

City of Poulsbo

Planning & Economic Development



CANNABIS RETAIL ZONING CODE AMENDMENTS STAFF REPORT AND RECOMMENDATION

To: Planning Commission
From: Heather Wright, AICP, Planning and Economic Development Director
Subject: Cannabis Retail Zoning Code Amendments
Date: December 5, 2023

Staff respectfully recommends approval of the Cannabis Retail Zoning Code Amendments as set forth in Exhibit A to this staff report.

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council Application No. P-11-16-23-01, the Cannabis Zoning Code Amendments, as identified in Exhibit A. **AND** direct the Planning and Economic Development Director to prepare findings of fact in support of this decision for the Planning Commission Chair's signature.

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1.0 General Information

Applicant: City of Poulsbo | 200 NE Moe Street | Poulsbo WA, 98370
Application No.: P-11-16-23-01
Description of Proposal:

Allow cannabis retail in the C-2 Viking Avenue and C-3 SR 305 zoning districts with a limit of two (2) retailers total, one (1) per zoning district with 1,000 foot buffer to elementary or secondary schools and playgrounds and 100' buffer of recreation center or facility, child care center, public park, public transit center, library or any game arcade where admission is not restricted to persons age 21 or older.

Type of Amendment: Zoning Code Text Amendments
SEPA Status: A DNS was issued on November 28, 2023
Enabling Code: PMC 18.210.010, PMC 19.40.050
Planning Commission Hearing: December 12, 2023
Staff Contact: Heather Wright, Director | PED Department
(360) 394-9882 | ncoleman@cityofpoulsbo.com

2.0 Background

- I-502 passed in 2012 with 52% of Poulsbo residents approving the legalization of recreational marijuana.
- City of Poulsbo passed interim regulations to allow marijuana –related uses (retailers, producers, processors and medical marijuana collective gardens) in 2013 in Light Industrial zoning district.
- Planning Commission recommended approval of allowing recreational marijuana uses and collective gardens within Light Industrial zoning district, May 2014.
- City Council prohibited production, processing and retailing of marijuana, June 2014.
- On April 5, 2023, as part of the city budget discussion and following an initial discussion in March, the City Council decided they wanted to allow cannabis retail in the City of Poulsbo

and they requested that the Planning Commission make a recommendation on options as to where retail sales could be located with an acknowledgement that 1,000 foot buffer would be very restrictive.

- The Planning Commission had their first discussion on April 11, 2023 and requested staff return with information on what has been successful in other jurisdictions and the requirements of the RCW. There was also a request to speak from someone at the Washington State Liquor and Cannabis Control Board (WSLCB) and a cannabis business owner.
- Planning Commission held their first discussion with four (4) representatives from the (WSLCB), a cannabis business owner and staff on November 28, 2023 (Exhibit B).

3.0 Review Process to Date

On November 28, 2023, the Notice of Application (NOA) with Optional DNS and Notice of Planning Commission Public Hearing were published in the Seattle Times, emailed to the NOA, SEPA, Public Hearing, and Development Regulations e-notice list, and posted at the Poulsbo Post Office, City Hall and the City's website (Exhibit C).

The Cannabis Zoning Code Amendments were publicly released December 5, 2023. This release and all associated documents were posted on the City's website, distributed to Washington State Department of Commerce, and local, regional and state agencies.

No public comment has been received to date.

4.0 Planning Commission Discussion and Request for Information

The planning department utilized the services of Municipal Research Service Commission (MRSC) to pose seven (7) questions to various jurisdictions to respond to the Planning Commission inquiry. The survey was launched in June 2023 and 11 jurisdictions across the state responded, including both cities that do and do not allow cannabis retail sales. The results were provided to the planning commission at their November 28, 2023 meeting and discussion on this topic (Exhibit D).

Further, the planning commission's request for state law considerations were provided and included the following excerpts and code references, as well as a discussion on security requirements:

a) Location and Buffers:

Except as provided in (b) through (e) of this subsection, the board may not issue a license for any premises within 1,000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged 21 years or older.

A city, county, or town may permit the licensing of premises within 1,000 feet but not less than 100 feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance

authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

b) Advertising, Signage:

Except for the use of billboards as authorized under RCW [69.50.369](#) and as provided in this section, licensed cannabis retailers may not display any outdoor signage other than two separate signs identifying the retail outlet by the licensee's business name or trade name, stating the location of the business, and identifying the nature of the business. Both signs must be affixed to a building or permanent structure and each sign is limited to 1,600 square inches.

- (i) All text on outdoor signs, including billboards, is limited to text that identifies the retail outlet by the licensee's business or trade name, states the location of the business, and identifies the type or nature of the business.
- (ii) No outdoor advertising signs, including billboards, may contain depictions of cannabis plants or cannabis products. Logos or artwork that do not contain depictions of cannabis plants or cannabis products as defined in this section are permissible.

(A) A depiction of a cannabis plant means an image or visual representation of a cannabis leaf, plant, or the likeness thereof that explicitly suggests or represents a cannabis leaf or plant.

(B) A depiction of a cannabis product means an image or visual representation of useable cannabis, cannabis-infused products, or cannabis concentrates, or an image that indicates the presence of a product, such as smoke, etc.

- (iii) Stating the location of the business may include information such as the physical address or location, directional information, website address, email address, or phone number of the licensed business.
- (iv) Identifying the nature of the business may include information related to the operation of the business, what the business is engaged in, or the goods the business offers for sale.
- (v) Double-sided signs or signs with text visible on opposite sides are permissible and count as a single sign so long as the sign is contained in or affixed to a single structure.

No cannabis licensee may use or employ a commercial mascot outside of, and in proximity to, a licensed cannabis business. (WAC 314-55-155)

c) Hours of Operation:

A cannabis retailer licensee may sell usable cannabis, cannabis concentrates, cannabis-infused products, and cannabis paraphernalia between the hours of 8 a.m. and 12 a.m (WAC 314-55-147).

d) Security Requirements

Security requirements for cannabis licensees are verified by the state and include a requirement for an identification badge, installation of alarm and surveillance systems. Furthermore, traceability requirements demand that cannabis licensees track cannabis from seed to sale (WAC 314-55-83)

In line with the security requirement, the planning commission was briefed on the City Council's request on the potential impact retail sales could have on crime from Poulsbo Police Chief, Ron Harding, had reached out to the neighboring jurisdictions and was informed that the impact was not measurable. They encouraged the Chief to work closely with the owners before establishing their shops for security protocol and cooperation.

These regulations provide parameters for the location, advertising, signage, and operating hours of cannabis retail establishments, aiming to balance commercial interests with considerations for public safety and health. These regulations are proposed to be cross referenced under the use specific standards for cannabis retail (proposed PMC 18.80.080.O).

5.0 Staff and Planning Commission Recommendations

Following an analysis of the buffer requirements (see Exhibit E) and the existing development patterns, staff recommended that the planning commission allowing cannabis retail in the C-2 zoning district by reducing the buffer to 100' along Viking Avenue (for those uses that allow a buffer reduction). Staff also recommended that as part of the SR305 moratorium, the commission and council consider also allowing it in the C-3 zoning district.

Staff did not recommend the C-4 College Marketplace zoning district due to understood limitations on cannabis retail use due to private easement with covenants and restrictions between Wal Mart and Home Depot and properties within 400' of their property boundaries. Staff also did not support the C-1, Downtown/Front Street zoning district due to feedback and concerns voiced in previous discussion about a potential change to the existing character. Finally, staff no longer supported the allowing the use in the Light Industrial (LI) district due to the limited amount of available land. Since the original allowance in the LI district in 2014, the city's public works department, Kitsap Transit, and the AM/PM gas station have been built, expanded and/or relocated in this district and there are very limited locations for this potential use.

Staff supports C-2 due to its compatibility with the purpose of the zoning district and existing development patterns and character, as further described below:

1. **Compatibility with the purpose of the C-2 zoning district.** Every zoning district has a purpose that it is intended to accomplish. For C-2, the purpose is to 1) encourage commercial uses and activities that depend upon safe and efficient access to major transportation routes, 2) provide a compatible mix of office, commercial and residential use, 3) allow for residential and mixed-use projects to increase the opportunities for people to live, work, shop and recreate within walking distance and 4) ensure that projects are designed using consistent and compatible architectural design.

Cannabis retail aligns with the specified purposes of the C-2 zoning district for several reasons. Firstly, it encourages commercial uses that depend on safe and efficient access to major transportation routes, as cannabis retail can benefit from strategic locations with convenient access for customers and suppliers. Secondly, the inclusion of cannabis retail

contributes to a compatible mix of office, commercial, and residential uses, fostering a diversified and balanced urban environment.

Thirdly, allowing cannabis retail supports the goal of increasing opportunities for people to live, work, shop, and recreate within walking distance. This is particularly relevant as the northern end of Viking is primarily residential and connects by sidewalks to the southern commercial area, promoting a more comprehensive and accessible community. Lastly, any newly proposed buildings to contain cannabis retail establishments shall adhere to design guidelines.

2. **Existing development patterns and character.** Viking Way is undergoing a revitalization, marked by renewed development that encompasses the revival of former establishments and the occupation of previously vacant buildings. The area provides a diverse array of retail choices, featuring a mix of eclectic options such as a nursery, breweries, RV sales, hair salon and drive through coffee to name a few. Additionally, there are vacant lots and storefronts situated beyond the 100-foot buffer zone.

Following Planning Commissions discussion with staff, four members from the Washington State Liquor and Cannabis Control Board and a cannabis business owner, the Planning Commission concluded that they were interested in 1) reducing the buffer to 100' for the uses in which the buffer is allowed by state law to be reduced (recreation center or facility, child care center, public park, public transit center, library, and any game arcade where admission is not restricted to persons age 21 or older) and 2) allowing cannabis retail in both the C-2 and C-3 zoning districts with 3) a limitation on one retailer per zoning district for a 4) maximum total of two (2). The proposed text amendment reflects this expressed preference (Exhibit A).

6.0 Attorney General's Unconstitutional Takings Memo

Pursuant to Comprehensive Plan Policy PI-2.4, City staff members are familiar with Washington State Attorney General's "warning signals" for unconstitutional takings of private property. Staff has reviewed the Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings in the context of the proposed amendment and has consulted with the City Attorney regarding the warning signals. Staff and the City Attorney are comfortable that the draft ordinance does not result in any unconstitutional taking.

7.0 Review Criteria and Staff Conclusion and Recommendation

Amendments to the text of this title or zoning amendments to the city's zoning map shall be applied for and processed according to the provisions of Title 19.

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
2. The amendment supports and/or enhances the public health, safety or welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners.

Conclusion: Staff finds that the proposed amendment is supported by the Comprehensive Plan and can further Policy ED-3.2, "review land use regulations and development standards to ensure that vacant or underutilized employment lands can be used as efficiently as possible. Identify and remove barriers to redevelop underutilized and/or vacant land and

buildings”. The locations identified for the proposed use are primarily developed, featuring vacant buildings that could be repurposed.

The proposed regulations uphold state law, which provide parameters for the location, advertising, signage, and operating hours of cannabis retail establishments, aiming to balance commercial interests with considerations for public safety and health. These regulations are proposed to be cross referenced under the use specific standards for cannabis retail (proposed PMC 18.80.080.O).

Finally, the city councils request to allow cannabis retail stems from their budget deliberations during both the spring and fall of 2023, recognizing the potential for an additional revenue stream. If the city opts not to permit cannabis retail, it forfeits eligibility for a per capita distribution of the state-mandated 37% excise tax (RCW 69.50.535 & 540). Conversely, by endorsing this use, revenue distribution will be allocated on a per capita basis, with the remainder distributed according to actual cannabis retail sales. The generated funds can be earmarked for essential areas such as law enforcement, education, and healthcare.

For these reasons, staff finds that the proposed amendments are consistent with the Comprehensive Plan, support and/or enhances the public health, safety, or welfare, and is not contrary to the best interest of the citizens and property owners of the City of Poulsbo.

Recommendation: The Planning and Economic Development staff respectfully recommends the Planning Commission offer a recommendation of approval to the City Council for the proposed Cannabis Zoning Code Amendments.

8.0 Planning Commission Public Hearing, December 12, 2023

The Planning Commission Public Hearing is scheduled for **December 12, 2023, at 6:00 pm** or soon thereafter. The Planning Commission will make a recommendation to the City Council. Meeting procedures are available from the PED Department and City Clerk’s office and are conducted based on Roberts Rules of Order. Public Hearings are being held as a hybrid virtual/in-person at the web address and call-in number noted below and at City Hall Council Chambers, 200 NE Moe Street. This call-in number: 1 253 215 8782 and meeting id: 810 2047 3350 are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81020473350>

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council Application No. P-11-16-23-01, the Cannabis Zoning Code Amendments, as identified in Exhibit A. **AND** direct the Planning and Economic Development Director to prepare findings of fact in support of this decision for the Planning Commission Chair’s signature.

9.0 Exhibits

- A. Draft Cannabis Zoning Code Amendments
- B. Notice of Application with Optional DNS and Notice of Planning Commission Public Hearing
- C. Exhibit C MRSC Retail Cannabis Survey for Washington Cities June 7, 2023
- D. Buffer Comparison Analysis
- E. Draft Planning Commission meeting minutes, November 28, 2023

EXHIBIT A

INTRODUCTION:

The proposed amendments to the Poulsbo Municipal Code (PMC) are to allow cannabis retail in two of the city's commercial districts (C-2 Viking Avenue and C-3 SR 305) with a limit of two (2) retailers total, one (1) per zoning district.

Amendments are included for the following PMC Chapters: 18.40.030, Definitions, 18.80.030 Commercial District, Uses, and 18.80.080 Additional standards and provisions for C zoning districts.

It should be noted that not all provisions of a specific section are presented below; only the pertinent sections proposed to be amended are identified. For full context, please refer to the complete section in the Poulsbo Municipal Code: <https://www.codepublishing.com/WA/Poulsbo/>.

Full project review documents, including timeline, can be viewed on the project website: <https://cityofpoulsbo.com/development-regulation-amendments-2/>.

TITLE 18: ZONING ORDINANCE | DEFINITIONS

1. Section: 18.40.030 Definitions.

"Cannabis" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis during the growing cycle through harvest and usable cannabis. "Cannabis" does not include hemp or industrial hemp as defined in RCW **15.140.020**, or seeds used for licensed hemp production under chapter **15.140** RCW.

"Child care center" means an entity that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours licensed by the Washington state department of early learning under chapter **170-295** WAC.

"Elementary school" means a school with a physical location for early education that provides the first four to eight years of basic education and recognized by the Washington state superintendent of public instruction.

"Game arcade" means an entertainment venue featuring primarily video games, simulators, and/or other amusement devices where persons under twenty-one years of age are not restricted (WAC 314-55-010).

"Library" means an organized collection of resources made accessible to the public for reference or borrowing supported with money derived from taxation.

"Playground" means a public outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a city, county, state, federal government, or metropolitan park district (WAC 314-55-010).

"Public park" means an area of land for the enjoyment of the public, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a city, county, state, federal government, or metropolitan park district. Public park does not include trails.

"Public transit center" means a facility located outside of the public right of way that is owned and managed by a transit agency or city, county, state, or federal government for the express purpose of staging people and vehicles where several bus or other transit routes converge. They serve as efficient hubs to allow bus riders from various locations to assemble at a central point to take advantage of express trips or other route to route transfers.

"Recreation center or facility" means a supervised center that provides a broad range of activities and events intended primarily for use by persons under 21 years of age, owned and/or managed by a charitable nonprofit organization, city, county, state, federal government, or metropolitan park district.

"Secondary school" means a high and/or middle school with a physical location: A school for students who have completed their primary education, usually attended by children in grades seven to 12 and recognized by the Washington state superintendent of public instruction.

TITLE 18: ZONING ORDINANCE | COMMERCIAL DISTRICTS

2. Section: 18.80.030 Uses.

Table 18.80.030 Commercial Zoning Districts Use Table					
USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Retail Sales and Service					
Cannabis Retail	<u>X</u>	<u>X</u>	<u>P¹</u>	<u>P¹</u>	<u>X</u>
¹ Subject to standards in Section 18.80.080 .					

3. Section: 18.80.080 Additional standards and provisions for C zoning districts.

O. Cannabis Retail Development Standards.

1. Cannabis retail is allowed and limited to a maximum of one retailer in the C-2 and C-3 zoning districts (for a total of two retailers maximum, one per each zone) per the buffer distances established below:
 - a. As measured in WAC 314-55 or as hereafter amended, no cannabis retailer shall be located within 1,000 feet of the following businesses and facilities:
 1. Elementary or secondary schools;
 2. Playgrounds.
 - b. As measured in WAC 314-55 or as hereafter amended, no cannabis retailer shall be located within 100' of the following businesses or facilities:
 1. Recreation center or facility;
 2. Child care center;
 3. Public park;
 4. Public transit center;
 5. Library; or
 6. Any game arcade where admission is not restricted to persons age 21 or older.
 - c. Each use is defined in state law (WAC 314-55-010) and can be found as listed in PMC 18.40, Definitions.
2. Compliance with state laws: All licensed cannabis businesses are subject to the requirements and restrictions of operating found in Washington Administrative Code (WAC), Chapter 314-55 including but not limited to security and traceability (WAC 314-55-083), signage (WAC 314-55-085 & 155) hours of operation (WAC 314-55-147), and security requirements (WAC 314-55-83).



Affidavit of Public Notice

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269

www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

Application No: P-11-16-23-01 Project Name: Cannabis Code Amendment

Tiffany Simmons, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on November 28, 2023, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

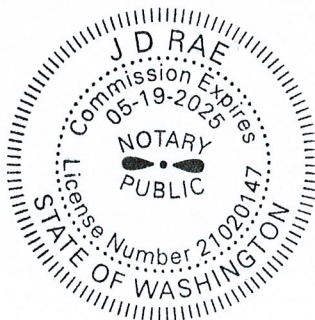
- Notice of Application
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing
- Notice of Decision

has been provided:

- Mailed to owners of property within 300' of the project site
- Provided to newspaper of general circulation
- Emailed to PED Department distribution lists and/or parties of record
- Posted at Library, City Hall, Poulsbo Post Office
- Posted to the City's website
- Posted at Site Address: _____

Signature: [Signature] Date: 11-29-23

Subscribed and sworn to before me this 29th day of November, 2023



[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing at:

Silverdale
My Commission expires on:

05/19/2025

ID	Your name	Your city	Your email address
1	Ashley Winchell	City of Bothell	ashley.winchell@bothell
2	Christian Geitz	City of Issaquah	christiang@issaquahwa.g
3	Jenn Kester	SeaTac	jkester@seatacwa.gov
4	Yorik Stevens-Wajda	Everett	ystevens@everettwa.gov
5	Adam Weinstein	Kirkland	aweinstein@kirklandwa.j
6	Amy Hess	Marysville	ahess@marysvillewa.gov
7	Donna Keeler	Coupeville	planner@townofcoupevi

8 Nicole Floyd Olympia nfloyd@ci.olympia.wa.us

9 Tammy Baraconi Chehalis tbaraconi@ci.chehalis.wa.us

10 Jason Sullivan City of Bonney Lake sullivanj@cobl.us

11 Carol Helland Redmond chelland@redmond.gov

Does your city allow retail cannabis? If no, please do not answer Q 5 - Q 9.	When were your city's regulations allowing retail cannabis adopted?	RCW 69.50.331(8) requires licensed cannabis producers, processors or retailers to be located at least 1,000 feet from the following entities. Local governments may reduce the 1,000 feet buffer to ...
Yes	City accepted state law and did not change municipal code - no code changes made. Consider it retail.	No
Yes	2014	No
No		

Yes	2015	No
Yes	2017	No
No	2016	No
No		

Yes	2014	Yes
Yes	2013	No
No		
Yes	2014	Yes

If yes to Q6, from which entities do you allow reduced buffers?

If yes to Q6, would you recommend that other cities also reduce their buffers? Please explain.

n/a

n/a

N/A

N/A

Yes. We used GIS mapping and found that the 1,000' buffer was incredibly limiting for siting. It is unclear what 1,000' distance provides in the way of protections. How to measure the distance is not clear (bird flies or walking distance?). Ultimately, we have seen many of those uses go in to existing vacant retail spaces after the marijuana retailer was established. This means the retailer is not meeting the buffer (ours is 500'), by no means of their own. The Marijuana retailer is not in control of what businesses move in adjacent to them. This has resulted in most retailers having most of those other business types well within 1,000' of them. The purpose of the buffer has therefore become unclear. It is also impossible to track as businesses can relocate/move from year to year.

recreation center or facility, child care center, public park, public transit center, or library, or any game arcade

Demonstration of buffer compliance is therefore challenging and only relevant when the Marijuana retailer moves but not the other way around.

Recreation center or facility, childcare center, public park, public transit center, library, game arcade.

It is a community related decision. This decision was concluded to be right for Redmond, because we lacked locations to permit marijuana related uses when the 1000 foot buffer was applied beyond schools and public playgrounds.

Do you consider your city's retail cannabis regulations successful in addressing this use? Please explain.

Do you have any other lessons learned you'd like to share with other WA jurisdictions regarding your retail cannabis regulations?

Using state law has met basic needs. No additional regulations have made it easy for us to process. We have very few establishments in City Limits.

Make the applicant show that they meet buffer requirements vs. leaving burden on City.

n/a

No.

It works.

Separation requirements and license limits result in city-enforced monopolies within a business area, and encourages businesses to stick in the first place they had rushed to get permitted at years ago, whether it's a good fit or not. Seems like a lot of stores are in odd and oversized buildings (e.g. ex car dealership) just because they could get permitted. It's wasting otherwise valuable property and building space.

Unsure what constitutes "success," but they are definitely limited in geographic reach in Kirkland,

Yes

Yes and no.

Yes - because it is nice to have clarity on what uses are permitted and where.

No - because:

~Our regulations are much the same as the state regulations. There is substantial duplicity, which seems unnecessary.

~ We require a CUP for retailers, but the process of a hearing seems unnecessary. There was a lot of concern from the community in the beginning, but now its not seen as any different than a regular retailer. Its therefore odd to send one retail store to a hearing and all others through an administrative process. There are usually no exterior changes to the site and could otherwise be processed as a tenant improvement.

~ For a while Marijuana retailers had limited hours of operation by municipal code than state requirements. These limited hours were found unnecessary and later removed from code.

My preference at this point would be to treat the use much the same as any other retail operation. We have not had any applications for producers or processors so I cannot speak to that.

Olympia has 5 retailers, and one that moved therefore there have been 6 Conditional Use Permit Hearings before the examiner. In the earlier years the hearings were well attended (20-40 people) each. Most in support. They were some of the most lively hearings I have experienced with people sharing their personal stories and one memorable hearing ending with a standing ovation to the Examiner who ruled to approve from the bench. In the last 5 years or so, the hearing attendance has dwindled to none. It would seem the community has become accustomed to marijuana retail businesses within the community. I suspect this is true for other jurisdictions and am glad to see some renewed interest on the topic of buffers and process. Thanks for letting me share.

The current state regulations for retail cannabis sales fully addresses the communities concerns for safety. I have worked in other jurisdictions where the buffer was reduced to 500 ft when allowable by state law and there were no issues associated with it there.

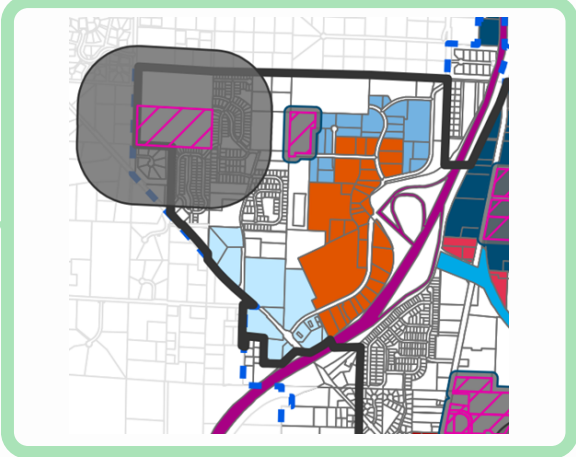
N/A

yes

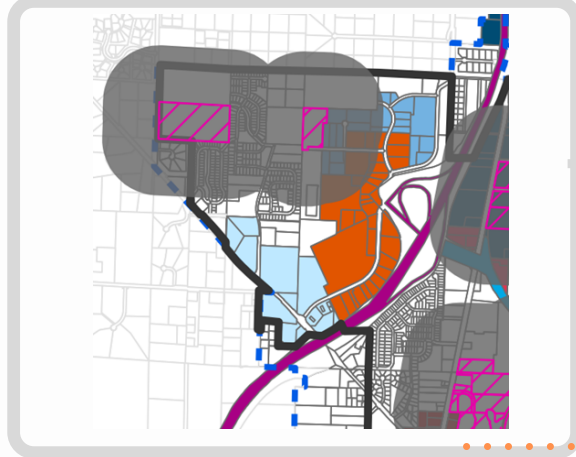
No

CANNABIS RETAIL BUFFER COMPARISON

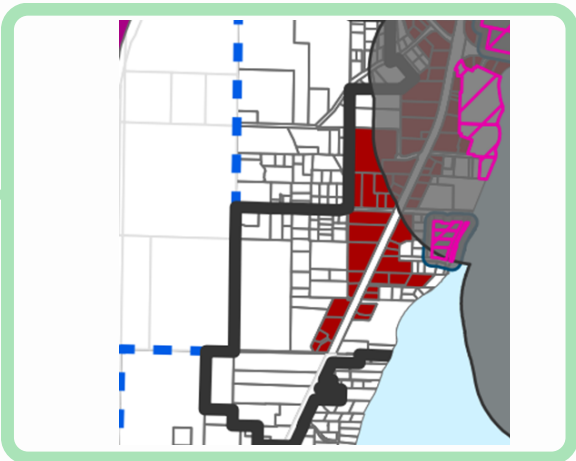
1 - Olhava - 100'



Olhava - 1,000'



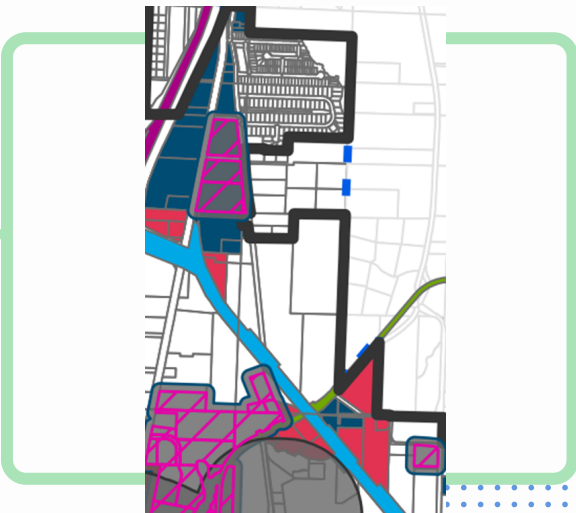
2 - Viking - 100'



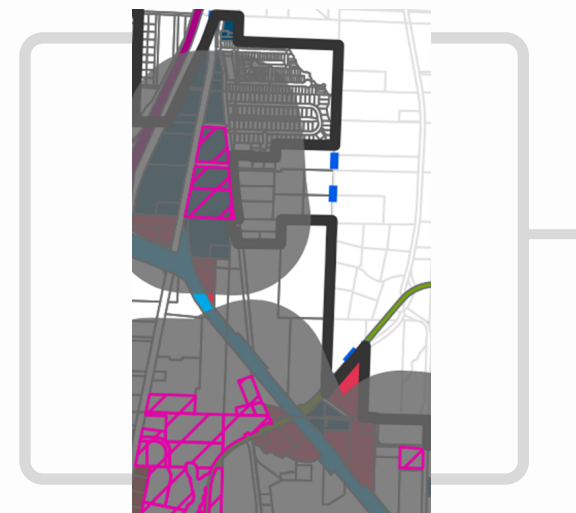
Viking - 1,000'



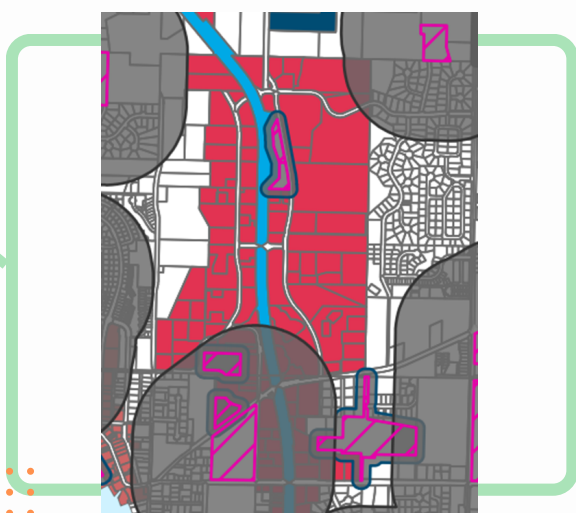
3 - Light Industrial - 100'



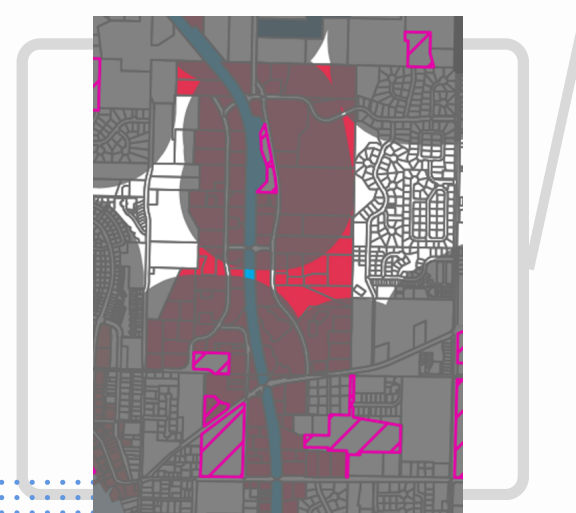
Light Industrial - 1,000'



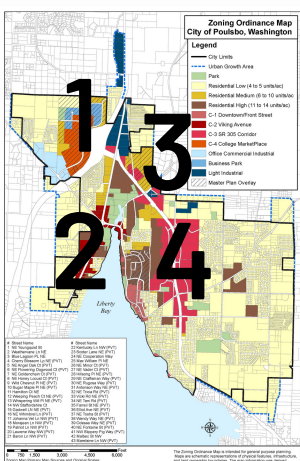
4 - C-3, SR 305 - 100'



C-3, SR 305 - 1,000'



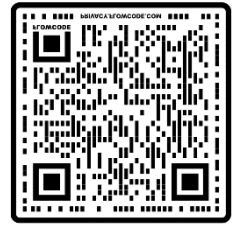
Map Locator Guide and Legend



Legend	
	C-4 - College Marketplace
	C-3 - SR 305 Corridor
	C-2 - Viking Avenue
	Light Industrial
	Business Park
	Office Commercial Industrial
	Site Requiring Distance
	Buffer - 1000ft
	Buffer - 100ft
	City Limits
	Urban Growth Area



City of Poulsbo
Planning Commission
 City Hall – 200 NE Moe Street



Subject	Meeting Minutes	Date	11/28/2023
Recorder	Tiffany Simmons	Start Time	6:00 pm
Committee Chair	Ray Stevens	Est. End Time	7:45 pm
Committee Members Present	Jerry Block (Virtual), Mark Kipps, Kate Nunes, David Strickon		
Staff Present	Heather Wright, Planning Director, Nikole Coleman, Senior Planner		
Guests	Annette Atkinson, Owner Highway 420, Linda Thompson, Kaitlin Bamba, Nicola Reid, Becky Smith, WA State Liquor and Cannabis Board		

		Agenda	
Time	No.	Topic	Details
6 pm	1.	Call To Order	
6:00 pm	2.	Pledge of Allegiance	
6:01 pm	3	Modifications to the Agenda	None
6:02 pm	4.	Approval of Minutes: 11/14/2023	Commissioner MK motioned to approve; Commissioner DS seconded. Commissioners JB and KN abstained. All others Aye.
6:02 pm	5.	Comments from Citizens	None.
6:03 pm	6.	Presentation of Projects for Consideration	<p>Cannabis Discussion and Recommendation on Location – HW Presented.</p> <p>Guest speakers introduced themselves.</p> <p>MK asked what would happen if a park wanted to go in, but a cannabis shop already existed, HW and Guest KB responded. Chair RS clarified, if they stopped the use, it would no longer be permitted, HW responded.</p> <p>DS asked if this is open to multiple or just one, HW responded.</p> <p>RS asked if there was any rise in crimes from other local jurisdictions, HW responded. HW offered to speak about the security requirements, Guest BS, KB, LT and NR responded. Guest AA also shared that these systems helped local police for crimes occurring nearby.</p> <p>RS shared that the plans have evolved a lot since the commission looked at it in 2014.</p> <p>RS asked if growing was included, HW responded that this is only retail.</p> <p>KN shared some local examples of things like barbed wire fencing that is not desired, HW, NC and Guest BS responded.</p>

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			Agenda
Time	No.	Topic	Details
			<p>KN shared that she does not like the reduced buffer, RS asked if she felt this way for every area or just in a specific location. DS asked if there is a density that may contribute to the location, HW and Guests KB, AA responded. RS asked if the allowable license allotments are by location or ownership, Guest KB, BS and AA responded. Guest BS shared that some jurisdictions have a buffer between stores.</p> <p>RS asked if there can be different buffers in different zones, HW responded. HW shared some comments from Commissioner RT who couldn't attend.</p> <p>RS shared discomfort with limiting the stores too much. MK shared that he is not uncomfortable with the stores either and maybe they can add a buffer from school bus stops. HW shared some input on potential proposed language. KN asked a clarification question, HW responded. MK shared that SR305 could be a considered option, NC responded. Some discussion was held. Based on input, HW will bring an ordinance to limit cannabis retail to SR305 and Viking Way, with a maximum of two retail operators in the city – one per each zone.</p> <p>An ordinance and public hearing will be before the commission on December 12th.</p> <p>Comp Plan Update: Housing Full Chapter – NC presented.</p> <p>7.1 (2nd paragraph) – Commissioner JB asked if there is data on "displacement", NC responded.</p> <p>Future housing projections – RS shared that there is a minor mathematical error on Total Capacity, NC noted. RS shared that there is a clear challenge but isn't sure what solutions are offered. RS noted that there is a deficit in one section but a surplus in another, and asked if we could take some housing from one category (such as change the zoning), NC responded. MK asked how we say with such specificity that there is only a set amount, NC shared the calculation. MK asked how we guarantee that these will meet the needs of people within these income brackets, NC responded. RS shared some additional input on how limiting these are, NC responded. RS shared displeasure that the state standards are not helpful or accurate to contribute to our comprehensive plan, NC responded. RS shared that there could instead be a single-family standard to help the housing need instead of requiring this the way the state is since we can't build the structure only control</p>

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			<p>zoning, NC responded. RS shared that he is frustrated with putting these standards into a document knowing that we can't meet them or require compliance. MK asked if there was any language, we could include to group moderate density housing for the "low rise" group of people, NC responded. RS shared that these things do evolve over time to become reasonable. NC offered a potential solution. RS asked if we would be required to turn down developments that don't meet these, NC responded. MK shared some other logic with surplus space as well, NC responded. KN shared that developers are most likely not going to build lower cost housing on single-family lots, RS responded. MK shared that this does display the problem. NC asked the commission if they wanted to see the methodology, the commission said yes. KN asked if the total capacity is only on vacant land or all vacant and underdeveloped, NC responded. KN asked if ADU's counted in our totals, NC responded. RS asked if there was a way to track if any houses are used as multi-family (co-housing), NC responded.</p> <p>Goal HS 1 – RS shared a grammatical error "at of all", NC noted the extra word.</p> <p>Policy HS 1.1 – KN asked if we can help provide land and RS shared, we should say "Sufficient Zoning", NC noted.</p> <p>Policy HS 2.3 – RS asked if "consider" is appropriate and that another word may be better suited, MK offered "study" instead, NC noted. KN offered that maybe 2.2 and 2.4 cover this topic anyhow, NC responded. NC and RS offered "Implement" or "develop" as additional potential verbiage.</p> <p>Affordable and Subsidized housing – JB asked why most of this was removed, NC responded.</p> <p>Housing Needs Assessment Discussion: KN asked if there is a reason that government isn't broken out separately, NC responded. RS shared that in this region, government breakdown is substantial, NC responded. MK asked if there is any specific chapter that goes in depth on economic development, NC responded. MK shared that we may want to connect the two chapters, NC noted. MK shared that there is a lot of economy outside of city limits, NC noted. DS asked if there was a number for retirement on the wage table, NC noted. NC shared some curiosity about the upcoming update on</p>

			Agenda	
Time	No.	Topic	Details	
				<p>work from home data RS shared that trips per day are heavily affected by the work from home population. RS asked if this information was fact, NC responded. MK asked if this is maybe so low because we are compared to larger cities, NC responded. RS asked if this gets updated, NC responded. KN asked if short term rentals could be added to the displacement risk numbers, NC noted. RS shared that data on that would help this situation, NC responded. KN asked what methodology is used, NC responded. Commissioners shared their praise of the document.</p> <p>Planning for Housing Discussion: MK asked if AMI could be defined somewhere in the document, NC responded. The Commissioners again shared their pleasure with the document and its readability.</p>
7:42 pm	7.	Director's Report		HW presented about council happenings, upcoming agenda items and upcoming meetings.
7:45 pm	8.	Commissioner Comments		None.
7:45 pm	9.	Adjournment at 7:45pm		

Summary: Minutes were approved.

Ray Stevens, Planning Commission Chairman