

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 625, Amending the Shoreline Municipal Code for Medical Marijuana Collective Gardens (Placeholder Staff Report)
DEPARTMENT:	Planning and Community Development
PRESENTED BY:	Paul Cohen, Senior Planner
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

On July 18, 2011, the Council adopted Ordinance No. 611 establishing interim regulations and a six -month moratorium on the submittal or processing of development permits or business license applications for medical marijuana collective gardens (MMCGs) that did not satisfy the interim regulations. Ordinance No. 611 also scheduled a public hearing for September 12, 2011, on the moratorium and interim regulations. The Council amended the moratorium September 12, 2011 and directed staff to begin the public process to study and recommend permanent regulations.

The City's adopted interim regulations include:

- A. There shall be no more than one collective garden permitted on a property tax parcel.*
- B. Collective gardens may only be located in the NB, O, CB, NCBD, MUZ, and I zones.*
- C. A collective garden or facility for delivery of cannabis produced by the garden may not be located within 1000 feet of schools and not within 1000 feet of any other collective garden or delivery site.*
- D. Any transportation or delivery of cannabis from a collective garden shall be conducted by the garden members or designated provider so that quantities of medical cannabis allowed by E2SSB 5073 §403 are never exceeded.*

The Planning Commission held a public hearing and made its recommendations (on December 1, 2011). The City Council held a discussion of the Planning Commission recommendations on January 3, 2012. The January 3rd staff report can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2012/Staffreport010312-7a.pdf>.

This evening the City Council is scheduled to adopt final Development Code amendments prior to the expiration of the six-month moratorium on January 18, 2012.

Given that the Council will not have held their January 3rd discussion prior to the issuance of this staff report, this report will serve as a placeholder until a final staff report and ordinance are developed following the January 3rd City Council meeting. Staff anticipates that the final staff report and ordinance adopting the Medical Marijuana Collective Garden regulations will be issued by January 6, 2012.

RESOURCE/FINANCIAL IMPACT:

The Planning Commission's recommendations include a required regulatory license to monitor the operation and location of the MMCGs. Staff is proposing to use a rate structure similar to that of the license requirement for an adult cabaret operator. Assuming that there are up to six MMCGs in Shoreline this would generate \$3,000 in annual license revenue. Staff anticipates additional staff time will be allocated to license processing and issuance by the City Clerk and Police departments, along with additional police time allocated for patrol and enforcement of City regulations. The license fee is expected to compensate for these additional administrative costs.

RECOMMENDATION

The City Council should adopt Ordinance No. 625 prior to the January 18, 2012 moratorium expiration date or extend the moratorium.

Approved By: City Manager - *JU* City Attorney - *IS*