

City of Poulsbo

Planning Department



City of Poulsbo

2014 Zoning Ordinance Amendments
Marijuana Related Uses

PLANNING COMMISSION FINDINGS OF FACT, CONCLUSION AND RECOMMENDATIONS

May 13, 2014

The Poulsbo Planning Commission met at a regular meeting on May 13, 2014, and after holding a properly noticed and advertised public hearing, recommended APPROVAL to the City Council, the proposed amendments to the Poulsbo Zoning Ordinance, adding a new chapter 18.90.075 within the Business and Employment Section of the zoning ordinance, entitled Marijuana Related Uses, allowing for such uses to be located in the Light Industrial Zoning District and identifying development standards for their use and siting. The specific amendments were identified as Exhibit A to the Planning Commission staff report.

In reaching this conclusion, the Planning Commission followed the criteria under PMC 18.210.010.

FINDINGS:

Pursuant to PMC 18.210.010, in order to grant a Zoning Code text amendment, the following findings must be made:

1. The amendment is consistent with the Comprehensive Plan; and

The comprehensive plan does not identify allowing or denying specific uses. However, the comprehensive plan does ensure that development regulations establish appropriate standards for development in each of the City's zoning districts. Further, the voters of Washington and the state legislature have identified marijuana use as an appropriate use; the Liquor Control Board has identified locational and business requirements in WAC 314-55. The proposed zoning ordinance amendments also establish appropriate development standards for the recreational and collective garden marijuana uses.

2. The amendment supports and/or enhances the public health, safety or welfare; and

The proposed amendments provide for the public health, safety and welfare by allowing the marijuana related uses to be located in only the light industrial zoning district. Further, the state buffer standards from the identified restricted entities

provides for appropriate locations. The state licensing requirements also addresses many of the public health, safety or welfare concerns. The proposed amendments provide for standards for collective gardens, as well as requiring all marijuana related uses to be located within enclosed structures compliant with building, electrical and fire codes. Finally, the proposed zoning ordinance amendments address and regulates marijuana odor.

3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Poulsbo.

The proposed amendments allow for the processing and sale of recreational marijuana that the voters of the state of Washington approved through the passage of Initiative 502, and the collective gardens set forth in RCW 69.51A. Compatibility can be mitigated by the 1000' buffer from the state identified restricted entities, the state licensing requirements, and the proposed development regulations.

CONCLUSION:

The PLANNING COMMISSION has concluded that the proposed amendments to the Poulsbo Zoning Ordinance Section 18.90 Business and Employment, is consistent with the comprehensive plan, provides for the public health, safety and welfare, and is not contrary to the interest of citizens and property owners: the proposed amendments allow for the marijuana related uses the voters of the state of Washington approved through the passage of Initiative 502 and collective gardens set forth in RCW 69.51A; limits these uses to the City's light industrial zoning district; incorporates the buffering and other standards required by the Washington State Liquor Control Board; and establishes development standards that ensure compliance with building, electrical and fire codes.

RECOMMENDATION:

The PLANNING COMMISSION RECOMMENDS APPROVAL of the proposed Zoning Ordinance Amendments regarding marijuana related uses, identified as Exhibit A to the Planning Commission staff report, allowing for such uses in the Light Industrial zoning district and identifying development standards for their use and siting.



RAY STEVENS, CHAIR
Planning Commission
May 13, 2014