



Planning Department Newsletter

COMMISSION DISCUSSES CONCEPTS FOR MARIJUANA REGULATION UPDATE

Inside this issue:

Pending Land Use Proposals 4-5

In 2015, the Washington Legislature passed a series of laws designed to merge the state's loosely controlled medical marijuana system with the heavily regulated recreational marijuana program. These provisions are administered at the state level by the Liquor and Cannabis Board (LCB). One of the 2015 laws required the LCB to increase the number of available marijuana retail licenses in jurisdictions across the state to accommodate medical marijuana use.

In October of last year, city attorney Laura McAloon told the City Council that it was likely the city would need to amend its local regulations concerning marijuana operations given the changes made earlier in the year by the state legislature. With this knowledge, the Council passed an ordinance the following month that imposed a six-month moratorium on the establishment of additional marijuana facilities in Pullman to give the city unencumbered time to conduct appropriate research and adopt revised standards pertaining to this subject. This moratorium will expire on May 10, 2016, unless the Council takes action to rescind or extend it.



Two retail marijuana shops are now in operation in Pullman. This third retail marijuana store, on Bishop Boulevard, is currently under construction.

While doing its research, planning staff noted several matters that will likely need to be

addressed in any update of the city's marijuana provisions. To obtain input on these items, staff scheduled a discussion with the Planning Commission at its meeting of February 24. Background information on each of these items, and the Commission's corresponding comments, are provided below.

1. Number of Retail Stores

BACKGROUND: The 2015 state legislation authorized the LCB to issue a "medical marijuana endorsement" to qualifying marijuana retail outlets. Those businesses which possess this endorsement must carry products identified by the Washington State Department of Health as beneficial to medical marijuana patients. As noted above, the LCB was mandated to allow for additional retail licenses that could potentially receive the medical marijuana endorsement. In December of last year, the LCB announced that it would increase the maximum number of retail licenses in Pullman from three to five. (Currently, Pullman has two retail stores in operation, with a third under construction.) Planning staff understands that the city may be able to limit the total number of marijuana retail stores in Pullman to less than the five allotted by the state, although it is possible this

could jeopardize marijuana tax revenue transmitted by the state to the city.

COMMISSION COMMENTS: The Planning Commission reached consensus that there should be no local limit imposed on the number of retail marijuana stores. The city should rely instead on the cap stipulated by the LCB.

2. Buffer Zones

BACKGROUND: Initiative 502 (the recreational marijuana law passed by voters in 2012) included a requirement that marijuana facilities be located at least 1,000 feet from sensitive uses, such as schools and parks. State legislation passed in 2015 allows cities to reduce the buffer zone to as little as 100 feet for recreation centers, child care centers, public parks, public transit centers, libraries, and game arcades that admit minors. The 1,000-foot buffer requirement was maintained in state law for schools and playgrounds. If the city states in an ordinance that the buffer zone reduction will not negatively impact law enforcement efforts, public safety, or public health, it could implement the reduction as noted above.

COMMISSION COMMENTS: The Commission asked staff to produce a map that would show the buffer zones reduced to 100 feet for the specified sensitive uses. The Commission discussed in particular the advisability of reducing the 1,000 buffer zone for child care centers.

3. Cooperatives

BACKGROUND: Qualifying patients or designated providers (persons authorized by patients to act on their behalf) may grow marijuana for their medical use. The 2015 state

legislation also allows for “cooperatives,” wherein up to four patients or designated providers may participate in the production and processing of marijuana for the medical use of its members. A maximum of 60 plants can be grown in a cooperative, and it must be located in the domicile of one of its participants. Each cooperative must be registered with the LCB. A cooperative cannot be located within one mile of a licensed marijuana retailer. Also, a cooperative cannot be sited within 1,000 feet of a sensitive use, unless a jurisdiction has adopted the buffer reduction allowances explained in Item No. 2 above, in which case, a cooperative must be located outside the reduced buffer dimensions. Furthermore, a jurisdiction has the authority to prohibit cooperatives altogether.



The 2015 state legislation authorized the establishment of cooperatives, which allow for the growing of marijuana for up to four qualifying patients or designated providers.

COMMISSION COMMENTS: The Commission mentioned that it will be important to solicit police and fire department input on this, and all other



By state law, marijuana facilities must be located a minimum of 1,000 feet from an elementary or secondary school.

aspects of the draft marijuana regulations. The majority of Commission members expressed interest in allowing cooperatives under the already strict limitations imposed by state law. One member opined that cooperatives should be prohibited in Pullman.

4. Marijuana Research Facilities

BACKGROUND: State legislation passed last year authorized the granting of licenses for marijuana research facilities. These entities would conduct research and testing on marijuana products to examine, for example, the efficacy and safety of administering the substance as part of medical treatment. State law specifically states that “a marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university.” Local jurisdictions have the discretion to allow marijuana research facilities to be located within 100 feet of all sensitive uses, including schools and playgrounds.

COMMISSION COMMENTS: For Pullman’s regulations, the Commission stated that research facilities should be separated from all sensitive uses in accordance with the buffer zone dimensions that are eventually adopted for other marijuana facilities.

5. Signs

BACKGROUND: Signage has been an issue for the city’s existing retail marijuana stores. Initiative 502 limited on-site advertising displays to one sign having a maximum area of 1,600 square inches (approximately 11 square feet). The 2015 state legislation appears to allow two 1,600-square-inch signs for marijuana establishments; this new state provision goes into effect on July 1 of this year. At the Planning Commission meeting on February 24, planning staff recommended to the Commission that the city apply its standard sign regulations to marijuana facilities, thereby treating them like any other business in Pullman with respect to advertising. Under this arrangement, the city would have separate sign provisions from the state, and the proprietor of each marijuana facility would need to adhere to the stricter standard.

COMMISSION COMMENTS: Commission members asked planning staff to check with personnel from LCB on this subject of signage. However, barring any pitfalls identified by LCB, the consensus of the Commission was to proceed with staff’s recommendation.



Initiative 502 limited marijuana facility signage to one sign with a maximum size of 1,600 square inches.

6. Public Notice

BACKGROUND: According to the 2015 state legislation, applicants for a marijuana producer, processor, researcher, or retailer license must display a sign at the subject property notifying the public of the pending application. A local jurisdiction may adopt regulations requiring that the applicant provide individual notice of the pending application to any of the following that are located within 1,000 feet of the premises in question: schools; recreation centers or facilities; child care centers; churches; agencies that operate public parks, transit centers, or libraries; and arcades that admit minors. The local government can require that this notice be sent at least 60 days before the license is granted.

COMMISSION COMMENTS: The Commission agreed that the city should not exercise the local option to require additional notification of a pending license application.

Planning staff will combine this feedback from the Commission with input it is receiving from other sources to draft a revised set of regulations in this regard. Once these proposed standards are complete, the Planning Commission and City Council will review and act upon the draft provisions at separate public meetings.



Pending Land Use Proposals

Displayed below are land use applications submitted to the planning or public works department or city-generated proposals for planning provisions that require a public meeting, public notice, or site plan review in accordance with the city code.

PROJECT	DESCRIPTION	LOCATION	STATUS
Comprehensive Plan Revision	full-scale revision of city's Comprehensive Plan	Citywide	city staff reviewing consultant's existing conditions report; PC discussed draft policy bulletin at 2/24/16 meeting
College Hill Design Review Standards	formulate design standards for new construction	College Hill Core	staff reviewing responses to recent stakeholder questionnaire
Shoreline Master Program Update	revise city's Shoreline Master Program in collaboration with Whitman County	Citywide	PC recommended approval 7/22/15; CC discussion held 8/18/15; CC final action scheduled for 3/8/16
Marijuana Regulation Revisions	amend city regulations in response to state legislation	Citywide	PC discussed pertinent issues at 2/24/16 meeting
Harbour Lot Coverage Variance (V-16-1)	build house with 44 percent lot coverage	519 SW Winter Circle	BOA hearing scheduled for 2/29/16
Harris Shed Setback Variance (V-16-2)	permit shed with 2-foot side yard setback	330 SE Camino Street	BOA hearing scheduled for 2/29/16
City Fuel Island Shoreline Permit No. 89	construct 2-bay fuel island for city vehicle use	615 NW Guy Street	staff reviewing application
Souza Animal Request (16-1)	keep 4 chickens on 12,246-square-foot lot	1035 SW Crestview Street	staff reviewing application
Glendimer Apartments site plan (15-8)	rebuild retaining walls and reconstruct parking area	125 NW Larry Drive	staff requested applicant to revise site plan
Decagon Devices Parking Lot Addition site plan (15-11)	establish off-site parking lot with 90 spaces	northeast side of NE Nelson Court	staff approved site plan 2/1/16
Coulter Airport Hangar site plan (15-13)	construct 4,800-square-foot hangar with attendant facilities	Pullman-Moscow Regional Airport	staff requested applicant to revise site plan
Campus Commons Maintenance Shop site plan (15-14)	build 525-square-foot shop at existing apartment complex	1920 NE Terre View Drive	staff requested applicant to revise site plan
Hilltop Suites/Apartments site plan (15-18)	construct new building for 3 offices and 28 living units	310 NW Old Wawawai Road	staff awaiting complete application
Courtyard by Marriott Hotel site plan (15-19)	construct 122-room hotel with restaurant and meeting rooms	1295 NE North Fairway Road	staff requested applicant to revise site plan
Rima RV/Boat Storage Lot site plan (15-21)	establish 21,000-square-foot RV storage lot	1200 Block of SE Johnson Avenue	staff requested applicant to revise site plan
Jefferson Elementary School Addition site plan (16-1)	add four classrooms to existing school building	1150 NW Bryant Street	staff requested applicant to revise site plan

Continued on Page 5

KEY TO ZONING DISTRICTS: R1 Single Family Residential; RT Residential Transitional; R2 Low Density Multi-Family Residential; R3 Medium Density Multi-Family Residential; R4 High Density Multi-Family Residential; C1 Neighborhood Commercial; C2 Central Business District; C3 General Commercial; I1 Light Industrial; I2 Heavy Industrial; IRP Industrial Research Park; WSU Washington State University

KEY TO ABBREVIATIONS: CC: City Council; PC: Planning Commission; BOA: Board of Adjustment; HPC: Historic Preservation Commission; DOE: State Department of Ecology; DAHP: State Department of Archaeology and Historic Preservation

NOTES: 1) If an applicant fails to act on a pending application for a period of six months, said application will be dropped from the above list. 2) Numbers in parentheses are planning staff's internal file numbers. 3) Site plan review by city staff is generally conducted for proposed construction of developments other than single family homes, duplexes, or manufactured homes; it does not apply to most construction on the WSU campus.





Planning Department
325 SE Paradise St.
Pullman, WA 99163

Phone: 509-338-3213
Fax: 509-338-3282
Email: bethany.johnson@pullman-wa.gov

Pullman Planning Department Staff:

Pete Dickinson, Planning Director
Jason Radtke, Assistant Planner
Bethany Johnson, Public Works Administrative Assistant
Tana Crawford, Public Works Administrative Specialist

Planning Commission Members:

John Anderson, Vice-Chair
Brent Carper
Chris Clark
Marcus Crossler
Dave Gibney, Chair
Liza Morris
Scott Vik

This newsletter is an occasional and voluntary publication of the planning department and does not take the place of official notices required by law. Information provided in this newsletter is subject to change. Please contact the planning department or review official notices distributed by the city to confirm the information contained herein.

For any readers who are not currently receiving this newsletter by email and who wish to register for this service, please contact the planning department for assistance.

WE'RE ON THE WEB!
WWW.PULLMAN-WA.GOV

Continued from Page 4

PROJECT	DESCRIPTION	LOCATION	STATUS
Bestebreuer Triplex site plan (16-2)	construct triplex on 15,579-square-foot lot	540 SW Barnes Court	staff requested applicant to revise site plan
2440 Entry Remodel site plan (16-3)	construct 3,429-square-foot addition to SEL manufacturing building and reconfigure parking lot	2440 NE Hopkins Court	staff requested applicant to revise site plan
Riverwalk Residences site plan (16-4)	demolish existing building and construct two duplexes on 8,224-square-foot lot	308 NE Maple Street	staff requested applicant to revise site plan
The Learning Center site plan (16-5)	construct 15,165-square-foot child care center on 83,593-square-foot lot	945 SE Clearwater Drive	staff reviewing site plan

KEY TO ZONING DISTRICTS: R1 Single Family Residential; RT Residential Transitional; R2 Low Density Multi-Family Residential; R3 Medium Density Multi-Family Residential; R4 High Density Multi-Family Residential; C1 Neighborhood Commercial; C2 Central Business District; C3 General Commercial; I1 Light Industrial; I2 Heavy Industrial; IRP Industrial Research Park; WSU Washington State University

KEY TO ABBREVIATIONS: CC: City Council; PC: Planning Commission; BOA: Board of Adjustment; HPC: Historic Preservation Commission; DOE: State Department of Ecology; DAHP: State Department of Archaeology and Historic Preservation

NOTES: 1) If an applicant fails to act on a pending application for a period of six months, said application will be dropped from the above list. 2) Numbers in parentheses are planning staff's internal file numbers. 3) Site plan review by city staff is generally conducted for proposed construction of developments other than single family homes, duplexes, or manufactured homes; it does not apply to most construction on the WSU campus.

