

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2014-01

SUBJECT: Extending Interim Zoning Regulations Relating to Marijuana Related Uses

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 01/29/2014
- (X) Passed by the City Council: 02/05/2014
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 02/14/2014
- (X) Effective: 02/19/2014
- () Recorded:

DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed 02/07/2014 by ns
- (X) Code Publishing
- () City Attorney
- () Civil Service Commission and/or Sec/Chief Examiner
- () Clerk's Department:
- () City Council
- () Finance:
- (X) Posted to Library Drive and Website

Kylie Purves
City Clerk

February 20, 2014
Date

ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, EXTENDING INTERIM ZONING REGULATIONS RELATING TO MARIJUANA RELATED USES ENACTED UNDER ORDINANCE NO. 2013-10 FOR A PERIOD OF UP TO SIX MONTHS; ADOPTING A WORK PLAN; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2012 Washington voters approved Initiative 502 which authorizes certain production, processing and retailing of marijuana and directs the State Liquor Control Board to develop rules and regulations; and

WHEREAS, the State Liquor Control Board adopted such regulations promulgated under chapter 314-55 of the Washington Administrative Code, effective November 21, 2013; and

WHEREAS, while the production, processing, and retailing of marijuana remains in violation of the federal CSA, the City Council wishes to acknowledge the will of Washington voters and the authority exercised by the state of Washington and the State Liquor Control Board to license such facilities; and

WHEREAS, on August 14, 2013, the Poulsbo City Council adopted Ordinance No. 2013-10 establishing interim regulations authorizing various marijuana-related uses in the Light Industrial zoning district, subject to various conditions; and

WHEREAS, the City of Poulsbo has not yet completed its public process for adoption of permanent regulations regarding marijuana-related uses and will not complete the process prior to expiration of the City's interim zoning regulations and the City's planning staff has therefore recommended that the interim regulations be extended for up to an additional six months; and

WHEREAS, City planning staff have been working on permanent regulations governing marijuana-related uses within the City but require additional time to complete the public process required by state law; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 provide that interim zoning regulations may be extended for a period of up to six months after a public hearing and adoption of findings justifying the same; and

WHEREAS, if interim zoning regulations are not extended, marijuana related uses could become established before the City permanently adopts the necessary tools to ensure that the location is appropriate and that the secondary impacts of such facilities are minimized and mitigated; and

WHEREAS, the Poulsbo City Council held a public hearing on the extension of the interim regulations on February 5, 2014, and after considering all testimony given at the public hearing, determined that an extension was justified and in the best interests of the city so that the City can consider all of the land use impacts of these uses in accordance with an established work plan; and

WHEREAS, nothing in this ordinance is intended nor shall be construed to authorize or approve of any violation of federal or state law; Now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings in Support of Extending Interim Regulations. In addition to the findings previously made as set forth in Ordinance No. 2013-10, the Poulsbo City Council further adopts the recitals set forth above in support of extending the interim regulations originally adopted under Ordinance No. 2013-10.

Section 2. Extension of Interim Zoning Regulations. The interim land use regulations set forth in Ordinance No. 2013-10 shall remain in effect for an additional period of six months, and shall automatically expire at that time unless the same are extended as provided in RCW 35A.63.220 and RCW 36.70A.390 prior to that date, or unless the same are repealed or superseded by permanent regulations prior to that date.

Section 3. Staff and Planning Commission Work Plan. The Mayor or her designee is hereby authorized and directed to continue to develop draft permanent regulations regarding marijuana-related uses to replace the interim regulations set forth in Ordinance No. 2013-10. The work plan for adoption of permanent regulations includes the following:

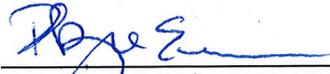
- 2/6/14 Notice of development regulation amendment forwarded to Washington State Department of Commerce.
- 2/21/14 Notice of Application published, distributed and posted.
- 2/21/14 SEPA determination issued, published and distributed. 3/7/14 SEPA comment period over.
- 3/7/14 Planning Commission Public Hearing Notice published and posted.
- 3/11/14 Staff Report Issued.
- 3/25/14 Planning Commission Public Workshop and Hearing.
- 3/28/14 City Council Public Hearing Notice published and posted.
- 4/9/14 City Council Packet w/Planning Commission Recommendation distributed.
- 4/16/14 City Council Public Hearing/adoption of permanent regulations.

Section 4. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce, as required by law.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall take effect five days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law.

APPROVED:



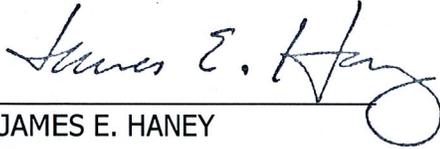
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK KYLIE PURVES

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 01/29/2014
PASSED BY THE CITY COUNCIL: 02/05/2014
PUBLISHED: 02/14/2014
EFFECTIVE DATE: 02/19/2014
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SUMMARY OF ORDINANCE NO. 2014-01

of the City of Poulsbo, Washington

On the 5th day of February, 2014, the City Council of the City of Poulsbo, passed Ordinance No. 2014-01. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, EXTENDING INTERIM ZONING REGULATIONS RELATING TO MARIJUANA RELATED USES ENACTED UNDER ORDINANCE NO. 2013-10 FOR A PERIOD OF UP TO SIX MONTHS; ADOPTING A WORK PLAN; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 6th day of February, 2014.



CITY CLERK KYLIE PURVES