

City of Seattle Cannabis Land Use Legislation

PLUS Committee Briefing – December 1, 2015



Legislation	Content	Effective Date
SB 5073	Create medical marijuana (MJ) collective gardens	7/22/2011
Ord 123661	Require City business license and compliance with SMC	8/17/2011
Ord 124326	Apply location restrictions by zoning	11/16/2013
HB 2136	<ul style="list-style-type: none"> MJ market reform, Allow local jurisdictions flexibility in applying certain buffers 	7/1/2015* *multiple effective dates
SB 5052	<ul style="list-style-type: none"> Merge medical and Initiative 502 recreational MJ Eliminate collective gardens Define major MJ Require buffers for state licensing 	7/24/2015* *multiple effective dates
Ord 124807	<ul style="list-style-type: none"> Create City Title 6 license Compliance with state buffers 	8/16/2015
Mayor's proposal	<ul style="list-style-type: none"> Consistent with state: <ul style="list-style-type: none"> Eliminate collective gardens Update definition of major MJ Reduce certain buffers to 500' Apply 500' separation for retail Compliance with odor regulations 	Under consideration



State of the Seattle Market

- **502**
 - 19 retail locations now open
 - 4 retail locations pending
 - 32 fully licensed producer/processors
 - 73 pending producer/processors
- **Non-502 – (Approximate)**
 - 118 storefronts (August 2015)
 - 49 storefronts with business licenses issued before January 1, 2013 or affiliated with a business opened before January 1, 2013.
 - 69 storefronts without business licenses or issued on or after January 1, 2013.
 - 4 delivery services with business licenses.



Implementation and Enforcement

- Upon passage of Title 6 legislation FAS, wrote and/or visited 69 storefront dispensaries requesting them to close by September 16, 2015.
- Prior to September 16th, FAS Inspectors visited 8 dispensaries and were able to purchase medical marijuana without a medical authorization at 3 locations.
 - After September 16th, FAS obtained search warrants and seized marijuana products from 3 locations.
 - FAS led seizures with support of two uniformed SPD officers. Neither owners nor employees were arrested or detained. Owners may face misdemeanor charges for operating a marijuana business without a state license.
- As of November 23rd:
 - 49 locations opened before January 2013 have a path to licensure by LCB.
 - 60 locations have closed voluntarily with no further action needed.
 - 9 post-January 2013 locations remain open. These locations have received at least one \$1000 citation, are facing another \$1500 citation and may face criminal charges and seizure of marijuana products if they remain open after those citations are issued.



Pending Land Use Code Legislation

- Redefines “Major Marijuana Activity”
 - Align definition to reflect changes brought by SB 5052.
 - Individual and cooperative grows will only be allowed in residences.
 - Any other marijuana-related activity, with or without a state or city license, will be considered Major Marijuana Activity.



Buffers

Existing State buffer is 1000 feet from sensitive uses.

Proposed:

- 1000 feet from schools and playgrounds (same as existing);
- 500 feet from everything else.



Sensitive uses

- No Change: Schools and Playgrounds (1000')
- Reduction from 1000' to 500'
 - Child care centers
 - Game arcades
 - Libraries
 - Public Parks
 - Transit Centers
 - Recreation centers or facilities



City of Seattle

Existing Marijuana Business Locations and Estimated Allowed Area for Marijuana Businesses Under Zoning Restrictions and Potential City Licensing Requirement

Existing Regulations

- 500' / 1,000' Buffer for Existing State Licensed Retail Locations
- 500' / 1,000' Buffer for Existing Medical Locations
- Areas Potentially Not Allowed Under City Licensing Restrictions (see description below)
- Areas Potentially Not Allowed Under Existing Zoning Restrictions
- Estimated Allowed Areas (5,150 gross acres)

Licensing Option Description

Under this option, the City would not issue a license if the location was within 1,000 feet of the perimeter of the grounds of any of the following entities:

- Childcare Center
- Recreation Center or Facility
- Public Park
- Public Transit Center
- Library

Or within 1,000 feet of any of the following entities:

- Public or Private Elementary or Secondary School
- Public Playground



City of Seattle
Edward B. Murray, Mayor

November 16, 2015

Prepared by:
City of Seattle
Department of Planning and Development

No warranties of any sort, including accuracy, fitness or merchantability, accompany this product.

This map is intended for planning-level analysis only and should not be used for determining potential compliance with regulations. The location of boundaries shown are approximate and will change over time. Areas shown as potentially allowed include right-of-way and were not analyzed to determine whether developable sites exist. City marijuana regulations do not modify Federal law.

← 1000' Buffer
5,150 gross acres
of estimated
allowed areas

500' Buffer →
6,800 gross acres
of estimated
allowed areas

City of Seattle

Existing Marijuana Business Locations and Estimated Allowed Area for Marijuana Businesses Under Zoning Restrictions and Potential City Licensing Requirement

500' Option

- 500' / 1,000' Buffer for Existing State Licensed Retail Locations
- 500' / 1,000' Buffer for Existing Medical Locations
- Areas Potentially Not Allowed Under City Licensing Restrictions (see description below)
- Areas Potentially Not Allowed Under Existing Zoning Restrictions
- Estimated Allowed Areas (6,800 gross acres)

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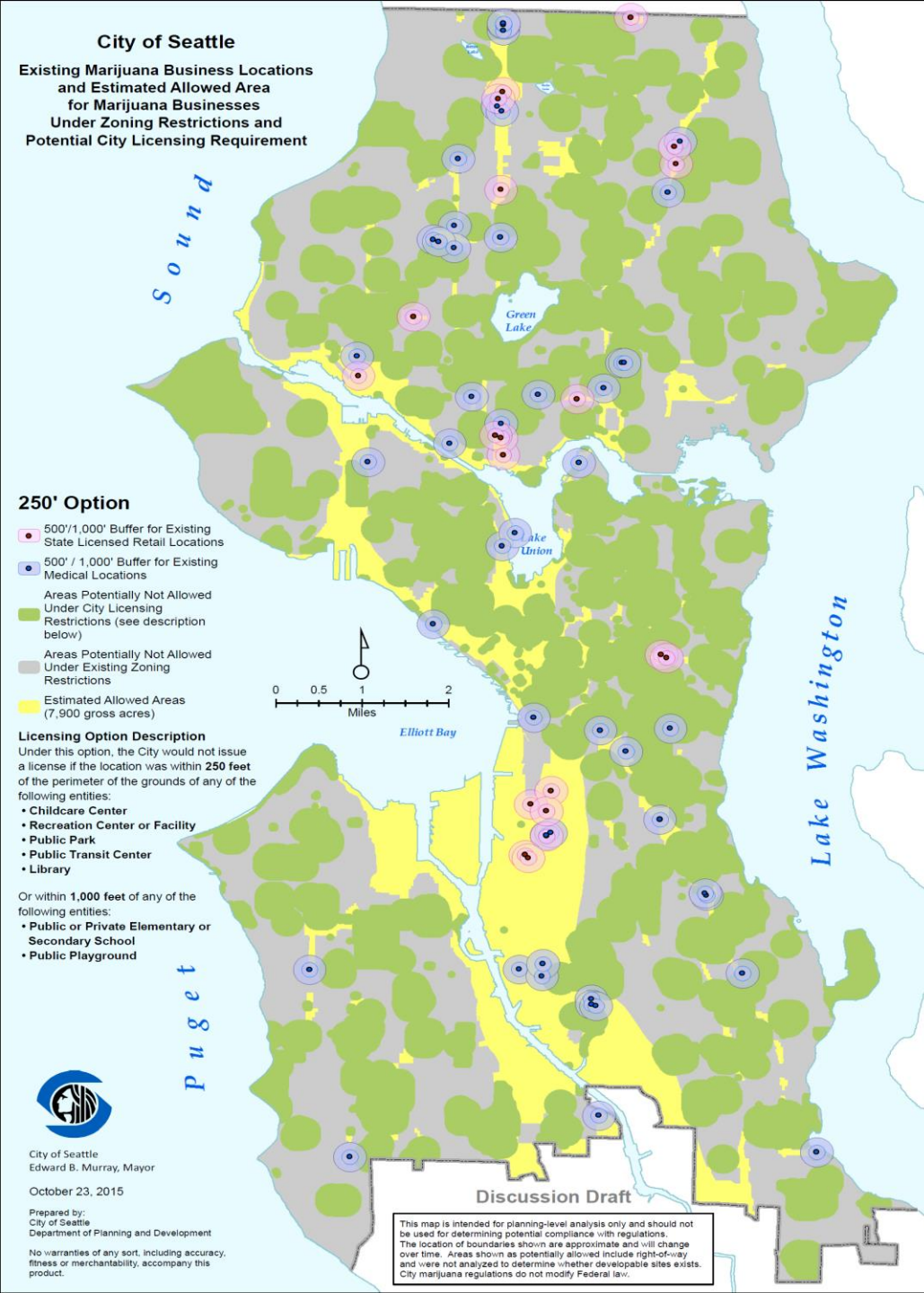
Stakeholder Suggestions

← Buffer Zone Reduction to 250'

- 7,900 gross acres of estimated allowed areas.

• Buffer Zone Varies by Zone

- Cut licensed child care buffer to 250 feet in the IG2 zone.
- Cut public parks buffer to 250 feet in DMR/DMC zones (i.e. Belltown).
- Cutting all adjustable buffers to 250 feet in C1 zones.



Retail Stores: Dispersion

- Each new store no closer than 500 feet from any other existing store.
- Date to check for dispersion and for Land Use Code buffering is date LCB notifies City of application (Local Authority Notice date).
- Stores licensed/permitted by State/City may be “grandfathered” to Land Use Code.
- Measurements are property line to property line.



Stakeholder Suggestions

Dispersion triggered by two stores within 500 feet of another; 3rd store must be over 500 feet from a store.



Questions?

