
Recreational Marijuana

Planning Commission Hearing
March 20, 2014



Oliver Orjiako, Director
Community Planning

Recreational Marijuana

■ Purpose

- 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.



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
 - Initial 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 on August 13, 2013 (expiration: February 13, 2014)
- Board affirmed moratorium in October; directed staff to engage community and prepare draft zoning requirements
- Board extended the moratorium on Feb. 11, to June 11
- 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
- AG opinion on allowing jurisdictions to ban: January 16, 2014
- Planning Commission work session: March 6, 2014
- Planning Commission hearing: March 20, 2014
- Board hearing: April 15, 2014



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

■ Applications by Zone

Zone	Application Type		
	Producer	Processor	Retail
Agriculture-20 (AG-20)	9	7	1
Forest Tier II-40 (FR-40)	6	2	0
Community Commercial (C-3)	0	0	10
General Commercial (GC)	4	4	15
Rural Center Commercial (CR-2)	0	0	0
Business Park (BP)	2	0	0
Light Industrial (IL)	3	4	1
Heavy Industrial (IH)	1	1	0
Rural-5 (R-5)	29	19	3
Rural-10 (R-10)	4	2	0
Rural-20 (R-20)	2	1	0
Mixed Use (MX)	2	2	0
Rural Center Residential-1 ac min (RC-1)	1	1	0
Residential	7	4	5
Gorge Residential 5 (GR 5)	1	1	0
Total	71	48	35



Recreational Marijuana

■ Proposal

- New CCC section, Section 40.260.115
- 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, BP
- Retailing: GC, C-3, CR-2
- Ban signage except for retail
- 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



