



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

AGENDA STAFF REPORT

AGENDA DATE: May 6, 2014

ACTION REQUESTED: Approve Conditions Which Allow Production, Processing and Retail Sales of Marijuana

BACKGROUND:

In November of 2012 the voters of Washington State passed Initiative 502 decriminalizing the growing, processing, retailing and possession of marijuana. The Washington State Liquor Control Board (LCB) has been charged with the development of regulations, the issuance of licenses, and the oversight of all associated activities for compliance with the law.

In November of 2013 a series of study sessions were held by the Kittitas County Board of Commissioners (BOCC) in which staff presented three options to clarify the County's position with regard to I-502.

1. Ban the production, processing, and sales of marijuana in the unincorporated areas of Kittitas County.
2. Identify marijuana as an agricultural use and regulate its production and processing under existing Kittitas County Code (KCC).
3. Draft and adopt through established processes revisionary language to the KCC which defines the activity as something other than agricultural, and provision the parameters under which it may be produced, processed, and sold.

On February 7, 2014 the BOCC directed staff to construct the proposed revisions to KCC Title 17 and initiate the established processes for consideration and adoption.

The amendments to the Kittitas County Code in summary will:

1. Define marijuana production, marijuana processing, **and retail sales of marijuana;**
2. **Permit** production, and processing of marijuana in the AG-20, Commercial Agriculture, and Forest and Range zones that are licensed by the Washington State Liquor Control Board (WSLCB) on **legal conforming parcels** and require a 60 foot setback from all property lines.

3. Allow production, processing of marijuana with approval of an **Administrative Conditional Use** in the AG-20, Commercial Agriculture, and Forest and Range zones that are licensed by the Washington State Liquor Control Board (WSLCB) on **legal non-conforming parcels** and require a 60 foot setback from side and rear property lines.
4. Require a 125% Bond or Assignment of Funds for landscaping of marijuana production and processing sites and facilities that are licensed by the Washington State Liquor Control Board (WSLCB) in any Rural or Resource land use designation, to ensure the survival of any landscaping necessary to screen security fencing which is not in keeping with “Rural Character”.
5. **Not permit** any production or processing of marijuana in Rural LAMIRDs.
6. Permit production or processing of marijuana in **Urban** land use - **Light Industrial** zones that are licensed by the Washington State Liquor Control Board (WSLCB) provided that **all activities take place within secure, fully enclosed, indoor facility**.
7. Not allow retail sales of marijuana products within the County.

INTERACTION: CDS, Prosecuting Attorney, Members of the Public and the Board of County Commissioners

ATTACHMENTS: Proposed Changes to Chapter 17 of the Kittitas County Code Allowing Production, Processing, and Retail Sales of Marijuana

STAFF

RECOMMENDATION: CDS Planning Staff recommends to the Board of County Commissioners to approve the proposed Ordinance

HANLDING: Presentation to the Board by CDS staff.

RESPONSIBLE STAFF: Robert “Doc” Hansen, Planning Official
Jeffrey Watson, Senior Planner