



AGENDA

MEETING: Regular Meeting

TIME: Wednesday, December 2, 2015, 4:00 p.m.

LOCATION: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

A. Call to Order and Quorum Call

B. Approval of Agenda

C. Approval of Minutes – Regular Meeting of November 4, 2015

D. Public Comments – Comments must be pertaining to items on the agenda and limited to up to three minutes per speaker.

E. Discussion Items

1. Capital Facilities Program Update

Review the revised process for the development of the Capital Facilities Program (CFP) and the draft schedule and outline of the CFP for 2017-2012.

(See "Agenda Item E-1"; Lihuang Wung, 591-5682, lwung@cityoftacoma.org)

2. Marijuana Regulations

Review the scope of work, key issues and schedule for the proposed code amendments concerning marijuana.

(See "Agenda Item E-2"; Molly Harris, 591-5383, mharris@cityoftacoma.org)

F. Communication Items & Other Business

(1) Infrastructure, Planning and Sustainability Committee special meeting, December 9, 2015, 4:30 p.m., Council Chambers; agenda includes: Planning Commission Accomplishments 2015; and Interview of Planning Commission Candidates.

(2) Planning Commission meeting, December 16, 2015, 4:00 p.m., Room 16; agenda includes (tentatively): Environmental Action Plan; Marijuana Regulations; Tacoma Mall Neighborhood Subarea Plan; and 2016 Annual Amendment.

G. Adjournment





MINUTES (Draft)

TIME: Wednesday, November 4, 2015, 4:00 p.m.

PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

PRESENT: Chris Beale (Chair), Stephen Wamback (Vice-Chair), Donald Erickson, Meredith Neal, Anna Petersen, Scott Winship

ABSENT: Brett Santhuff, Dorian Waller

A. CALL TO ORDER AND QUORUM CALL

Chair Beale called the meeting to order at 4:03 p.m. A quorum was declared.

B. APPROVAL OF AGENDA

The agenda was approved.

C. APPROVAL OF MINUTES

The minutes of the regular meeting on October 21, 2015 were reviewed and approved as submitted.

D. Public Comments

No members of the public came forward to provide comments.

E. DISCUSSION ITEMS

1. Tacoma Mall Neighborhood Subarea Plan Update

Elliott Barnett, Planning Services Division, provided an update on the project including a review of the policy background, project approach, and outreach to date. Mr. Barnett reported that some of the major concepts included utilization of a place-making approach; a focus on transportation solutions and accommodating growth without creating traffic problems; planning ahead to get the most out of public investments; and expecting more out of private development to maximize the benefits to the City. Mr. Barnett reviewed that the Tacoma Mall Subarea is a 485-acre Regional Growth Center that provides a retail draw, jobs, and an increasing number of residents. The effort is also evaluating a 127-acre study area for potential inclusion in the Regional Growth Center. He reviewed that the growth targets for the area are to double the number of jobs and triple the amount of housing by 2040. He reported that the project was being facilitated by a watershed protection grant.

The project approach was discussed. Mr. Barnett reported that they were taking a place-making approach for identity and neighborhood structure. A Smart Growth approach would improve quality of life, water quality, air quality, investment climate, and development quality. He commented that circulation was a large part of the project, focused on mobility and planning for transit-oriented development. He reported that they were doing an upfront environmental review to allow a coordinated approach to mitigation and to catalyze investment. They were also prioritizing actions and creating a list of projects, capital facilities, and partnerships.

The process update was reviewed. Mr. Barnett noted that the initial public outreach was complete, they had finished the SEPA scoping period, and they had completed an intensive design workshop. The outreach to date had included stakeholder interviews, Health Department focus groups, public meetings, EIS scoping meetings, a design workshop, web site input, mailings, and signage. Key issues identified

from public input included lack of identity, no walkability, perceptions of crime, lack of open space, lack of local-serving businesses, perception that growth is occurring haphazardly, a lack of green features, and equity and empowerment issues. Public input had also identified strengths of the neighborhood including location, affordability, and anchor businesses.

Julia Walton, 3 Square Blocks, discussed the neighborhood structure approach where the subarea was broken into four quadrants: the Mall Area, West of the Mall, the Northeast Quadrant, and the Northwest Quadrant. The existing characteristics of the four quadrants were discussed and a table showing the land use, streets, block size, and urban pattern for each of the quadrants was reviewed. The goals for all quadrants included cohesive urban form, walkability, parks and public places, transit access, links with the bike and pedestrian loop, safety and livability, improved image and investment climate, and strategic investment to capture multiple benefits. The goals distinct to each quadrant included character and identity, internal connectivity, focal points, and gradations in height, scale, and form.

The illustrative vision plan was discussed and a map of the vision for the area was reviewed. Parks, Open Space, and Circulation Concepts were discussed, Ms. Walton noting public gathering places in each quadrant connected by a bike and pedestrian loop. A map of storm water opportunities was reviewed and Ms. Walton noted where they could work with water quality and infiltration and where they could locate regional treatment facilities. A green street concept drawing was shown where a stormwater approach was used to organize the streetscape to better benefit the community. Ms. Walton reviewed illustrations of the existing zoning potential compared to the Potential Scale & Form Transition concept that would concentrate development activity to create more coherence.

Key actions to improve neighborhood form included creating attractive mixed-use neighborhoods; building on neighborhood structure where present and establishing it where absent; differentiating form and scale between quadrants; strengthening the human scale to build a sense of place; establishing a hierarchy of streets and bike/pedestrian thoroughfares; public gathering spaces for events; and achievement of multiple goals through public projects. Chair Beale asked if they would be considering a form based code as a potential tool to create predictability in development patterns. Ms. Walton commented that they have an approach that identifies future streets, public places, and intensities of development around them as a form making device. Commissioner Erickson asked what they were considering for infill development in the West of Mall quadrant. Ms. Walton responded that it had not been precisely defined yet, but they were interested in site size and building scale congruent with the 3 story townhome developments currently in the area.

Key actions for Transportation included reconnecting the grid; complete streets retrofits and improved right of way design; incorporation of linear park and green features in the street system; improved access for regional and local traffic; creation of an internal bike and pedestrian circulator loop; direct I-5 access to Tacoma Mall Boulevard; plans for a consolidated Sound Transit LRT/ Pierce Transit station; a potential Sounder Station on South Tacoma Way; mixed-use walking streets along 38th, Steele, and Pine Street; connections to other neighborhoods; coordination with transit service providers; and development of design elements for the three major corridors. Chair Beale asked about connectivity to the Water Ditch Trail on the bike/pedestrian loop. Ms. Walton responded that external connectivity was one of the next steps and had been discussed with the Transportation Commission and Metro Parks.

Key actions for the natural and built environment included a green infrastructure system for water quality; reduction of greenhouse gas emissions with compact mixed-use walkable neighborhoods; increased access to parks; increased tree cover and landscaping; infill on existing paved areas; and reconnecting the street grid. Commissioner Neal asked if there was a plan to update parks. Ms. Walton responded that they were planning on improving parks, but still needed to determine what the character and use of the public places would be.

Key actions for economic development included leveraging prime location while improving development outcomes; improving the investment climate; making phased investments in streets, infrastructure, and the public realm; calibrating zoning to respond to contemporary markets, lifestyle preferences, and housing needs; leveraging transit stations and parks as hubs; recruiting businesses and facilities in desired locations; responding to changes in retail dynamics; and an upfront SEPA review.

Proposals for the different quadrants were discussed. For the Mall Quadrant, Ms. Walton noted proposals to enliven the area and improve access that had been discussed with the Simon Property Group. For the West of Mall Neighborhood it was noted that they had examined how the development of the lot could be revised to provide private open space, parking, and building street frontage. For the Northwest Quadrant, Ms. Walton noted the opportunity for redevelopment with a new street pattern. Discussion ensued on whether eminent domain would be a necessary tool for redevelopment and Ms. Walton commented that it had not been considered. In the Northeast Quadrant, Ms. Walton noted proposals to transition from wartime housing to medium density residential development with neighborhood parks and a curvilinear street pattern. A map of the potential zoning and street grid was discussed.

Commissioners provided the following comments and questions:

- Commissioner Erickson commented that there would be significant costs that would need to be considered when they do the EIS.
- Vice-Chair Wambach asked if they could consider connecting an existing bike and pedestrian bridge to the east of the Northeast Quadrant. Mr. Barnett noted that it did not need to be inside of the subarea boundary to be considered for connections with other neighborhoods.
- Chair Beale expressed interest in the street design, public spaces, branding, green streets, and getting development to better interplay with the street. He also expressed interest in the potential light rail alignment.
- Chair Beale asked if they had discussed the potential park on the hill next to the Apex Apartments with Metro Parks. Ms. Walton responded that they have, and that that the approach differs from Metro Parks' typical service model and that the closest model they had was for parks and open space in Downtown.

2. Planning Commission Work Program for 2016-2017

Brian Boudet, Planning Services Division Manager, facilitated a discussion on the development of the planning work program for 2016-2017. Mr. Boudet reviewed the scope and status of projects from the draft list for the Commission's consideration. Items on the draft list included the following:

- Permanent Regulations for Medical Marijuana that would integrate new standards adopted by the State into the existing recreational regulations and would likely include dispersion and potential co-ops.
- The Unified Development Code which had been discussed at the previous meeting.
- Infill Design Guidelines which would be a necessary component of the pilot infill program,
- The implementation of Comprehensive Plan zoning districts where the next step would be to prioritize and break the project into manageable sections.
- The Phase 3 Land Use Designations that came from the public process could be looked at in 2016 as part of the zoning discussion.
- The JBLM Joint Land Use Study that examines compatibility issues and could possibly include an airport overlay zone.
- Short Term Rentals and B&Bs where there was the question of whether there should be limitations on what might be considered a commercial operation in a residential zone.
- A Sign Code Update in response to a recent Supreme Court case from Arizona that might have some effects on how many distinctions they can make in the code.
- A Wireless Facility Code Update in response to recent Federal legislation that identified wireless facilities as an important basic infrastructure to make sure local jurisdictions didn't put them through any unnecessary or punitive processes.
- The Capital Facilities Program which would involve potential amendments to the element in the Comprehensive Plan and the Transportation Improvement Program.
- Other transportation issues including Link, Amtrak, and implementation of the Transportation Master Plan.
- The Historic Preservation Demolition Review that would look at potential code amendments for demolition review and whether standards should be placed on potentially historic structures to make sure there are some protections.

- The Vision 2040 Update and “Growing Transit Communities Compact” Status Report that the City is obligated to participate in or fulfill.
- Other potential items to be accomplished by the Planning Services Division.

Commissioners provided the following comments and questions:

- Commissioner Erickson asked if Proctor Station and alternatives to the scale of development in Mixed-Use Centers would be examined. Mr. Boudet responded that the Commission had forwarded community feedback to the City Council. He commented that a common thread was the need to examine the multiple bonus systems and consider whether they are producing the desired results.
- Commissioner Erickson asked about possibly requiring a banked percentage of the Transfer of Development Rights (TDR) to come off of a historic structure to incentivize tools in the City. Mr. Boudet responded that there had been discussions with Historic Tacoma about examining what that program would possibly look like. He added that Pierce County has an existing TDR bank.
- Commissioner Neal asked if commercial buildings in residential areas would be addressed in any of the work program items. Mr. Boudet responded that it would be reviewed as part of the implementation of Comprehensive Plan zoning districts.
- Commissioner Neal asked if there was any plan for a “Tree Committee” or an “Urban Forestry Commission”. Mr. Boudet responded that with the implementation of the Comprehensive Plan habitat corridors concept they were considering different standards. At a broader level, they might provide an update on the status of the Urban Forestry Element and discuss the implementation.
- Chair Beale asked whether there would be discussion of design review, which had been one of the recommendations made by the Commission in the 2015 Comprehensive Plan Update. Mr. Boudet responded that the Council had not yet responded to the recommendation. He commented that the discussion would require a significant resource demand for outside services and also additional expertise within the Planning and Development Services Department.

F. COMMUNICATION ITEMS & OTHER BUSINESS

Lihuang Wung, Planning Services Division, noted the cancellation of the Commission’s meeting on November 18 and a special meeting of the Infrastructure, Planning, and Sustainability Committee on November 18 where the agenda includes the 2015 Annual Amendment. He reported that the December 2nd Planning Commission meeting agenda would include a Capital Facilities Program Process Update, Marijuana Regulations, and the 2016 Annual Amendment Package. He also reported that the Council had announced the vacancy for the Planning Commission’s Development Community position.

Mr. Boudet reported that the City Council would be holding a public hearing on Billboard Regulations on November 17th.

G. ADJOURNMENT

At 6:01 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma
Planning and Development Services

**Agenda Item
E-1**

To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: **Capital Facilities Program Update**
Date of Meeting: December 2, 2015
Date of Memo: November 24, 2015

At the next meeting on December 2, 2015, the Planning Commission will receive a progress report on the process improvement for the development of the Capital Facilities Program (CFP) and a preview of the document outline of the draft 2017-2022 CFP.

In October 2014, the Commission recommended the draft 2015-2020 CFP to the City Council for adoption, with some reservations. The Commission was concerned with the limited time for review and the lack of in-depth analysis of the proposed amendments, such that the Commission's review might not be adding significant value to the Council's process for selecting, prioritizing and funding of capital projects.

In response, staff from the Finance and the Planning and Development Services departments proposed an approach to improve the review process, the document readability, the criteria for project selection and prioritization, and the alignment with the Growth Management Act. The approach was presented to the Commission at the meeting/retreat on February 4, 2015, and received the Commission's concurrence.

Attached to facilitate the Commission's review and discussion on December 2nd are a "Reader's Guide" for the organization of the improved CFP document and a sample "Project Report Sheet" for inclusion in the CFP. If you have any questions, please contact me at 591-5682 or lwung@cityoftacoma.org.

Attachments (2)

c: Peter Huffman, Director

Reader’s Guide

The Capital Facilities Program is organized into several sections. The guide below includes a brief description of what each section contains.

Introduction

This section provides a general overview of the Capital Facilities Program including:

- What is the CFP
- Why do we have a CFP
- What is a Capital Facilities Project
- How are Capital Facilities Projects Prioritized
- The relationship of the CFP to other City plans and programs
- CFP Calendar
- Completed projects in the previous biennium

2017-2018 Appropriated Capital Projects

A brief overview of the capital projects that are funded in the XXXX-XXXX biennium. There are two categories for funds, Carryforward (Previously Appropriated) and New Appropriations:

- Carryforward funding is that has been previously appropriated by the City Council for spending in a previous biennium. It is based on biennium-end projections for XXXX-XXXX, variations from these projections may result in revised carryforward amounts.
- New Appropriations is funding that has not been previously appropriated by the City Council. This could be new grants, additional revenues, or use of cash reserves that are anticipated in XXXX-XXXX.

Six-Year Spending Plan Summary

This section goes beyond the two years of appropriation in the previous section and shows the total six-year spending plan for all capital project included in the CFP. The spending plan is alphabetized by Section. Project totals include prior spending plus the Six-Year Period XXXX-XXXX. Additional detail on each of the individual projects is provided in the subsequent section.

Project Information

This section includes specific information on the projects proposed for the XXXX-XXXX CFP. The projects are presented in on the following program categories:

- Community Development
- Local Improvement Districts
- Public Safety
- Libraries
- General Government Municipal Facilities
- Cultural Facilities
- Parks and Open Space
- Transportation
- Utilities - The utilities section includes:
 - Solid Waste
 - Surface Water
 - Wastewater
 - Tacoma Water
 - Tacoma Power

Attachment A – Reader’s Guide for the Organization of the Capital Facilities Document Draft for Planning Commission Review, December 2, 2015

Each of the program category sections are organized in the same way and contain:

- An introductory narrative providing a general background of planning activities done in that section, the current state and future need, as well as a discussion of recent accomplishments.
- A table identifying the future operating and maintenance costs for funded projects within the section. Operating and maintenance costs are only shown for those projects funded and appropriated in the City’s biennial budget.
- Relevant Level of Service standards or Concurrency
 - The Levels of Service (LOS) standards measure the quality and quantity of existing and planned public facilities and represent a commitment to maintaining adequate services as the City grows. Providers of capital facilities and services evaluate and demonstrate how they are meeting the measurable LOS “objective” or standard.
 - The term concurrency is used in conjunction with Level of Service standards within the Capital Facilities Element of Tacoma’s Comprehensive Plan and requires that the public facilities and services necessary to support development shall be adequate to serve the development at the same time (concurrent to when) the development is available for occupancy or use, or within a reasonable time as approved by the City, without decreasing current service levels below locally established minimum standards.
 - The City of Tacoma’s adopted Level of Service Standards and Concurrency are provided in detail in the Appendix.
- An alphabetical index of all project included in the section.
- Individual project summary tables providing information about proposed projects and summarizing the proposed project’s funding and costs.

Future Projects

This section includes a list of desirable future projects for which funding has not yet been identified and which are not prioritized to occur within the next six years.

Funding Summary

This section provides an overview of the sources of funding for the CFP and includes the following reports:

- Funding Summary Report which identifies totals for each funding source within the CFP.
- Funding Detail Report which identifies all projects by funding source and their expenditure amounts.

Miscellaneous Reports

- CFP Operating Impacts Summary
- Index of all CFP projects
- CFP Projects by Council District
- CFP Projects by Department

Inventory

The Inventory includes existing facilities and the associated maps and legends to identify their locations. The section is alphabetized by category and includes City departments and outside agencies.

Appendix

Level of Service Standards

Concurrency Tables

Glossary

Attachment B – Project Report Sheet for the Capital Facilities Document Draft for Planning Commission Review, December 2, 2015

A Brand New CFP Project

Project Number	SCIP-00002	Department	Public Works
Project Phase	Unfunded	Project Manager	John Smith
Year of Completion	2020	Total Project Cost	\$1,000,000
		Funded Status	Partially Funded

Location: 747 Market Street

Description: This is a new project to be included in the 2017-2022 CFP. It is being used for demonstration purposes only to show the proposed revised project sheets.

Rationale: This project is needed to demonstrate what the new proposed CFP project tables will look like.

Project Funding Plan				
Funding Type	Previously Appropriated	New	Unconfirmed	Total
Grant-State	-	750,000	-	750,000
City-General Fund	-	50,000	-	50,000
City-REET	-	200,000	-	200,000
Total	-	1,000,000	-	1,000,000

Six-Year Project Spending Plan				
Prior Year Spending	2017	2018	2019 - 2022	Total
<i>Carryover (Previously Appropriated)</i>				-
<i>New</i>				
	250,000	250,000	500,000	1,000,000
<i>Unconfirmed</i>				-
Total Project Spending	250,000	250,000	500,000	1,000,000

ID	Question	Answer	Explanation
1	Does the project address a public health or safety concern?	No	
2	Is the project required or mandated by law?	No	
3	Is the project substantially (75%+) funded by non-City sources?	Yes	There is a federal grant available to support this project. The grant will cover approximately 75% of the project
4	Is the project financially responsible, for instance by leveraging grant funding or other non-City funding sources, reducing operating costs, avoiding future costs, or by having a sustainable impact on the operating budget?	No	
5	Is the project needed to correct existing public facility and services deficiencies or replace key facilities that are currently in use and are at risk of failing?	No	
6	Does the project improve the equitable access to public facilities and services?	No	
7	Does the project align with Tacoma 2025 or other City priorities?	No	
8	Does the project have a high level of public support?	No	
9	Does the project reduce greenhouse gas emissions or support the adaptation of climate change?	Yes	This project will include 10 miles of bike lanes and additional pedestrian infrastructure.
10	Does the project meet growth patterns and projected needs and serve new development and redevelopment? (Is it in a mixed use center?)	Yes	This project is in a mixed use center.



City of Tacoma
Planning and Development Services

**Agenda Item
E-2**

To: Planning Commission
From: Molly Harris, Senior Planner, Planning Services Division
Subject: **Marijuana Regulations Code Amendment**
Date of Meeting: December 2, 2015
Date of Memo: November 24, 2015

At the next meeting on December 2, 2015, staff will review new State laws (2SSB and 2E2SHB 2136), regarding the marijuana market and taxation, as well as the Washington State Liquor and Cannabis Board's (WSLCB) draft rules, WAC 314-55, that will implement these laws. Staff will also review WSLCB's rule making; the City's intent and need to amend TMC 13.06 and the associated key issues; the Planning Commission's role and expectations; and the expedited schedule for the code amendments.

This project is a joint effort among the Planning and Development Services Department, the Legal Department, the Community Based Services Department, and the Police Department.

Attached to provide the context of the subject matter are the City's comments to the WSLCB's rule making, draft PowerPoint slides to be presented on December 2nd, and the project timeline.

If you have any questions, please contact me at (253) 591-5383 or mharris@cityoftacoma.org.

Attachments (3)

c: Peter Huffman, Director



Rules Coordinator
Liquor and Cannabis Board
PO Box 43080
Olympia, WA 98504-3080

Via Email - rules@lcb.wa.gov and **Fax** - (360) 664-9689

SUBJECT: City of Tacoma's Comments to the Washington State Liquor Board

Dear Rules Coordinator:

The City of Tacoma is pleased to provide comments to the Washington State Liquor and Cannabis Board's (WSLCB) rules, WAC 314-55, that begin the public process of aligning the medical marijuana market with the existing recreational market. Tacoma has had a number of years working with the State's marijuana rules. After State Initiative 502 was passed, Tacoma adopted a nuisance ordinance (2012) and interim (2013) and permanent (2015) recreational marijuana regulations all relating to licensed recreational and unlicensed marijuana operations. Tacoma currently has eight retail recreational marijuana locations along with more than 30 unlicensed "medical marijuana storefronts" (down from more than 60 as recently as September 2015). Tacoma has experienced a number of issues with these uses, particularly the collectives--including a proliferation of unlicensed, unregulated marijuana stores; collective gardens being too close to regulated sensitive areas; nuisances related to smell; neighborhood complaints; property crimes; and other enforcement concerns and challenges.

The City's comments are based on these experiences. We appreciate your consideration of them. Specifically, we would ask the State to consider the following:

1. Public notification.

While we appreciate that the WSLCB is considering instituting some notification requirements, we believe that the proposed notification is insufficient to provide reasonable notice to the surrounding community, including potential nearby sensitive uses. We request the WSLCB provide notification to property owners within a radius of 1,000 feet for all proposed new marijuana stores, occurring concurrently with local jurisdiction review. Having this notification in place will help keep the public informed of stores being proposed in their community, provide a more realistic and clear opportunity for the community to provide input, and can also alert the WSLCB Board and local staff of any sensitive uses that may have been missed during the location analysis.

2. Establish a limit on the number of stores per jurisdiction.

A key theme throughout the process of developing a statewide controlled marijuana marketplace has been ensuring that the state's production and sales is aligned with the needs and demands of this state. One key component of ensuring this has been the state-controlled limitation on the number of retail licenses. The established cap on retail stores has been beneficial to Tacoma and we would ask the WSLCB to again evaluate need and establish a similar cap under the new rules.

3. Restrict and control cooperatives.

We applaud the state Legislature for banning collective gardens. At the same time, we have serious concerns about the new "cooperatives" concept. Tacoma has found that enforcing against dispensaries and those calling themselves "collective gardens" has been very difficult, particularly as it relates to the number of individuals participating in or being served by those collectives. We are concerned that the same will be true of cooperatives. Many of the collective gardens established in Tacoma were actually dispensaries selling marijuana, were too close to sensitive areas, and offended neighbors and community due to the smell and visibility of product from the right-of-way. Significant, state-level controls need to be instituted to ensure that this new "cooperatives" concept is not abused and does not undermine the licensed marijuana system like the collective gardens have.

4. Better controls on nuisance operators.

We understand that the state has established a process to evaluate applicants and prevent issuing licenses to individuals with certain criminal histories, but it has not similarly prevented licensing individuals that have a history of being unscrupulous property owners or business operators. Tacoma would like to have the ability to weigh in on license applicants that are 'nuisance' operators (those with a history of building, nuisance, zoning code and other local civil violations). We do not believe that a business owner who has a history of local code violations is a good candidate for a WSLCB license to operate a marijuana facility.

5. Strict enforcement and strong penalties.

We request the WSLCB take a stronger leadership role in addressing enforcement of civil violations such as noncompliance with WSLCB standards; and criminal violations, such as sales to youth. State-level enforcement is also going to be critical to ensure the successful implementation and operation of cooperatives, as noted above.

We want to make sure there are strict mechanisms in place to deter civil violations, criminal activity and noncompliance with WSLCB standards. One of the strongest tools the State possesses is revocation or suspension of its state license; this tool should be used regularly to support and enhance compliance.

6. Ensure compliance with all codes before licensing.

State licenses should not be granted to a business until the business complies with all applicable local codes; and if the business later violates state regulations, their license should be revoked. An issue Tacoma has experienced is when WSLCB mandates that products sold in marijuana retail stores should not be seen from the outside of the building, many retailers have blocked out

windows with decals or frosted glass to meet this requirement. Some City zoning districts mandate that visibility into commercial structures from the public sidewalk be maintained. Therefore, WSLCB's requirement in this instance makes it difficult for Tacoma to enforce its local code. Another issue concerns hours of operation for marijuana stores—we have seen some abuse of this, with one store moving to a 24-hour operation. Lastly, we have seen licensed retailers in violation of sign codes. Should the local jurisdiction find signage or other issues out of compliance after approval, the WSLCB should suspend the license or initiate strong enforcement.

7. Packaging.

The packaging for recreational marijuana is satisfactory and we would ask that similar packaging be required for medical marijuana, so as to maintain safety, transparency and consistency.

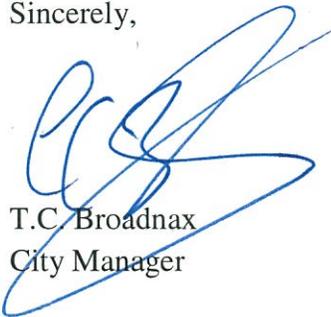
8. Find alternatives to “all cash” businesses.

One of the most concerning aspects of these operations is that they continue to largely operate as “all cash” businesses, with substantial sums of cash being handled, exchanged and stored – creating very attractive crime targets. While we recognize the limitations of the WSLCB and potentially even the State to directly address this issue, we strongly encourage the Board and the State to explore and advocate for the creation of a more reasonable and safe system.

The City of Tacoma appreciates the opportunity to provide comments to the WSLCB draft rules, WAC 314-55. We look forward to continued cooperation and coordination as the WSLCB moves forwards with its rule-making, licensing, administration and enforcement efforts.

If you have questions about this letter, please contact Molly Harris at 253.591.5383 or mharris@cityoftacoma.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T.C. Broadnax', is written over a large, stylized blue scribble.

T.C. Broadnax
City Manager

Marijuana Regulations Update

City of Tacoma
Planning and Development Services

Planning Commission
December 2, 2015

Discussion Topics

- Background
- Integration of Medical Marijuana
- State Rulemaking Process
 - Potential City Comments
- City Code Amendments
 - Key Issues
 - Tentative Schedule



Recent Regulatory History

- ❖ State Initiative No. 692 (1998)
- ❖ Tacoma Initiative No. 1 (2011)
- ❖ State Initiative 502 (2012)
- ❖ Tacoma Nuisance Code Regulations (2012)
- ❖ Tacoma Interim Recreational Marijuana Regulations (2013)
- ❖ Tacoma Permanent Recreational Marijuana Regulations (February 2015)
- ❖ **State Law Amended (July 2015)**

3

State Law Changes

- 2SSB 5052
 - Integration of medical marijuana market into established recreational system
 - Similar state application process, but with preferences
 - Similar siting restrictions, but with local flexibility
 - Removes “collective gardens,” but creates “cooperatives”
- 2E2SHB 2136
 - Reduced and simplified taxation
 - Provided limited sharing of state taxes with local jurisdictions

4

State Rulemaking

- City Council Comments to WSLCB:
 - Provide better public notification
 - Establish a cap on retail stores
 - Better controls on “nuisance” operators
 - Require clearly labeled packaging
 - Provide more local funding
 - Ensure strict enforcement and strong penalties (especially for youth sales)
 - Ensure compliance with all local codes before opening
 - Restrict and control “cooperatives”
 - Find alternatives to “all cash” business

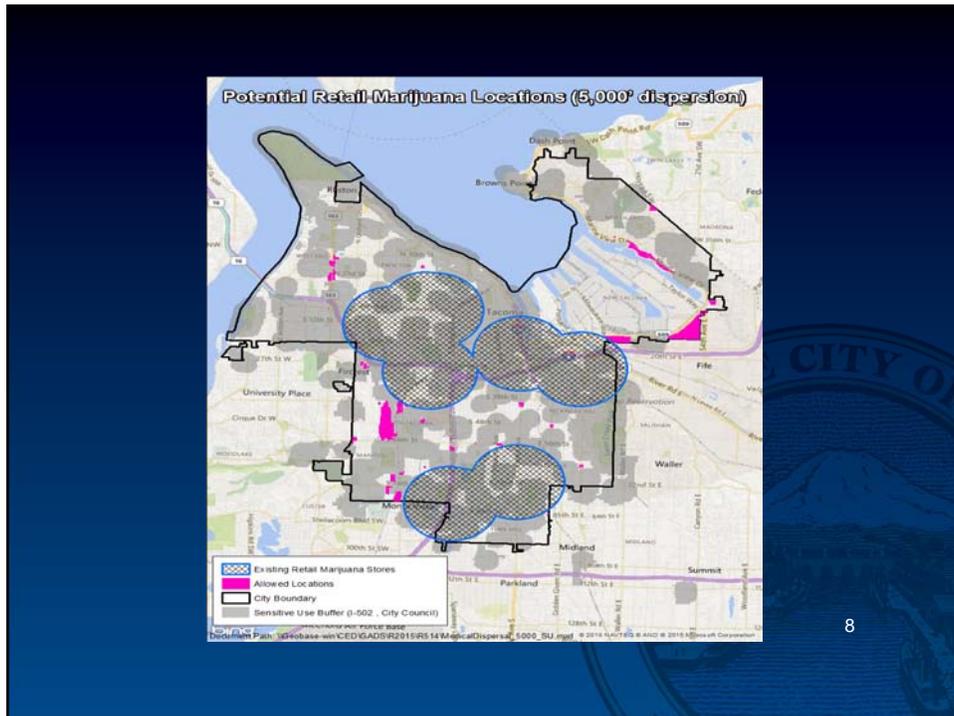
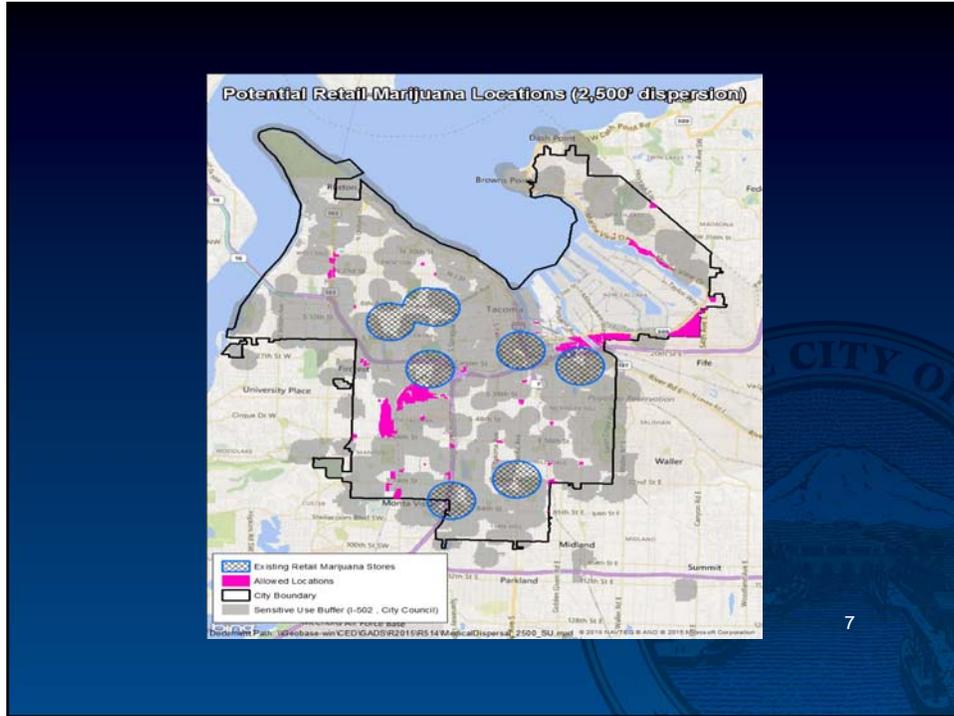


5

City Code Amendments

- Key Issues and Potential Changes:
 - Maintain existing “sensitive use” buffers (schools, daycares, drug treatment facilities, etc.)
 - Require retail dispersion
 - Cap total number of stores, or number per defined area
 - Provide local mechanism to address “nuisance” operators
 - Ban “cooperatives”
 - Maintain existing production and processing regulations
 - Modify Nuisance Code for consistency

6



Tentative Schedule

December	Initiate code amendment process
February 3	Planning Commission – Release Proposal for Public Review
March 2	Planning Commission – Public Hearing
March 16	Planning Commission – Council Recommendation
April – May	City Council – Public Hearing and Adoption of Amendments
July 31, 2016	State – New rules/licensing goes into effect

9

Marijuana Regulations Update

City of Tacoma
 Planning and Development Services

Planning Commission
 December 2, 2015



RETAIL MARIJUANA PROPOSED AMENDMENTS TO THE LAND USE REGULATORY CODE

SCHEDULE

(Draft as of November 23, 2015)

Color Keys:

City Council
Council Standing Committees
Planning Commission
Staff

Date	Actions
	Public and Stakeholders Outreach
December 2	Planning Commission – Review scope of work, schedule
	Public and Stakeholders Outreach
December 16	Planning Commission – Review draft proposed amendments
TBD	Infrastructure, Planning and Sustainability Committee – Review scope of work
February 3	Planning Commission – Review proposal and release for public review
February 10	Environmental Determination – Issue SEPA determination; notification to Tacoma Daily Index; start of associated comment period
February 10	Public Hearing Notification – including <i>60-day notice of intent for adoption to State DOC and PSRC.</i>
February 10	Infrastructure, Planning and Sustainability Committee – Review Planning Commission’s public review package
March 2	Planning Commission – Public Hearing, and leave record open through March 4
March 16	Planning Commission – Review public comments, revise proposal as appropriate, and make a recommendation to the City Council
March 18	Weekly Letter – Forward Commission’s recommendations to Council
March 22	City Council – Set a public hearing for April 5
April 5	City Council – Study Session
April 5	City Council – Public Hearing
April 13	Infrastructure, Planning and Sustainability Committee – Review Planning Commission’s recommendations, consider potential modifications, and make a recommendation to the City Council
April 19	City Council – First reading of ordinance adopting proposed amendments
April 26	City Council – Final reading of ordinance
May 6	Notice of Adoption to State DOC and PSRC
May 8, 2015	Effective Date of adopted amendments