

Marijuana Code Amendments

City of Tacoma

Planning & Development Services Department

City Council Study Session

April 26, 2016



Overview

- Purpose
- Background
- Key Issues
- Recommendations
 - Planning Commission
 - Staff
- Next Steps



Recent State Regulatory History

- **State Initiative No. 692 (1998)**
- **State Initiative 502 (November 2012)**
- **Liquor Control Board Rules (November 2013)**
- **Cannabis Patient Protection Act (July 2015)**
- **Liquor and Cannabis Board Rules (2015-2016)**

Cannabis Patient Protection Act

- Effective July 2015
 - Some parts become effective as of July 2016
- Integration of medical marijuana market into established recreational system
- Similar state application process, but with preferences
- Medical Endorsement for retailers
- Similar siting restrictions, but with local flexibility
- Removes “collective gardens,” but creates “cooperatives”

Recent Local Regulatory History

- **Tacoma Initiative No. 1 (2011)**
- **Nuisance Code Regulations (2012)**
- **Interim Zoning Regulations (2013)**
- **Interim Regulations extended (September 2014)**
- **Permanent Zoning Regulations (February 2015)**
- **Temporary Moratorium (January 2016)**
- **Proposed Zoning Code Amendments (May 2016)**

Current Situation

- Temporary Moratorium on new retail stores and cooperatives
- Tacoma has 9 retail recreational marijuana stores and approximately 30 collective gardens
- Tacoma's allocation for retail stores has been raised to 16 total stores by the State
- State is licensing additional stores but City licenses are not being granted
- State is granting medical endorsements to existing stores
- Per State law effective July 1, 2016
 - Collective gardens will be prohibited and must close or obtain licenses to operate as retail stores
 - Retail stores can sell medical marijuana with a State medical endorsement
 - Cooperatives will be allowed

Key Zoning Issues

- **Cap on Retail Stores (Maximum Number)**
- **Buffers from Retail Stores**
- **Dispersion between Retail Stores**
- **Medical Endorsement**
- **Medical Cooperatives**



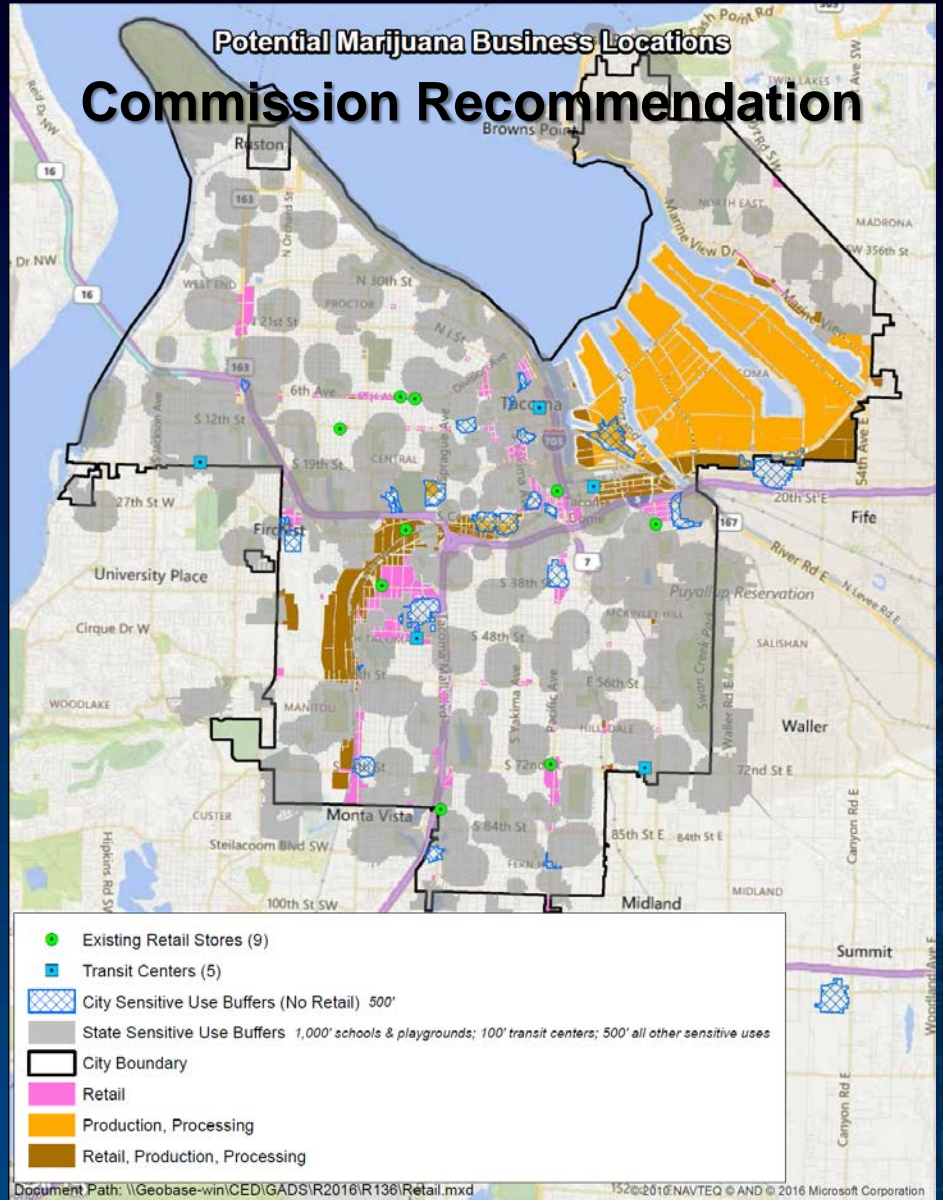
Nuisance Code Amendments

- **Companion amendments to the Nuisance Code**
(TMC 8.30)
- **Removes references to collective gardens**
- **Maintains current provisions to help with enforcement of public nuisance issues**
 - **Unlicensed operators**
 - **Public smoking or ingesting**
 - **Odor**
 - **Operating inconsistent with other state or local standards**

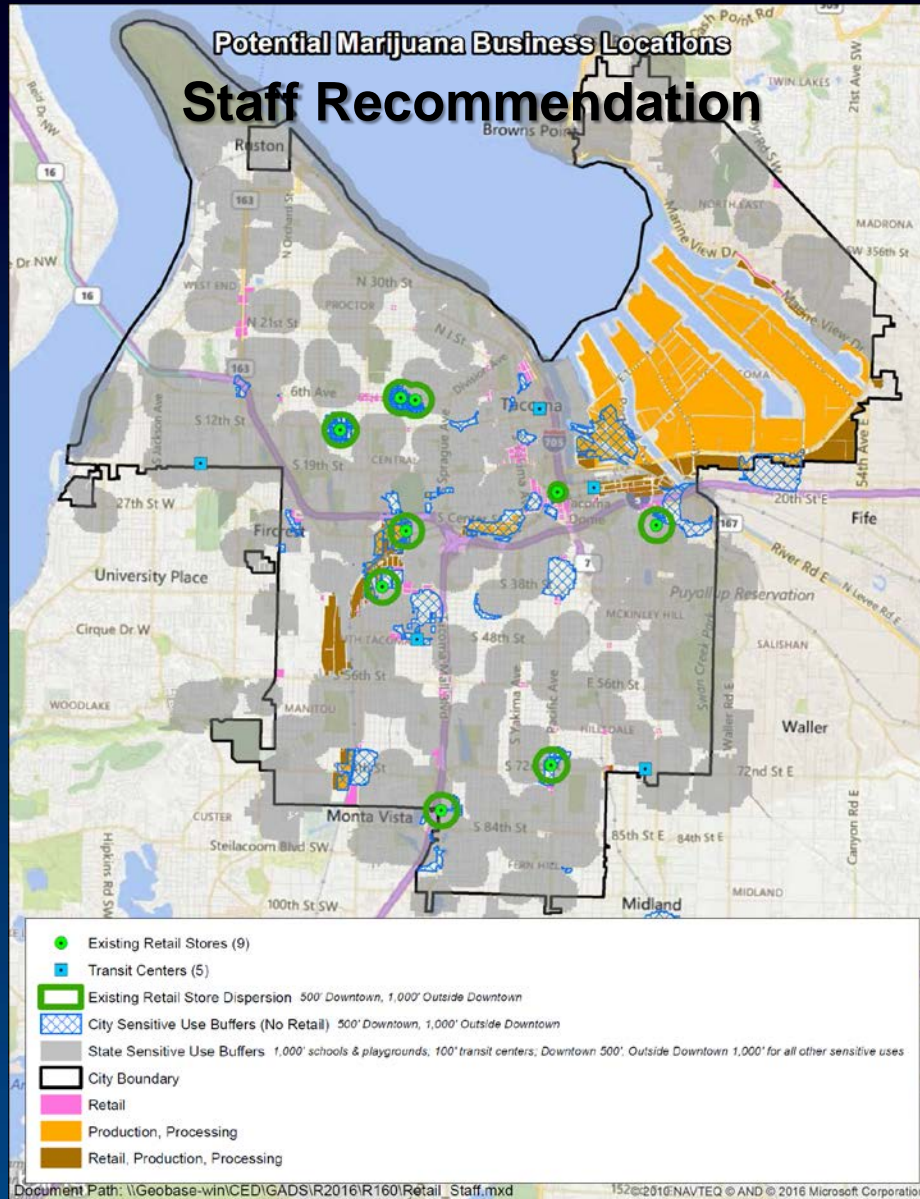
Recommendations

	Existing Regulations	Staff Recommendations	Planning Commission Recommendations
Cap	No cap	Cap at 16 <i>(current State cap for Tacoma)</i>	No local cap
Buffers	<ul style="list-style-type: none"> • 1,000-feet for schools and playgrounds <i>(per State law, this cannot be modified)</i> • 1,000-feet for other sensitive uses (parks, child care, rec. centers, libraries, game arcades, transit centers, correctional facilities, and rehab centers) 	<ul style="list-style-type: none"> • 1,000-feet for schools and playgrounds • 100-feet for transit centers citywide • 500-feet for other sensitive uses within the Downtown • 1,000-feet for other sensitive uses elsewhere 	<ul style="list-style-type: none"> • 1,000-feet for schools and playgrounds • 100-feet for transit centers citywide • 500-feet for other sensitive uses citywide
Dispersion	Not required	<ul style="list-style-type: none"> • 500-feet in Downtown • 1,000-feet elsewhere 	Not required
Medical Endorsement	Not currently addressed <i>(Newly established in state law)</i>	50% of retail stores are required to have State medical endorsement	100% of retail stores required to have State medical endorsement
Cooperatives	Not currently addressed <i>(Newly established in state law)</i>	Allow Cooperatives, with standard State buffers: <ul style="list-style-type: none"> • 1-mile from retailers <i>(per State law, this cannot be modified)</i> • 1,000-feet from sensitive uses 	Allow Cooperatives, with reduced buffers: <ul style="list-style-type: none"> • 1-mile from retailers • 1,000-feet for schools and playgrounds • 100-feet for other sensitive uses

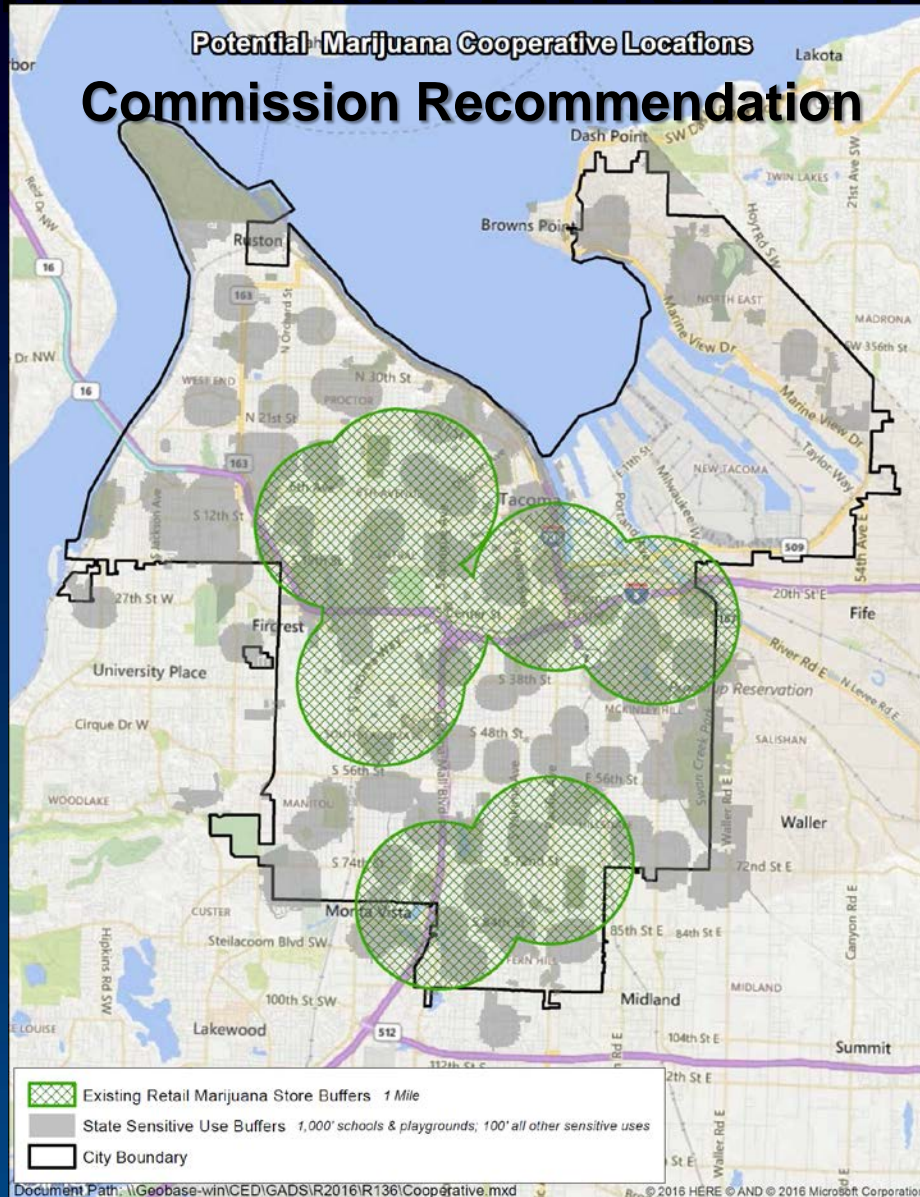
Potential Marijuana Business Locations Commission Recommendation



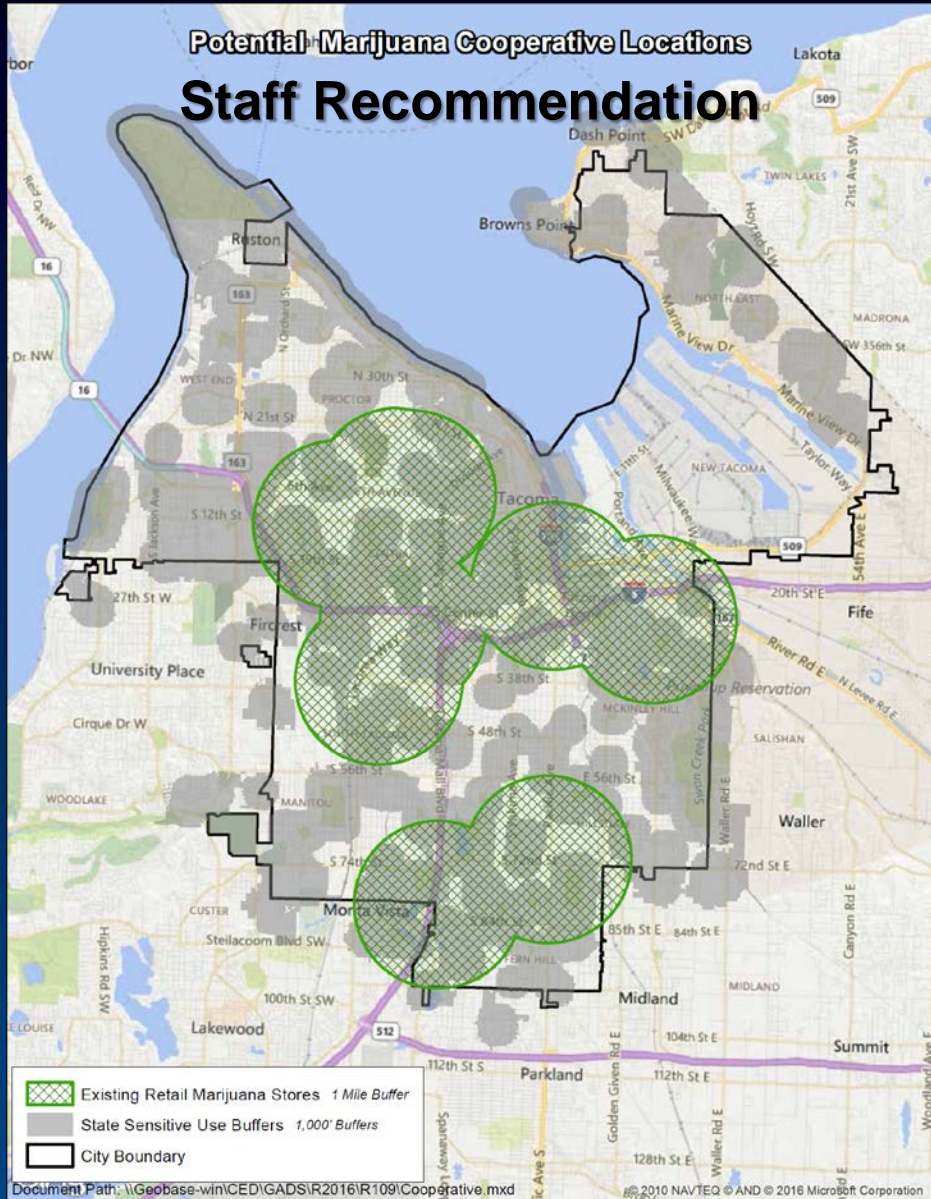
Recommended Amendments



Recommended Amendments



Potential Marijuana Cooperative Locations Staff Recommendation



Next Steps

- **April 26 Study Session**
- **April 26 Public Hearing**
- **May 3 Study Session**
- **May 10 First Reading of Ordinance**
- **May 24 Final Reading of Ordinance**
- **June 5 Regulations Effective;
Moratorium Terminated**

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