

Draft Ordinance Regulating Marijuana Production and Processing

County Council
Public Hearing
August 25, 2020


Department of Community
Development
Adam Zack, Planner III



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Marijuana Moratorium In Effect


- Prohibits issuance of permits for new marijuana production and processing
- Extended on March 24, 2020
- Expires September 24, 2020



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Draft Ordinance

Regulating Marijuana Production and Processing Facilities; Amending SJCC 18.20.130, 18.30.030, 18.30.040, 18.30.460; and Adding New Sections




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August 20 Staff Memo



Possible amendment to specify that lighting be directed away from the shoreline



Ordinance specifies that marijuana is not considered AG only relative to Title 18 SJCC



Lopez Village: Could add a new ordinance section amending the land use table

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Legislative Findings pg. 3, lines 1-8

1. It is appropriate to establish specific regulations for marijuana production and processing operations.
2. It is appropriate to establish specific siting and performance standards [...] to ensure that the County addresses potential land use compatibility issues and minimizes adverse impacts to rural character, natural resources and the public welfare.

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Section 1. Amends SJCC 18.20.130 "M" definitions.

- Adopts State definitions for:
 - Marijuana
 - Marijuana processor
 - Marijuana producer



Washington State
Liquor and Cannabis Board

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**Section 2. Land use table –
Activity center land use designations.**

	Village			Hamlet ¹⁵			Island Center	Master Planned Resort
	VC	VI	VR	HC	HI	HR	IC	MPR
Marijuana production and processing, Tiers 1 and 2 ^{13, 14}	N	C	N	N	C	N	C	N
Marijuana production and processing, Tier 3	N	N	N	N	N	N	N	N

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New Footnotes: Highlights

- Marijuana production and processing **must be conducted indoors**.
- Marijuana production cannot exceed the amount licensed by the state.
- Applies to Deer Harbor Hamlet Industrial.
- Marijuana production and processing are prohibited in Olga Hamlet designations.

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**Section 3: SJCC 18.30.040 Land use table –
Rural, resource, special land use designations.**

	RGU	RR	RFF	RI	RC	AG	FOR	C	N
Marijuana production and processing, Tiers 1 and 2 ^{13, 14}	C	N	C ¹⁷	C	N	C ¹⁷	N	N	N
Marijuana production and processing, Tier 3	N	N	N	N	N	N	N	N	N

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New Footnotes: Highlights

- Marijuana production may be indoor or outdoor. Indoor/outdoor are defined.
- Max Sq. Ft. used for production cannot exceed the amount in State license.
- Marijuana processing is only allowed in RFF or AG resources to support a marijuana production operation on the same parcel.
- Minimum lot sizes for marijuana production and processing.

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**Section 4. SJCC 18.30.460
Eastsound subarea land use regulations.**

land Use	VC	VR	SLI	ES Res	Service Park	Marina	ES Airport	Country Corner	ES Rural Res	ES Rural	ES natural
Production Processing Tiers 1 & 2 ¹	CUP	NO	CUP	NO	CUP	NO	NO	CUP	NO	NO	NO
Tier 3	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO

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New Footnotes: Highlights

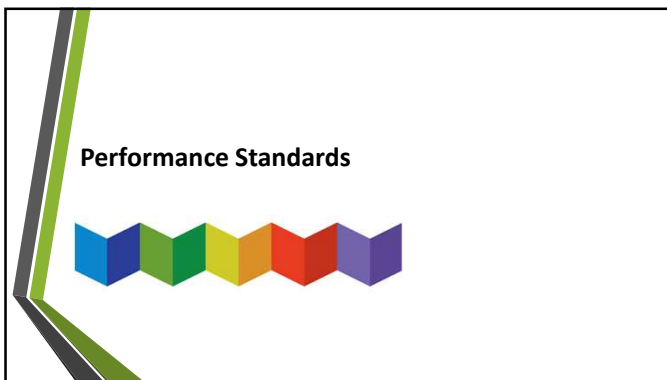
- Marijuana production and processing must be conducted indoors in Eastsound.
- The maximum amount of space for marijuana production cannot exceed the amount licensed.

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Optional New Section SJCC 18.30.750
Allowed and prohibited uses in Lopez Village UGA

Land Use	Lopez Village		
	VC	VI	VR
Industrial Uses			
Marijuana production and processing, Tiers 1 and 2	N	N	N
Marijuana production and processing, Tier 3	N	N	N

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- Section 5: New standards**
Production and processing - general.
- Only 1 State license can be used on parcels outside of UGAs.
 - State license required prior to certificate of final occupancy.
 - Marijuana is not an agricultural product only as it relates to Title 18 SJCC.
 - Shall not take place in a residence, critical areas & their buffers, or in shoreline jurisdiction.

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Section 6. New Standards
Rural and AG land siting standards.

- AG indoor: only in structures existing on effective date.
- Expansion of structures is prohibited.
- Set back 300' from property lines.
- Set back 500' from existing neighboring residences.

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Section 7: Production/processing structures and outdoor production

- Direct lighting away from adjoining property, critical areas and public roads. Could include shorelines in this list.
- Type A landscaping required.
- Install State security requirements prior to occupation.
- Identify chemicals, industrial solvents on applications and site plans.
- Comply with water system requirements and waste disposal regulations.


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Section 7: Production/processing structures and outdoor production

- Minimize fan noise and odors, a mechanical engineer licensed in WA must design the odor and noise control system.
- Minimize impacts to roads in rural and natural resource.
- Sets a cap on traffic intensity to be generated. Up to 5 round trips/day on private roads and up to 19 round trips/day on public roads.

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**Public Comments
Received During Briefing Periods**

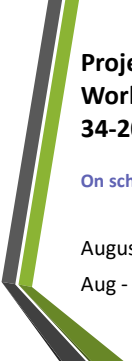


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**Project Benchmarks:
Work Plan in Original Moratorium Resolution
34-2019**

On schedule to avoid renewal of moratorium.

August: Council briefings and public hearing
Aug - Sept: Council adoption



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Questions?



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