris Grabowski, Code Enforcement Officer, 753-8168
Darren Nienaber, Acting City Attorney, 753-8044

Background and Analysis:

Planning Commission members had several questions which arose at the August 18 meeting and public hearing.

1. What are the State's Cannabis sign requirements? Can the City require 'no smoking onsite' be included on the sign? - The State's Liquor Control Board marijuana rules regarding signs (see attachment Washington Administrative Code 314-55-155) are limited to advertising, product identification, and product warnings. No mention is made of other signs in licensed retail marijuana establishments. The Hearing Examiner, in his Conditional Use Permit for "Green Lady, Inc." did, in fact, make it a condition of the use that a sign be placed in the business reminding customers that they cannot consume the product on site.
2. This code is not just for potential permit applicants. We want public to understand. Can the

ordinance clarify this regards recreational use (not medical)? - The term “State Licensed” should be clear enough when read with the ordinance recitals which refer to Initiative 502. Medical Collective Gardens are not retailers, nor are they licensed by the State. However, language could be added to the ordinance Purpose section if necessary.

3. The law calls it “marijuana” - why are we using the word “Cannabis” to advertise this process? Which word should the ordinance use? - Cannabis is preferred by the industry. The ordinance calls it Marijuana because that is what the Revised Code of Washington calls it. If we change our ordinance to say “cannabis” rather than “marijuana” we would likely have to add language to our Code definitions indicating that “cannabis” means “marijuana”.

4. Ordinance should include a reference to the State Code. - Staff preference is to include the references to State RCW in the recitals. Adding it into the body of our Code becomes problematic if the State changes its numbering at a later date.

Neighborhood/Community Interests (if known):

No members of the public spoke at the public hearing on August 18, 2014.

The record was kept open for comments until 5:00 PM on September 3, 2014.

No public comments were received.

Options:

1. Amend current interim retail marijuana regulations and forward to the City Council for further action.

2. Do not amend the current interim regulations.

Financial Impact:

None anticipated.