

Amendment #2 - Amend Council Bill 118580 to establish a 250 buffer for Major Marijuana Activity that includes retail sales in Downtown Mixed Residential and Downtown Mixed Commercial zones in the portions of the Downtown Urban Center north of Yesler Way.

Sponsor: Herbold

Section 2. Section 23.42.058 of the Seattle Municipal Code, last amended by Ordinance 124326, is amended as follows:

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is located: elementary school; secondary school; or playground;

3. Any lot line of property having a major marijuana activity must be 500 feet or more, except that in Downtown Mixed Residential and Downtown Mixed Commercial zones within that portion of the Downtown Urban Center that is west of Interstate 5, north of Yesler Way, and south of Denny Way major marijuana activity that includes the retail sale of marijuana products must be 250 feet or more, from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

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4. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 350 feet or more from any lot line of other property containing major marijuana activity that includes the retail sale of marijuana products;

5. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, or 23.42.058.C.4 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a “Notice of Marijuana Application” to The City of Seattle.
