



MINUTES (Approved on 11-5-14)

TIME: Wednesday, October 15, 2014, 4:00 p.m.
PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402
PRESENT: Sean Gaffney (Chair), Scott Winship (Vice-Chair), Donald Erikson, Erle Thompson,
Stephen Wamback
ABSENT: Chris Beale, Benjamin Fields, Tina Lee

A. CALL TO ORDER

Chair Gaffney called the meeting to order at 4:13 p.m.

B. QUORUM CALL

A quorum was declared.

C. APPROVAL OF MINUTES

The minutes of the regular meeting on September 17, 2014 were reviewed. There was a question about whether the minutes being considered for approval were only the Planning Commission's portion or the full minutes including the joint meeting with the Transportation Commission. Lihuang Wung clarified that it was all inclusive and that the joint meeting section of the minutes had been composed by the Transportation Master Plan consultant and supplied to both the Transportation Commission and the Planning Commission. The minutes were approved as submitted.

D. DISCUSSION ITEMS

1. City of Tacoma Strategic Plan – "Tacoma 2025"

Morgan Shook, ECONorthwest, provided an update on the City's "Tacoma 2025" strategic visioning process aimed to develop a "shared vision / shared future". He described the extensive outreach and engagement efforts over the past few months and the feedback received. Many of the participants at various community events had been asked to describe what the City of Tacoma means to them with a single word. The most frequent response heard was "potential". The feedback from the community was turned into four emerging themes that would provide pillars for the strategic plan, i.e., Opportunity, Equity, Partnerships, and Accountability. With these themes serving as the guiding principles and core values, the plan would be developed with a framework consisting of the following seven focus areas designated by the City Council and the City Manager: Health & Safety, Human & Social Needs, Arts & Cultural Vitality, Built & Natural Environment, Economic Vibrancy & Employment, Education & Learning, and Government Performance. For each focus area, a vision would be developed, followed by goals and objectives, performance measures, and implementation actions. The draft plan is scheduled to be available for public review in late November, Mr. Shook indicated.

The Commissioners raised the following comments and questions:

- These strategic plan goals represent how the City defines and measures success; the Comprehensive Plan and other relevant documents are some of the tools to get there and should be properly integrated with the strategic plan.

- How to ensure specific actors and organizations, be it public or private, are tied to and held accountable for the goals and performance measures? (Mr. Shook: There would be a key implementation team for each objective.)
- Non-city entities like the school district or the health department would likely be critical to the plan's goals from their agencies' perspectives. How have they been getting involved? (Mr. Shook: Non-city entities have been a part of the process. Representatives from the Health Department, the Tacoma Public Schools, for example, are on the steering committee.)
- The performance measures should be integrated with the STAR rating system (i.e., the "Sustainability Tools for Assessing and Rating (STAR) Communities", the first national community livability and sustainability rating system, which Tacoma has received the certification of.)
- Measures of economic vibrancy should be focusing on businesses that are in compliance with appropriate policies and regulations, legitimately permitted and licensed, and contributing in a legal and positive way.
- Ensure the Human and Social Needs measures are in line with the four emerging themes or touchstones. For example, there is a scenario that the City could increase Tacoma's median income by attracting wealthier residents, which would achieve the performance measure without improving the economic opportunities in the city and would likely gentrify out middle-income residents. (Mr. Shook: We are considering an "index" to make sure the right things are measured in the right way.)

2. Recreational Marijuana Regulations

Elliot Barnett, Planning Services Division, presented the scope of work for the development of permanent land use regulations concerning the production, processing and retail sale of recreational marijuana. He indicated that the City Council has expressed a clear interest in being prepared for any additional recreational marijuana applications and that issues with medical marijuana collectives are still awaiting a decision from the State. Mr. Barnett also provided information pertaining to: the voter approved I-502 that decriminalized the possession of marijuana and the rules established by the Washington State Liquor Control Board; the three categories of marijuana facilities (medical collectives, State licensed facilities, and illegal dispensary); the City's enforcement strategy which has moved from being proactive in 2012 to complaint based, per the Nuisance Code; that the state takes most of the revenue generated from medical facilities and the City receives its portion of the State RST; that some have viewed the adaptive reuse of vacant buildings, taxes, and jobs created as an economic benefit; the license review process at the State and local levels; and maps illustrating the geographic distribution of the recreational facilities.

With regards to developing permanent regulations based on the existing interim regulations, Mr. Barnett highlighted the provisions of the interim regulations and identified key issues to be considered in the permanent regulations (e.g., review process and public notice, allowing production and processing in M-1 and WR, considering "light" processing, additional limits in retail locations, additional buffering, hours of operation, and parking requirements). The project schedule calls for the Planning Commission making a recommendation to the City Council by the end of 2014, Mr. Barnett indicated.

Mr. Barnett and Brian Boudet, Planning Services Division Manager, facilitated the Commissioners' discussions throughout Mr. Barnett's presentation. The following comments, questions and suggestions were raised:

- For the purposes of the Planning Commission, the third category of marijuana facilities (i.e., "illegal dispensary") was unnecessary, since the Commission would not be recommending regulations for something that was illegal. Even referring to such activities might legitimize them. (Mr. Boudet: The City Council has expressed some concerns about the current concentrations of medical marijuana facilities. Since a State decision might result in more recreational facilities, the Council wanted to make sure that permanent regulations are in place for the legitimate facilities.)

- For all intents and purposes, medical facilities are retail establishments that skirt land use laws. Having multiple facilities on one block near a residential neighborhood is concerning to the community. Ignoring the retail aspect of the medical dispensaries sends the message that we don't care.
- Have any medical marijuana stores applied to be retail? (Mr. Boudet: Some have; for example, the Rainier on Pine had been a medical marijuana facility prior to converting.)
- Is there a proximity rule about how close facilities can be to each other? Would one of the two recreational facilities that are very close to each other have to close? (Mr. Barnett: There is currently no proximity rule at the State level, but it could be created at the local level.)
- Homeless shelters should be added to the list of locations requiring a buffer, because there may be children present with shelter residents.
- What effects would the public notices have beyond community awareness?
- Allowing recreational marijuana sales sends a message that the use of marijuana was no different than liquor. Given that the spacing requirements would be unique to marijuana, this could create a double standard. (Mr. Boudet: The additional requirements were a component of the initiative passed by voters and a cautious approach that allowed additional regulations at the local level. From a legal standpoint, there is enough flexibility to not allow recreational sales at all.)
- Could M-1 or WR zoned areas be permitted for light processing, like creating food. Currently businesses like a bakery would not be allowed in a warehouse. (Mr. Barnett: Light processing would still be considered a production facility and would not be allowed in M-1 or WR.)
- Clarify the limits on production facilities. (Mr. Boudet: The State has already limited the total marijuana production to about 40 acres of land. Based on pending production facilities, Tacoma could have ten to twenty percent of the State's total production. This would likely be supplying retail locations outside of Tacoma.)
- It would be helpful to wait until some of the facilities are under operation to better understand the potential impacts. (Mr. Boudet: The public has already provided concerns, mainly about concentrations of outlets and potentially creating a vice district.)
- Are some of the public concerns due to the existing presence of medical marijuana retailers? (Mr. Boudet: It was a clear component of community discussion, with a lack of distinction perceived between medical and recreational retailers.)
- The dispersion requirement had been considered by the Commission during the discussion of the interim regulations and should be brought back to the discussion for the permanent regulations.
- The medical facilities would eventually become legal and it would create land use issues with State law preempting local. Given the significant presence of this "grey market" and its tendency to form clusters, there should be a process in place before the grey market goes legal. Like billboards, medical marijuana retailers might become grandfathered in. Preemptively creating a plan for the grey market could be valuable should the State decide to legalize medical retailers in the future.
- Concentration and density was a public concern given the scenario where additional retailers beyond the current maximum of eight might be allowed in the future. There would be a concentration unless retail facilities were allowed in production zones. The existing buffering requirements limiting retailers to specific zones may potentially facilitate concentration.
- Could the City limit or lower the total number of retailers based on overall concentration, utilizing a certain spacing requirement? (Mr. Boudet: The current number allowed was based on the City population and meant to be proportional.)

- Could a discretionary permit process be created based on public notices and the subsequent feedback? (Mr. Boudet: There was little interest at the staff level due to it requiring creation of a scenario in which the permit is denied and requiring legitimate reasons for the denial.)
- How many complaints has the City received on existing medical marijuana facilities? (Mr. Barnett: There have been 163 complaints in the City about medical marijuana facilities, and the complaints typically were about proximity.)

E. COMMUNICATION ITEMS & OTHER BUSINESS

The Commission acknowledged receipt of the following information: (1) Notice of Denial/Postponement – McKinley Mixed-Use Center Boundary Expansion Application, October 1, 2014; (2) agenda for the Infrastructure, Planning and Sustainability Committee meeting on October 22, 2014; and (3) agenda for the Planning Commission meeting on November 5, 2014.

Mr. Boudet reported that the City Council had adopted the North Downtown Subarea Plan on October 14, 2014, completing the process for the development of three subarea plans for Downtown Tacoma (i.e., South Downtown, Hilltop, and North Downtown). He expressed appreciation to the Commission for being fully engaged in the subarea planning process.

Commissioner Wambach asked to be excused from the November 19th meeting, and Commissioner Thompson from the December 5th meeting.

F. Adjournment:

The meeting was adjourned at 5:37 p.m.