



CITY OF BLACK DIAMOND

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MEMO TO: Planning Commissioners
FROM: Mona Davis, Community Development Director
DATE: August 30, 2023
SUBJECT: Packet Materials

Marijuana Regulations

To recap our last regular meeting of August 8th, I wanted to provide a summary of what was discussed and provide some additional background for you in writing prior to the public hearing scheduled at the next regularly scheduled Planning Commission meeting on September 12th.

You may recall that City Council asked us to review the marijuana prohibitions outlined in Title 20 of the Black Diamond Municipal Code regulations back in 2021, where the Council held a joint work session with the Planning Commission on this topic as part of the 2021 docket (which was later withdrawn under appeal).

City Council again recently discussed the marijuana regulations and lifting the prohibition at a recent regular Council meeting on July 6th. CM Page presented information around a recent social equity program where the state was looking to issue additional licenses and proposed that Council pass a resolution referring further zoning and land use analysis to the Planning Commission on a relatively short turnaround.

The City Council proposed to keep the scope relatively narrow and requested the Planning Commission hold one or more public hearings to receive testimony, conduct deliberations, and make recommendations to the Council by October 15th on five issues outlined in Resolution No. 23-1555 (attached in the packet materials) related to the potential of allowing cannabis retail, production, processing, and/or research businesses to be cited in the City limits.

State Law requires certain buffer zones and restrictions from various land uses; however, cities can opt to reduce the 1,000-foot buffers down to 100 feet in some cases, except for proximity to schools and playgrounds. Some cities have changed their buffer requirements down to 500 feet (from the 1,000-foot) for proximity to certain land uses like libraries, public parks, and childcare centers. Some have gone down as low as 100' for parks, community centers, libraries, or childcare centers. Sometimes there are provisions to reduce the buffer zones differently for retail outlets and other marijuana activities where they fluctuate between 350-500 feet.



I've included a map in your packet materials that depicts some buffer requirements from cannabis operations where facilities cannot be within 1,000 feet of schools, playgrounds, childcare centers, public parks, the library, or game arcade where admission is restricted to 21+. Additionally, there's a 100-foot buffer depicted around these areas as you requested for that visual assistance.

At the last regular meeting, the Commissioners discussed each question outlined in the resolution, with the intent of holding a public hearing at the next regular meeting in September to gather public input and be prepared to make a recommendation to the City Council at the October 5, 2023 regular council meeting.

In response to your questions and concerns last month, I invited a representative from the Police Department to attend the public hearing to help field/answer questions. It's my understanding that a couple of councilmembers will also be in attendance that evening that may have more expertise around manufacturing and production as well.

2024 Comprehensive Plan Periodic Update

I've provided two memos that were prepared by the City's Comprehensive Planning Consultant, Nicole Stickney, that provide the changes that were made to the *Natural Environment* and *Parks, Recreation, and Open Space* Elements and their Appendixes for your information. These memos provide a nice summary of the changes made to meet both the GMA and PSRC requirements.

I know we had discussed a deadline of September 1st for comments, but in light of the fact that you're just receiving this further information for review, I'm happy to extend that out until September 15th to allow you some extra time. I'm happy to discuss this more at the upcoming meeting if time allows as well.

Please contact me with any questions or concerns. I look forward to meeting with you again next month.

Thank you,
Mona