



**TO:** T.C. Broadnax, City Manager  
**FROM:** Brian Boudet, Planning Manager, Planning and Development Services  
Peter Huffman, Director, Planning and Development Services  
**COPY:** City Council and City Clerk  
**SUBJECT:** Resolution – Setting a Public Hearing Date for Proposed Marijuana Code Amendments –  
Requested City Council Date: April 12, 2016  
**DATE:** March 24, 2016

**SUMMARY:**

Adopting a resolution on April 12, 2016, to set April 26, 2016, as the date for a public hearing concerning the Proposed Amendments to the Marijuana Use Regulations contained in the Nuisance Code as well as the Land Use Regulatory Code, as recommended by the Planning Commission.

**STRATEGIC POLICY PRIORITY:**

The proposed amendments to the marijuana use regulations would support the following strategic policy priorities:

- Strengthen and support a safe city with healthy residents.
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.

**BACKGROUND:**

State Initiative 502 ("I-502"), approved by Washington voters in November 2012, provides a framework for licensing and regulating the production, processing, and retail sale of recreational marijuana. The State Legislature enacted the Cannabis Patient Protection Act in 2015, establishing regulations for the formerly unregulated aspects of the marijuana system and aligning it with the existing recreational system. The State Liquor and Cannabis Board, through its rulemaking process to establish the corresponding administrative procedures and standards, has expanded the existing cap on retail marijuana stores in Tacoma sooner than the City anticipated and is set to promulgate other potential rule changes and establish a new class of use, the marijuana cooperative.

In order to preserve the City's regulatory authority and the validity of its legislative process, and to allow adequate time for local policy discussion of the matter, the City Council enacted a temporary moratorium on new marijuana retail uses and the establishment of marijuana cooperatives for a period of six months, per Substitute Ordinance No. 28243, adopted on January 12, 2016.

Substitute Ordinance No. 28243 acknowledged that the Planning Commission had begun the process of developing appropriate revisions to the Land Use Regulatory Code, and anticipated that the process would be completed well before the moratorium expires.

The Planning Commission has developed the proposed marijuana code amendments through a public review process, including a public hearing on March 2, 2016, and is scheduled to forward its recommendations to the City Council on April 6, 2016.



**ISSUE:**

Pursuant to TMC 13.02, the City Council is required to hold a public hearing before considering changes to the Land Use Regulatory Code. However, this proposal involves a package of amendments affecting the Land Use Regulatory Code as well as the Nuisance Code. The intent is to hold one public hearing addressing the complete code amendment package.

**ALTERNATIVES:**

There are no alternatives being presented.

**FISCAL IMPACT:**

There is no fiscal impact.

**RECOMMENDATION:**

Set April 26, 2016, as the date for a public hearing on the Marijuana Land Use and Nuisance Regulations. Subsequent to the public hearing, the first and second readings of adopting ordinances are scheduled to occur on May 3 and May 10, 2016, respectively.