

# Permanent Regulations for Marijuana Uses Update and Next Steps

Bellevue City Council  
Study Session  
July 6, 2015

# Tonight's Topics

- ▶ Review the Planning Commission's Nov. 10, 2014 Recommendation
- ▶ Update on 2015 Marijuana legislation
- ▶ Discuss revisions related to state legislation
- ▶ Seek Council direction regarding:
  - When to repeal collective garden regulations
  - How or if to address marijuana research uses
  - How or if to address medical marijuana cooperatives
  - Preparing final ordinance for adoption

# Planning Commission Recommendation

## November 10, 2014

- ▶ Interim Regulations
- ▶ Two Recommended Enhancements:
  - Administrative Conditional Use Process;  
and
  - Including additional Parks for Separation  
from Recreational Marijuana Uses

# Administrative Conditional Use

- ▶ Provides Notice to Property Owners within 500 feet radius
- ▶ Allows for public comment
- ▶ Allows City to impose conditions for unanticipated impacts
- ▶ Provides opportunity for administrative appeal

# Additional Parks

- ▶ Requires 1,000 foot separation from all parks mapped in the City's GIS system – not just public parks
- ▶ These parks are typically located in single-family neighborhoods where recreational marijuana uses are not allowed

# Summary of Recommendation

- ▶ Amends Use charts (General and Bel-Red) to include Recreational Marijuana Uses
  - ▶ Adds New Requirements for Marijuana Uses (LUC 20.20.535)
    - Purpose and Applicability
    - Administrative Conditional Use Review\*
    - Specific Definitions
    - Separation Requirements\*
    - Performance Standards for all Uses – including Controlling Odor
    - Additional Security Provisions
- \*PC Enhancements

# 2015 State Legislation

- ▶ The Cannabis Patient Protection Act (2SSB 5052)
  - Reconciles medical and recreational marijuana programs – focus on medical marijuana
  - LCB to develop rules and licensing for medical marijuana producers, processors, & retailers
  - LCB also to reevaluate the number of stores/producers/processors and issue more licenses to support medical marijuana
  - Rules for minors use of medical marijuana

# 2015 State Legislation, Continued (2SSB 5052)

- ▶ Prohibits collective gardens on July 1, 2016
- ▶ Allows medical cooperatives beginning July 1 2016
  - Limited to **4 patients**, and may include the designated provider for a minor.
  - **60-day** waiting period before a new member may join after a member leaves.
  - May not be located **within one mile** of a marijuana retailer.
  - Must be located in the **domicile** of a member and **only one cooperative per property tax parcel**.
- ▶ LCB or law enforcement may inspect a cooperative



# 2015 State Legislation, Continued

## (2SSB 5052) Personal Grows

- ▶ Qualified patients may grow medical marijuana in their homes – **only indoor**
- ▶ Cannot grow where marijuana can be **readily seen by unaided vision** or **readily smelled** from a public place or the private property of another housing unit.
- ▶ Allowed number of plants depends on if patient is registered in the voluntary database.
- ▶ Unregistered patients – up to **4 plants** and **6 oz.** of medical marijuana
- ▶ Registered patients – up to **6 plants** and **8 oz.** of medical marijuana

# 2015 State Legislation (SB 5121)

- ▶ Authorizes LCB to license marijuana research
- ▶ Produce and process marijuana for limited research purposes
- ▶ New marijuana use
- ▶ Council direction sought on how to address this new use until LCB develops regulatory program

# 2015 State Legislation (2E2SHB 2136)

- ▶ Revenue sharing bill.
- ▶ Separation requirements for marijuana research premises.
- ▶ Allows reduction of separation distances from 1,000 feet down to 100 feet except for elementary and secondary schools and playgrounds.
- ▶ Allow jurisdictions to prohibit the siting of marijuana cooperatives.

# Next Steps

- ▶ Pending Council direction – return on July 20 for final action
- ▶ Present adopted ordinance at the East Bellevue Community Council for final public hearing and action on August 4 2015; *or*
- ▶ Undertake alternative action consistent with Council direction

# Questions ?