

Recreational Marijuana

Planning Commission Work Session
March 6, 2014



Oliver Orjako, Director
Community Planning

Recreational Marijuana

- Purpose
 - Provide background on Initiative 502
 - Discuss land use options for recreational marijuana facilities
- Background
 - Marijuana still is illegal under the Federal Controlled Substances Act of 1970
 - Federal government maintains right to prosecute state-authorized medical marijuana users.
 - Federal government may not require states to enforce federal law, but can prosecute for violation or deny grants.
 - DEA letter to Clark County, January 2012.



Community Planning
March 6, 2014

2

Recreational Marijuana

- State of Washington
 - Initiative 502 adopted by voters in November 2012
 - Requires the Washington Liquor Control Board (LCB) to adopt regulations regarding facilities for the production, processing, and retailing of marijuana and marijuana-related products
 - Regulations went into effect Nov. 16, 2013
 - Codified as Chapter 314-55 WAC
 - LCB licenses production, processing, and retailing facilities
 - License application period closed Dec. 21, 2013



Recreational Marijuana

- Clark County
 - Local jurisdictions are responsible for siting facilities
 - County does not have zoning requirements to allow siting of facilities
 - Board adopted six-month moratorium on such facilities in August
 - Board affirmed moratorium in October; directed staff to engage community and prepare draft zoning requirements
 - Moratorium expires in February 2014
 - Clark County gets six retail licenses



Recreational Marijuana

■ Timeline

- Public meetings in November 2013
 - Nov. 18: Ridgefield, CCFR Station 21
 - Nov. 20: Hockinson, CCFD Station 3
 - Nov. 25: Vancouver, CC Public Service Center
 - Nov. 26: Camas Public Library
- Presentation to NACCC, December 9, 2013
- Board work session: January 8, 2014
- Planning Commission work session: February 6, 2014
- Board hearing on extending the moratorium: Feb. 11, 2014
- Planning Commission hearing: February 20, 2014
- Board hearing in March



Recreational Marijuana

■ Land use options

- Location
 - WAC allows both indoor and outdoor growing
 - WAC prohibits facilities within 1,000 feet of schools, child care centers, playgrounds, recreational centers/facilities, parks, transit centers, libraries and game arcades
 - Where to allow production facilities?
 - Where to allow processing facilities?
 - Where to allow retailing facilities?



Recreational Marijuana

- Land use options
 - Hours of operation
 - WAC limits for retailing: 8 a.m. to midnight
 - Signage
 - Ban signage (WAC bans symbols in advertising)
 - Spacing requirements
 - Should there be distance requirements between facilities?
 - Co-location of facilities?
 - Facility operations
 - Requirements for noise, glare, smoke, odor, etc. similar to other industrial operations



Recreational Marijuana

- Open Houses

Open House Date	# Attendees	# Surveys received
18-Nov	8	8
20-Nov	9	5
25-Nov	21	24
26-Nov	16	17
Total	54	54

- Locations
 - Retail facility zones: C-2, C-3, GC, BP, CR-1, CR-2
 - Production facility zones: IL, IH, FR-40, FR-80, AG-20, CR-1, CR-2, UR-10, UR-20, UR-40
 - Processing facility zones: C-2, C-3, GC, IL, IH, BP, FR-40, FR-80, AG-20, R-5, R-10, R-20, CR-1, CR-2, UR-10, UR-20, UR-40.



Recreational Marijuana

- Open Houses
 - Ban signage: no
 - Ban symbols: no (required in the WAC)
 - Distance between facilities: no
 - Co-location of facilities: yes
 - Hours of operation, 8:00 a.m. to 12:00 a.m. (WAC limits): yes



Recreational Marijuana

- Clark County License Applications (12-31-13)

	TOTAL	CLARK COUNTY
Production	107	71
Processing	82	48
Retail	106	35



Recreational Marijuana

- Proposal
 - New CCC section, Section 40.160.115
 - Remove marijuana facilities from the definition of 'agriculture' (Section 40.100.070)
 - Producing: FR-40, AG-20, R-5, R-10, R-20
 - Processing (non-industrial): FR-40, AG-20, R-5, R-10, R-20 (allows for collocation)
 - Processing (industrial): IL, IH, IR
 - Retailing: GC, C-3, CR-2
 - Retail hours: 8 a.m. to 8 p.m.



Recreational Marijuana

- Further information:
http://www.clark.wa.gov/planning/land_use/marijuana_facilities.html

Gordy Euler
(360) 397-2280 x4968
Gordon.euler@clark.wa.gov

Gary Albrecht
(360) 397-2280 x4318
Gary.albrecht@clark.wa.gov



Recreational Marijuana

- Questions?
- Thank You!

