



**CITY COUNCIL PUBLIC HEARING**

April 26, 2016

**SUBJECT**

Proposed amendments to the regulations associated with marijuana uses, including modifications to the land use regulations contained in the Tacoma Municipal Code (TMC), Title 13 Land Use Regulatory Code, and to the nuisance regulations contained in TMC Title 8 Public Safety.

**SUMMARY – LAND USE REGULATORY CODE**

The table below summarizes the recommendations relative to the proposed Land Use Regulatory Code Amendments, including the existing regulations, the recommendations finalized by the Planning Commission on April 6, 2016, and the recommendations made by staff of the Planning and Development Services Department. The two sets of recommendations offer alternative approaches on some of the key issues.

	<b>Existing Regulations</b>	<b>Staff Recommendations</b>	<b>Planning Commission Recommendations</b>
<b>Cap on Retail Stores</b>	No maximum number (cap) of retail stores set for the City	Cap at 16 ( <i>current State cap for Tacoma</i> )	No local cap
<b>Buffers from Retail Stores</b>	<ul style="list-style-type: none"> <li>1,000-feet for schools and playgrounds (<i>per State law, this cannot be modified</i>)</li> <li>1,000-feet for other sensitive uses (parks, child care, rec. centers, libraries, game arcades, transit centers, correctional facilities, and rehab centers)</li> </ul>	<ul style="list-style-type: none"> <li>1,000-feet for schools and playgrounds</li> <li>100-feet for transit centers citywide</li> <li>500-feet for other sensitive uses within the Downtown</li> <li>1,000-feet for other sensitive uses elsewhere</li> </ul>	<ul style="list-style-type: none"> <li>1,000-feet for schools and playgrounds</li> <li>100-feet for transit centers citywide</li> <li>500-feet for other sensitive uses citywide</li> </ul>
<b>Dispersion between Stores</b>	Not required	<ul style="list-style-type: none"> <li>500-feet in Downtown</li> <li>1,000-feet elsewhere</li> </ul>	Not required
<b>Medical Endorsement</b>	Not currently addressed ( <i>this is newly established in state law</i> )	50% of retail stores are required to have State medical endorsement	100% of retail stores required to have State medical endorsement
<b>Medical Cooperatives</b>	Not currently addressed ( <i>this is a new type of use established in state law</i> )	Allow Cooperatives, with standard State buffers: <ul style="list-style-type: none"> <li>1-mile from retailers (<i>per State law, this cannot be modified</i>)</li> <li>1,000-feet from sensitive uses</li> </ul>	Allow Cooperatives, with reduced buffers: <ul style="list-style-type: none"> <li>1-mile from retailers</li> <li>1,000-feet for schools and playgrounds</li> <li>100-feet for other sensitive uses</li> </ul>

**SUMMARY – NUISANCE CODE**

The proposed Nuisance Code amendments would keep the regulations consistent with the revised Land Use Code amendments and the Cannabis Patient Protection Act of 2015, while maintaining current provisions to help ensure sufficient authority to address nuisance issues associated with marijuana uses.

**BACKGROUND**

The State Liquor and Cannabis Board (LCB) is establishing rules and administrative procedures and standards to implement the Cannabis Patient Protection Act of 2015, which establishes regulations for the formerly unregulated aspects of the medical marijuana system and aligns it with the existing Initiative-502 recreational system. The City Council enacted a temporary moratorium in January 2016 on new marijuana retail uses and marijuana cooperatives to allow adequate time for the City’s regulations to be updated. In response, the Planning Commission has developed through a public review process, including a public hearing on March 2, proposed revisions to the City’s Zoning Code.

**ADDITIONAL INFORMATION**

For more information about the subject, please visit the Planning Division’s website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) and click on “Marijuana Regulations”.