

Memorandum

To: Planning Commission

From: Jason Rogers, Senior Planner, 425-556-2414, jrogers@redmond.gov

Date: March 4, 2016

Subject: **Comprehensive Plan and Zoning Code Amendments for Retail Marijuana**

Background

The Planning Commission began discussion of proposed Comprehensive Plan and Zoning Code amendments for retail marijuana on January 20, 2016. This started with a privately-initiated amendment requested by The Grass is Always Greener, LLC. The Technical Committee recommended amendments would revise policy LU-62 regarding the Manufacturing Park zone, and make several changes to the Zoning Code which would create a zoning overlay in a portion of the Manufacturing Park zone in the Sammamish Valley Neighborhood, allow retail marijuana stores in this area, set development standards for retail marijuana, and other related changes. The Technical Committee Report and other information provided to the Planning Commission is available online at <http://redmond.gov/Government/BoardsCommissions/PlanningCommission/TopicsUnderReview>.

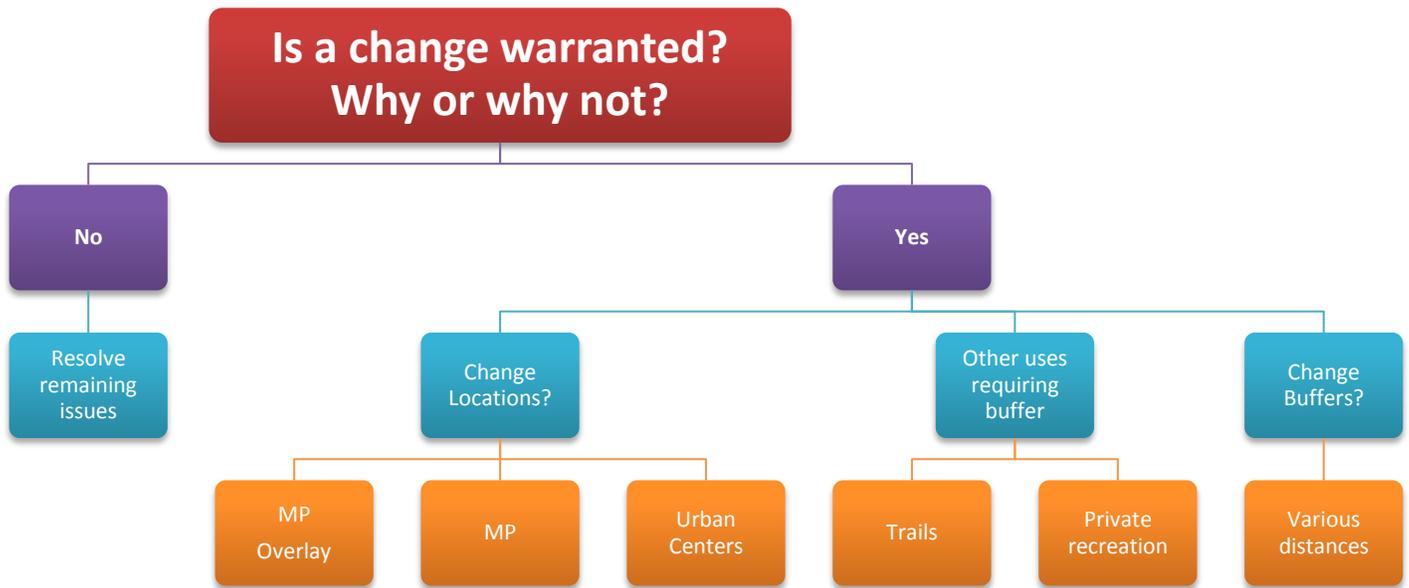
At the January 20 meeting, staff gave an overview of the proposed amendments to the Commission. Commissioners identified several issues. At the January 27 meeting, the Commission conducted the public hearing. Afterward, the Commission closed the public hearing for oral comment and kept it open for written comment. The Commission discussed and resolved some of the issues on the issues matrix at the February 10 and February 24 study sessions. The Commission did not discuss any issues at the February 17 meeting.

At the February 24 study session, a majority of the Commission indicated they believed a change is warranted to increase opportunities for retail marijuana stores to locate in Redmond. The reasons provided by the majority include that retail marijuana stores are a legal business in Washington state, the majority of Redmond residents supported I-502, a lack of evidence to substantiate concerns about potential impacts, parents are responsible for overseeing their children's actions, and tax revenue associated with marijuana retail stores could help address any potential impacts. Some Commissioners indicated interest in considering a buffer from trails and privately owned recreational facilities like Arena Sports. Commissioners also indicated a general desire to keep retail marijuana stores away from residential areas. The reasons provided by the minority to not increase opportunities for retail marijuana stores are that the vote on I-502 indicates support to legalize marijuana though not necessarily to locate stores in Redmond and that the Commission has heard significant opposition to allowing retail marijuana stores to locate in Redmond.

Preparation for March 9 Study Session

The purpose of the March 9 study session is to work through the decision tree provided to assist the Commission's discussion and identify and potentially resolve any additional issues. Staff anticipates that the Commission may be able to complete a recommendation on March 9.

As presented at the February 24 study session, staff has prepared a decision tree to assist the Commission in their discussion. For the March 9 study session, staff has also identified a few additional options based on the Commission majority's view that a change is warranted. The decision tree and options are shown below.



Possible Options

- From Technical Committee Report
 1. Technical Committee Recommendation (MP Overlay)
 2. Allow in mixed-use and retail zones with 250 foot buffers.
- New Options for Consideration based on Planning Commission discussion
 3. Allow in all of MP zone, except Marymoor subarea. 1,000 foot buffers and separation.
 4. Allow in all of MP zone, except Marymoor subarea. 500 or 750 foot buffers, 1,000 foot separation.
 5. Allow in all of MP zone, except Marymoor subarea. Require buffers from “major” trails. (Would need a definition for “major” trails). Consider various buffers.

Regarding the Marymoor subarea, currently, most of this subarea is zoned Manufacturing Park. However, policies in the Southeast Redmond portion of the Comprehensive Plan and draft zoning for the subarea call for transition to denser, walkable subarea that includes housing, jobs, community gathering places, education and shopping. Zoning to implement the adopted policies is in place for a portion of the subarea and is in development for the remainder. It includes a set of design districts.

Policies N-SE-34 through N-SE-41 and particularly policies N-SE-37 and N-SE-40 relate to land use for the Marymoor subarea. Policy N-SE-37 states: “Use zoning regulations and public investments to facilitate opportunities for housing, employment, community gathering, education, and small-scale shopping in this subarea.” Policy N-SE-40 states: “Incorporate housing into the Marymoor Subarea that is walkable to the station. Maintain opportunities for transit-oriented development that includes housing capacity in close proximity to the light rail station and for housing capacity in the areas closest to Marymoor Park.” These policies show the intent to add housing and community spaces in the Marymoor subarea in the coming years, which is similar though at a smaller scale compared to Redmond’s urban centers. For these reasons, if the Commission decides to consider additional MP zoned locations for retail marijuana stores and smaller buffers,

staff recommends excluding the Marymoor subarea. In addition, with a 1000 foot buffer from sensitive land uses, there are no properties in the Marymoor subarea that would be available for marijuana uses.

When discussing whether other uses not on the state list should require a buffer, such as trails or privately owned recreation facilities, the Commission will need to consider which trails should be included and what constitutes a privately owned recreation facility that needs to be buffered. Should the Commission desire to require a buffer from trails, staff's recommendation is to define "major" trails and staff's preliminary recommended list is to include the Sammamish River Trail (both the paved trail east of the river and the unpaved trail west of the river), East Lake Sammamish Trail, Redmond Central Connector (all phases – phase 1 is a park), SR-520 Trail, and PSE Powerline Trail as these are regional trails with significant use by the community including children. Staff has concerns about requiring buffers from privately owned recreation facilities due to the difficulty in appropriately defining these uses. In addition, another possibility for trails is to not allow retail marijuana stores on properties which directly abut a trail, rather than requiring a specific buffer.

Please contact Jason Rogers with any questions.

Enclosures

Issue Matrix for March 9, 2016

Public Comments received between February 24 and March 4, 2016