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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

MEMORANDUM

TO: Clark County Planning Commission
FROM: Oliver Orjiako, Director
DATE: February 20, 2014
SUBJECT: Public Hearing; Implementation of I-502

INTRODUCTION

The purpose of the public hearing is take testimony on proposed code language for the siting of facilities related to Initiative 502 (I-502). The code language is proposed as a new Section 40.260.115 of the Clark County Code.

BACKGROUND

I-502 was passed by Washington voters in November of 2012. The initiative requires the Washington Liquor Control Board (LCB) to adopt regulations regarding the production (growing), processing and retailing of marijuana and related products. The regulations took effect on November 16 and are codified in Chapter 314-55 WAC.

The LCB will license facilities to grow, process, and retail. The license application period was open for 30 days, and closed on December 21. The state will review applications and is expected to begin issuing licenses in March.

The state handles the licensing of marijuana facilities, but it is up to local jurisdictions to decide where and under what conditions such facilities will locate and, to some extent, operate.

The Board of County Commissioners (Board) adopted a six-month moratorium on August 13, 2013 on the acceptance of any applications related to I-502. The Board had a work session on August 21, 2013 at which a draft work program was presented. Generally, the work program was for staff to develop draft code language that reflects state law, engage the community, and to present a draft to the Planning Commission and the Board. To this point, staff has been proceeding on this basis. The moratorium was affirmed at a Board hearing on October 8, 2013.

A Board work session was held on January 8, 2014 to give the Board an update and to get direction on how to proceed. The Board directed the following:

- 1) That the moratorium would be extended, since it will expire before the Planning Commission and Board have completed their work (public hearing on February 11);
- 2) That draft code language include language adopted by Pierce County to the effect that no marijuana facility would be permitted until such time as marijuana is removed from the list of controlled substances by the federal government; and
- 3) That draft code language be taken to the Planning Commission for its consideration.

PUBLIC INVOLVEMENT

County staff put on four open houses around the county in November 2013:

- Nov. 18: Ridgefield, CCFR Station 21
- Nov. 20: Hockinson, CCFD Station 3
- Nov. 25: Vancouver, Public Service Center
- Nov. 26: Camas Public Library

A total of 54 people attended the four open houses. Virtually all attendees were license applicants wanting to know in which zones the three types of facilities would be allowed.

A presentation was also made to NACCC on December 9, 2013.

Staff has also been working with the Board's office, the Prosecuting Attorney's Office, the Sheriff's Office, Community Development and Public Health.

COMMERCE REVIEW/SEPA PROCESS

Draft code language was sent to the Washington Department of Commerce on January 14, 2014 for its 60-day review.

A DNS and SEPA checklist were sent out on January 30, 2014.

XX comments were received by the close of the comment period in February 13, 2014.