OVERVIEW

- Regulatory/Legal Background
- Current Enforcement Strategy
- Tax/Revenue System
- Inventory of Facilities
- Interim Zoning Regulations
- Potential Changes to Regulations
Initiative 502 (November 2012)

- Decriminalized possession

- Recreational Marijuana:
  - Production
  - Processing
  - Retail Sales

- WSLCB Rules:
  - Licensing Program
  - Protection of Sensitive Uses
  - Security/Tracking, Advertising, Quality Control, State Taxation
### MARIJUANA FACILITIES

<table>
<thead>
<tr>
<th>Facility</th>
<th>Collectives</th>
<th>State Licensed</th>
<th>Other/Dispensary</th>
</tr>
</thead>
</table>
| **Definition** | ✓ 3-10 qualifying patients  
✓ 15 plants/patient, or 45 plants total  
✓ 24 oz. useable cannabis per patient, or 72 oz. total | ✓ Recreational producers, processors and retailers per RCW 69.50 | ✓ Growing and/or selling amounts greater than permitted for collectives  
✓ No state license  
✓ Not compliant with collective garden restrictions |
| **Regulations** | ✓ Illegal  
✓ May have affirmative defense under RCW 69.51A | ✓ Per RCW 69.50 and WAC 314-55 | ✓ Illegal  
✓ No regulations |
CITY’S ENFORCEMENT STRATEGY since 2012

Initiative No. 1 (2011) — marijuana or cannabis offenses lowest enforcement priority of the City (TMC 8.29.005)

- Suspected dispensary – Proactive in 2012 for initially identified dispensaries

- Collective gardens – Complaint-based
  - Operating within 600 feet of sensitive area (ex. school, park, day care), or
  - Affecting surrounding areas per nuisance code (ex. smell)
TAX STATUS

❖ **State**
  - Imposes B&O and retail sales tax (RST) on state licensed recreational and medical marijuana facilities
  - Imposes 25 percent excise tax on recreational producers, processors and retailers
    - Local governments do not get a share

❖ **City**
  - Receives its portion of the state RST
  - Imposes local B&O and RST on state licensed recreational facilities
  - Has not licensed or imposed local taxes on medical marijuana operations
License Review Process

- **Applicant applies to WSLCB:**
  - Background check on applicants
  - Location analysis
  - Review of business plan

- **WSLCB notifies City:**
  - Location analysis (zoning)
  - Review of building
  - Local background and code enforcement check

- **City provides letter to WSLCB:**
  - Letter will raise no objections or recommend denial
  - State considers City’s comments in making final decision
City License Review

- **Production & Processing**
  - Approx. 100 Tacoma applications received by the State
  - WSLCB has approved 4
  - Approx. 21 licenses pending

- **Retail**
  - Approx. 100 Tacoma applications received by the State
  - WSLCB has issued 5 licenses
  - Anticipate last 3 soon
LOCATIONS – ALL TYPES
CURRENT INTERIM ZONING

- Meet state requirements
  - Licensing
  - Size
  - Statewide production limit
  - Number on retail outlets (8 in Tacoma)
  - Buffering from kids land uses (1,000 ft)
  - Hours
  - Security
  - Quality control
  - Labeling
  - State taxes
  - Can’t grow and sell at the same place
INTERIM ZONING (2)

- **Locations**
  - Retail allowed in commercial, mixed-use, downtown and light industrial districts
  - Production and Processing allowed in heavy industrial districts

- **Buffering**
  - 1,000 feet from kids-related uses (per state)
  - Retail uses: 1,000 feet from correctional facilities, court houses, detox centers, etc.
  - Not allowed in non-conforming sites
Development Standards
- Prevent odors
- No drive-throughs, exterior, off-site sales
- No display
- Retail sq ft limited in some zones

Typical Standards, including...
- Design, parking, landscaping, signs
- Building Code
Potential Changes

- **General**
  - Review process and notice?

- **Production / processing**
  - Limit in M/IC?
  - Allow in additional zones?
  - Treat “light” processing differently?
Retail
- Further limit locations?
  *Currently allowed in commercial, mixed-use, downtown and light industrial districts*
- Prevent concentrations
- Additional buffering
  - Other kids-related uses?
- Standards
  - Further limit hours of operation?
  - Parking requirements?
  - Other?
## Key Dates

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 2012</td>
<td>I-502 approved</td>
</tr>
<tr>
<td>Nov. 2013</td>
<td>Interim Regulations enacted</td>
</tr>
<tr>
<td>Mar. – Dec. 2014</td>
<td>State issuing licenses</td>
</tr>
<tr>
<td>Oct. 15&lt;sup&gt;th&lt;/sup&gt; – Dec. 17&lt;sup&gt;th&lt;/sup&gt;, 2014</td>
<td>Planning Commission – permanent regulations</td>
</tr>
<tr>
<td>Jan. – Feb., 2015</td>
<td>Council consideration</td>
</tr>
</tbody>
</table>

**Website:**

[www.cityoftacoma.org/Planning > “Recreational Marijuana”](http://www.cityoftacoma.org/Planning > “Recreational Marijuana”)