

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
<p>1. Confirm the Technical Committee’s Recommendation would not allow retail marijuana stores in Urban Centers. (Biethan)</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners discussed whether the Technical Committee’s recommendation would allow retail marijuana stores in the Urban Centers as an allowed use, even if retaining 1,000 foot buffers would effectively preclude the siting of a store in those areas.</p> <p>(2/10) Commissioners were satisfied with the information provided and closed this item.</p> <p><u>Staff Response/Recommendation</u> (1/22) The Technical Committee’s recommendation is to not allow retail marijuana stores in the mixed use zones including Redmond’s two Urban Centers. The Technical Committee’s reasoning is that retail marijuana stores may detract from the Urban Centers by impacting nearby businesses; increasing the potential for marijuana use in public parks, trails and other public locations; and detracting from the vision of the urban centers as destinations that provide a comfortable atmosphere for a diversity of people. In addition, since no sites would be available in mixed use zones unless buffers are changed, having retail marijuana as an allowed use is confusing and unnecessary.</p> <p><u>Public Comment</u> Some commenters would prefer that retail marijuana stores are treated like other retail stores and allowed in mixed use and retail zones, while most commenters would prefer retail marijuana stores to be far away from heavily-trafficked areas or not located in Redmond at all.</p>	<p>Opened 1/20</p> <p>Closed 2/10</p>
<p>2. Is there information available regarding a change in unregulated (black market) marijuana sales? (Miller)</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners discussed whether the creation of a legal means to purchase marijuana has affected black market sales, especially to minors. Commissioners noted that marijuana sales outside of the state licensed system have been and remain illegal.</p> <p>(2/24) Commissioners closed this issue without resolution as no information is available.</p> <p><u>Staff Response/Recommendation</u> (1/22) Staff is checking with Redmond Police on this question and will provide more information prior the next Planning Commission meeting.</p> <p>(2/3) Staff is checking with Redmond Police on this question and will provide more information when it</p>	<p>Opened 1/20</p> <p>Closed 2/24</p>

Issue	Discussion Notes	Status
	<p>is available.</p> <p>(2/24) Redmond Police indicate that no information is available regarding this question.</p> <p>Public Comment Most of the public comments have emphasized potential access to marijuana for youth as a significant concern, and that youth currently obtain marijuana through illegal means and would continue to do so even if stores are allowed. Other commenters maintain that providing additional opportunity for retail marijuana stores to locate in Redmond would reduce the potential for people to obtain marijuana through illegal means.</p>	
<p>3. Why treat different parts of the Manufacturing Park zone differently? (Miller)</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed whether it is appropriate to treat areas which are zoned the same (e.g. the Manufacturing Park zone) differently for different geographical locations.</p> <p>(2/10) Commissioners discussed the public comment received concerning the Manufacturing Park (MP) zone and the proposed overlay and the concerns expressed in these comments. Commissioners requested more detail on the distinctions between different parts of the MP zoned areas in Redmond. Commissioners also discussed the Washington Attorney General’s Opinion regarding marijuana uses and a City’s police powers.</p> <p>(2/24) Commissioners discussed the staff responses and the need to articulate clear reasons for arriving at a recommendation. Commissioners also discussed the possible differentiating characteristics between various parts of areas zoned Manufacturing Park. Commissioners were satisfied with the information provided and closed this issue without resolution.</p> <p>Staff Response/Recommendation (1/22) Different areas in the city have different characteristics, and while zoning designations are applied to areas with similar general characteristics or that are intended for the same land uses and development pattern in accordance with Map LU-1 Comprehensive Land Use Plan in the Comprehensive Plan, this does not mean that all areas zoned the same are exactly the same.</p> <p>The City has evaluated and allowed some differences in allowed uses for various locations zoned</p>	<p>Opened 1/20 Closed 2/24</p>

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	<p>Manufacturing Park (MP). Examples include:</p> <ul style="list-style-type: none"> • In SE Redmond, overlay for property adjacent to Redmond Way to allow additional commercial uses and allowance for membership wholesale/retail warehouses provided specific regulations are met • In the Sammamish Valley neighborhood, allowance for auto sales in conjunction with repair or as stand-alone businesses on properties zoned MP with frontage on NE 90th Street between Willows Road and 152nd Avenue NE, NE 95th Street between Willows Road and 151st Avenue NE, and 151st Avenue NE between NE 90th Street and NE 95th Street <p>In general, overlay zoning is used when there is a specific objective that isn't met by the conventional zoning in that area. It includes mapped locations with provisions more or less permissive than the underlying zoning.</p> <p>Specific to retail marijuana stores and the Technical Committee's recommendation, the Sammamish Valley portion of the Manufacturing Park zone has different characteristics compared to the Southeast Redmond portion of the Manufacturing Park zone. These include different access, different size of parcels and buildings generally, and the number and proximity of uses which require a buffer for marijuana uses.</p> <p>(2/12) In addition to the previously provided information, the primary differences between the proposed Sammamish Valley Manufacturing Park Overlay and the portions of the MP zone in Southeast Redmond are as follows:</p> <ul style="list-style-type: none"> • Parcel size – For the Sammamish Valley area, individual buildings tend to be located on discrete parcels which tend to be smaller (with a couple of exceptions). These smaller parcels, in general, are owned by different entities. In Southeast Redmond, the parcel sizes tend to be larger with more business park/industrial park-type development, e.g. more buildings on larger parcels. • Access – While access to both areas is difficult, especially at peak times, due to traffic volumes, the Sammamish Valley area is generally smaller and has simpler access; the primary access roads are NE 95th Street and 151st Avenue NE. NE 90th Street, at the southern boundary of the proposed overlay, is generally uncongested. In contrast, while the MP zoned areas of Southeast Redmond have more access points and a more substantial street grid, the primary access points at Union Hill Road and Redmond Way are more congested at all times of the day. • Uses requiring a buffer – The proposed Sammamish Valley overlay has several uses which 	

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>require a buffer surrounding it, but the buffers from these uses generally do not intrude into the area. In contrast, there are multiple daycares and Bear Creek Park and Ride in Southeast Redmond which, in combination, make much of the MP zoned areas of Southeast Redmond off-limits to licensed marijuana uses. Most of the available parcels are in the eastern portion, where the parcels are very large and occupied by land uses which are unlikely to support retail marijuana, such as a King County Metro Vanpool facility, proposed Costco, Fedex, and Genie.</p> <p>Regarding police powers, there is ample case law concerning a City’s exercise of its inherent police powers. As cited by the Attorney General Opinion, “a law is a reasonable regulation if it promotes public safety, health, or welfare and bears a reasonable and substantial relation to accomplishing the purpose pursued” (citing <i>Weden v. San Juan County</i>, 135 Wn.2d 678, 700). The state Supreme Court’s interpretation of “reasonable and substantial relation” encompasses the understanding that municipalities have wide latitude when enacting zoning ordinances. Retail marijuana stores are distinguishable from other retail uses, and the Technical Committee Report identified several factors and policies which distinguish the proposed zoning overlay from the entirety of the Manufacturing Park zone.</p> <p>Public Comment Many public comments have noted the proximity of large residential developments near the Manufacturing Park zone in Southeast Redmond. Some commenters questioned why allow certain retail uses and not others in Manufacturing Park zones.</p>	
<p>4. How could reduced buffers affect the number of properties potentially available in the Manufacturing Park zone? (O’Hara)</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed whether reducing buffers for marijuana uses in the Manufacturing Park (MP) zone would allow more potential sites for retail marijuana stores. Commissioners were also interested in the number of potential sites at different buffer distances.</p> <p>(2/10) Commissioners discussed the number of properties potentially available under different buffer scenarios and how the current use of the properties can make the numbers misleading. Commissioners were satisfied with the information provided and closed this item.</p> <p>Staff Response/Recommendation (1/22) The number of potential parcels in the Manufacturing Park zone under different scenarios is as</p>	<p>Opened 1/20 Closed 2/10</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>follows:</p> <ul style="list-style-type: none"> • Technical Committee Recommendation: 57 • 1,000 feet: 99 <ul style="list-style-type: none"> ○ 57 in the proposed overlay ○ 18 in the remaining MP-zoned areas near Willows Rd. ○ 24 in SE Redmond • 750 feet: 122 <ul style="list-style-type: none"> ○ 58 in the proposed overlay ○ 30 in the remaining MP-zoned areas near Willows Rd. ○ 34 in SE Redmond • 500 feet: 147 <ul style="list-style-type: none"> ○ 59 in the proposed overlay ○ 38 in the remaining MP-zoned areas near Willows Rd. ○ 50 in SE Redmond • 250 feet: 173 <ul style="list-style-type: none"> ○ 60 in the proposed overlay ○ 50 in the remaining MP-zoned areas near Willows Rd. ○ 63 in SE Redmond • 100 feet: 179 <ul style="list-style-type: none"> ○ 60 in the proposed overlay ○ 53 the remaining MP-zoned areas near Willows Rd. ○ 66 in SE Redmond <p>Maps showing the effect of reducing buffers will be available prior to next Planning Commission meeting.</p> <p>Public Comment Most public comment is in favor of keeping buffers at 1,000 feet.</p>	
<p>5. Should the size of retail marijuana stores be restricted?</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed the size of retail marijuana stores and whether it would be appropriate or necessary to place limits on store size. Different store sizes may affect parking requirements.</p>	<p>Opened 1/20 Closed 2/10</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status												
(Biethan)	<p>(2/10) Commissioners closed this item without reaching a conclusion on this issue.</p> <p><u>Staff Response/Recommendation</u> (1/22) The Technical Committee’s recommendation is to establish a maximum Floor Area ratio (FAR) in a manner similar to that for any other allowed use in a zone. This is for consistency within the Zoning Code. As most stores in the area are between approximately 750 and 2,500 square feet, there appears to be a low likelihood of large stores opening in Redmond due to market conditions.</p> <p>Should the Commission desire, it is possible to place an outright restriction on the size of a retail marijuana store, separate from the FAR limit generally in place.</p> <p><u>Public Comment</u> No public comments have been received concerning this issue to date.</p>													
<p>6. Is a trip generation rate available for marijuana stores? (Miller)</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners asked if the Institute of Transportation Engineers (ITE) has determined vehicular trip generation rates for marijuana stores, and if that information could be provided.</p> <p>(2/10) Commissioners discussed whether other land uses with comparable or very high trip generation are present in Redmond.</p> <p>(2/24) Commissioners discussed the trip generation rates for other land uses including restaurants and fast food restaurants. Commissioners were satisfied with the information provided and closed this issue.</p> <p><u>Staff Response/Recommendation</u> (1/22) Preliminary trip generation figures for marijuana stores indicate that trip generation rates are as follows:</p> <table border="1" data-bbox="453 1268 1692 1382"> <thead> <tr> <th></th> <th>Retail Marijuana</th> <th>Pharmacy w/ Drive Thru</th> <th>Specialty Retail</th> </tr> </thead> <tbody> <tr> <td>Daily</td> <td>400</td> <td>90</td> <td>44</td> </tr> <tr> <td>PM Peak Hour</td> <td>63</td> <td>11</td> <td>5</td> </tr> </tbody> </table> <p>*All figures are per thousand square feet of building area</p>		Retail Marijuana	Pharmacy w/ Drive Thru	Specialty Retail	Daily	400	90	44	PM Peak Hour	63	11	5	<p>Opened 1/20 Closed 2/24</p>
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Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

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	<p>Staff cautions Commissioners that this is preliminary data based on a limited number of surveys conducted mostly in Colorado, and that Colorado’s legal environment concerning marijuana and land use is somewhat different than in Washington.</p> <p>(2/12) The land use with the highest mobility units per land use units (e.g. the highest transportation impact) under the City’s current transportation concurrency system is Convenience Market, with a rate of 45.37 MU per square foot. Mobility Units are not equivalent to PM Peak Hour vehicle trips, as the Mobility Unit rate takes into account non-motorized travel and makes adjustments for average trip length, among other things. Convenience stores tend to be small and have high turnover, making them a reasonable proxy for retail marijuana stores. The transportation impact fee for a new construction 1,000 square foot convenience store would be \$106,440, although if it were occupying an existing building it would get credit for the prior use.</p> <p>(3/4) The MU rate for a restaurants is 11.53 MU per square foot, and 31.41 for a fast food restaurant in the Downtown Urban Center. The rate varies slightly in the Overlake Urban Center and in the rest of City.</p> <p>Public Comment Some public comments have expressed concern about high traffic volumes associated with retail marijuana stores.</p>	
<p>7. Should there be a separation between retail marijuana stores? (Miller)</p>	<p>Planning Commission Discussion</p> <p>(1/20) Commissioners discussed whether a separation requirement should be used to avoid creating a “marijuana district.” Separation could be used to disperse retail marijuana stores in order to minimize impacts. Commissioners also discussed whether other cities used separation requirements and asked staff to confirm the regulations for other cities.</p> <p>(2/10) Commissioners discussed the use of separation to avoid creating a “greenlight district” and noted that recommending separation could undermine the Technical Committee recommendation. Commissioners closed this item without reaching a conclusion on this issue.</p> <p>(2/24) Commissioners discussed the required separation for Adult Entertainment facilities, which is 825</p>	<p>Opened 1/20</p> <p>Closed 2/10</p>

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	<p>feet, and questioned the origin of this distance. Commissioners noted this issue could stay closed.</p> <p><u>Staff Response/Recommendation</u></p> <p>(1/22) Separation could be generally useful for two reasons. The first is to disperse retail marijuana stores throughout the city, as opposed to concentrating them in one area. The second is to indirectly limit the number of stores by effectively reducing the available supply of potential sites.</p> <p>When the public workshop was held, available information indicated that the number of retail store licenses was potentially unlimited. Staff sought public perspective on separation primarily as a means to limit the number of retail stores indirectly, as an outright local limit on the number of stores may not have been feasible. When the state Liquor and Cannabis Board decided to increase Redmond’s retail license allocation to 4 instead of unlimited, this reduced the need to use separation as means to indirectly limit the number of stores.</p> <p>Other eastside cities require separation between stores. Issaquah requires 1,000 feet; this was done to effect dispersion of retail marijuana stores and as “future proofing” against increased state license allocations by indirectly limited the total number of stores possible to locate in Issaquah (the theoretical maximum is 5 or 6 stores with perfect distribution; the practical maximum is 3 or 4). Bellevue requires 1,000 feet separation and wrote specific language regarding procedures in the event of a conflict. Two stores desired to open on Main Street in downtown Bellevue within close proximity, and only one was permitted. Kirkland does not require separation. Seattle’s recently updated regulations require 500 feet of separation between retail stores.</p> <p>In considering alternatives, requiring a separation may be counter to the objective of providing a particular area for potential retail marijuana stores. Alternatively, requiring a separation could support some amount of dispersal even in a particular geographic area.</p> <p>(3/4) The 825 foot rule appears to date from at least 1996 per an old Seattle Times article, however staff cannot determine the origin of this particular distance.</p> <p><u>Public Comment</u></p> <p>Some public comments have expressed support for requiring separation between stores. The survey results show that most survey respondents are in favor of separation.</p>	

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<p>8. Is any data available concerning security incidents at retail stores? (Nichols)</p>	<p>Planning Commission Discussion (1/20) The Commission discussed whether there is any data about break-ins, robberies, or other security incidents at retail marijuana stores. Commissioners suggested other eastside cities or Seattle may have data.</p> <p>(2/10) Commissioners closed this item.</p> <p>Staff Response/Recommendation (1/22) The Redmond Police Department indicates that in communicating with other law enforcement agencies in the Puget Sound region and state as a whole, there has not been a change in reported incidents. That is, retail marijuana stores do not report break-ins, robberies, or other criminal incidents at an abnormal rate compared to other retail businesses.</p> <p>Law enforcement agencies remain concerned that there is the potential for a larger number of unreported incidents; however no data would exist for unreported incidents.</p> <p>The City of Seattle publishes crime statistics on their website, http://www.seattle.gov/seattle-police-department/crime-data/crime-dashboard. Seattle’s overall data for property crimes shows that property crimes increased in 2014, when the first retail stores opened, compared to 2012, when marijuana was legalized. However, property crimes went down in 2015 compared to 2014. It is not possible to determine why property crime increased in from 2012-14, then decreased from 2014-15; legal marijuana may be one of many factors or it may be a major factor, but there is insufficient data to draw any conclusions.</p> <p>The state Liquor and Cannabis Board publishes lists of inspections of all licensed marijuana facilities including producers, processors, and retail stores, and also publishes a list of license violations and the general penalty (fine, written warning, etc.). These are available on their website, http://lcb.wa.gov/records/frequently-requested-lists.</p> <p>Public Comment Some public comments have expressed concern about possible issues with crime associated with retail marijuana stores.</p>	<p>Opened 1/20</p> <p>Closed 2/10</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

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<p>9. What are the code requirements for bars and liquor stores? (Captain/Haverkamp via email)</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners discussed whether bars might have similar effects to retail marijuana stores on the surrounding area. Commissioners also discussed whether the zoning regulations for liquor stores may be useful when discussing retail marijuana.</p> <p>(2/10) Commissioners discussed the differences and similarities between marijuana smoke and cigarette smoke. Commissioners also discussed the enforcement responsibilities of law enforcement and code enforcement. Commissioners closed this issue.</p> <p><u>Staff Response/Recommendation</u> (1/22) Bars and drinking places are allowed in mixed use and commercial zones. They are also allowed in the Manufacturing Park zone with some restrictions that include seating capacity limits, gross floor area limits, and limited hours of operation (6 am to midnight).</p> <p>Liquor stores are allowed in mixed use and commercial zones; they are not allowed in the Manufacturing Park zone. Liquor stores are considered General Sales or Service, and there are no additional restrictions on their location. State law requires that stores selling spirits must be a minimum of 10,000 sq. ft., except for former state and contract liquor stores.</p> <p>(2/2) In addition to the land use requirements above, alcohol can be consumed in a much wider variety of places, including in bars, restaurants, and clubs; in private homes including apartments; and at many sporting events. Marijuana may not be consumed in any of these situations except for private homes as it would violate the law prohibiting use “in view of the general public.” Residents in some multi-family buildings may be prohibited from smoking in their home.</p> <p><u>Public Comment</u> Some public comments speak in favor of treating retail marijuana stores like liquor stores with regard to zoning regulations.</p>	<p>Opened 1/20</p> <p>Closed 2/10</p>
<p>10. Highlight questions received through public</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners discussed public comments received to date and would like responses to questions raised by public comments.</p>	<p>Opened 1/20</p> <p>Closed 2/24</p>

Issue	Discussion Notes	Status
<p>comment. (Biethan)</p>	<p>(2/24) Commissioners highlighted the inconsistency between federal and state laws regarding marijuana, and the possibility of the City creating a “credibility gap” regarding marijuana. Commissioners also discussed the results of I-502, and how the City has previously acted regarding marijuana by adopting an ordinance and considering the current proposal. Commissioners closed this item.</p> <p><u>Staff Response/Recommendation</u></p> <p>(1/22) Questions from public comments, along with staff responses, are as follows:</p> <ul style="list-style-type: none"> • <i>Q: Is the East Lake Sammamish Trail considered a park?</i> A: No. Rules adopted by the state Liquor and Cannabis Board specifically state that trails are not public parks. • <i>Q: Is Arena Sports (9040 Willows Rd.) considered a recreation center?</i> A: No. Rules adopted by the state Liquor and Cannabis Board specifically state that recreation centers must be owned by a government agency or a charitable non-profit. • <i>Q: How many medical marijuana dispensaries are in Redmond, and would any of them convert to a licensed retail marijuana store?</i> A: Redmond does not allow medical marijuana collective gardens or dispensaries. There are none operating in Redmond, and so none which may convert to a licensed retail marijuana store. <p>(2/2) Additional questions from public comments:</p> <ul style="list-style-type: none"> • <i>Q: Can Redmond ban retail marijuana stores and/or marijuana producers and processors?</i> A: Probably yes. The state Attorney General issued AGO Opinion 2014 No. 2 which opines that cities and counties may ban licensed marijuana facilities. While the Attorney General’s opinion is not binding on state courts, courts generally show deference to Attorney General Opinions. HB 2136, which made significant changes to state law concerning marijuana in 2015, implies that a ban is possible. No state appellate court has yet ruled on this issue. • <i>Q: What were the voting results for I-502 in Redmond?</i> A: The results in Redmond for I-502, which decriminalized marijuana and directed the state Liquor and Cannabis Board to establish the licensed retail marijuana system in 2012, were approximately 58.8% Yes and 38.25% No. Planning Commission has received public testimony that indicates that while some voters specifically supported legal access for retail marijuana, other voters supported the measure to decriminalize use of marijuana rather than support 	

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	<p>location of stores nearby.</p> <ul style="list-style-type: none"> Q: <i>Why is the state increasing the number of retail store licenses?</i> A: State law changes enacted in 2015 made a variety of changes to marijuana regulations in Washington. Included among these are changes to medical marijuana regulations. In effect, the state legislature has made commercial collective gardens (dispensaries) illegal. Since this will have the effect of impacting access to medical marijuana for qualified patients, the state legislature also directed the Liquor and Cannabis Board to increase the number of retail store licenses with the intent of maintaining access to medical marijuana. <p>(2/19) Additional questions from public comments:</p> <ul style="list-style-type: none"> Q: <i>What are the potential impacts to property values?</i> A: It is not possible to determine what effect, if any, retail marijuana stores may have on property values. Generally speaking, property values are determined by the King County Assessor using standard practices which aim to value property at its full market value. It is also important to note that property taxes in Washington are structured so that a particular taxing district (such as the City) will collect a certain total amount, limited by state law, and individual property assessments determine what share of that total amount each property owner is responsible for. Therefore, an increase or decrease in property values has no direct effect on City property tax revenues. Q: <i>If marijuana is still illegal under federal law, how and why are we considering this proposal?</i> A: Yes it is still illegal under Federal law however that is the responsibility of federal agencies and the United States Attorney. Redmond does not enforce Federal law and the City's powers to regulate land use and maintain public health and safety derive from the state constitution. <p>Public Comment N/A</p> 	
<p>11. What are the potential impacts of retail marijuana stores on the Urban Centers that should be minimized? (O'Hara/Miller)</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed how Redmond's Urban Centers, in particular Downtown, have changed over the last decade and how this change and contributed to vibrancy. Commissioners discussed how retail marijuana stores may impact the Urban Centers and the Technical Committee's rationale for its recommendation.</p> <p>(2/10) Commissioners discussed the need for more specifics regarding potential impacts and the desire</p>	<p>Opened 1/20 Closed 2/10</p>

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	<p>of having quantifiable information about potential impacts. Commissioners also discussed the Comprehensive Plan policies regarding the Urban Centers. Commissioners noted that there may be a difference of opinion regarding the amount and interpretation of information provided. Commissioners closed this issue without reaching a conclusion on this issue.</p> <p>(2/24) Commissioners noted that other cities do not allow retail marijuana stores in their Urban Centers and downtown areas, except for Bellevue. Commissioners discussed public use of marijuana and noted that marijuana consumption will occur regardless of where stores are or are not located. Commissioners noted that application of policies concerning Redmond’s Urban Centers may appear subjective, but a robust and strong policy regarding retail marijuana is needed. Commissioners closed this issue but will continue the discussion about this issue.</p> <p><u>Staff Response/Recommendation</u> (1/22) Retail marijuana stores would not be appropriate in the Urban Centers for several reasons. The Technical Committee Report identifies these reasons, which are summarized below:</p> <ul style="list-style-type: none"> • The potential for retail marijuana stores to lead to increased public use on sidewalks, parks and other public places. Public comments have identified concerns about smoke from marijuana products in public places which could negatively impact people’s enjoyment of and the vibrancy of the Urban Centers. Policy LU-51 speaks directly to this as it explicitly calls for creating “a comfortable atmosphere” in the Downtown Urban Center; marijuana smoke could detract from people’s comfort when they are Downtown. • The potential for retail marijuana stores to require large amounts of parking given the characteristics of the business. Some areas in Redmond generally have a sufficient supply of parking, while other areas, in particular Downtown, are parking constrained. The high trip generation rates (even if those rates are only preliminary) for retail marijuana stores suggest high parking demand, especially during peak times. Since Downtown is parking constrained, ensuring a retail marijuana store would have a sufficient amount of parking could be difficult and generally in opposition to policies DT-3 and DT-11 which call for the establishment of a pedestrian-oriented environment and development which contributes to a comfortable feel for pedestrians. • The potential for retail marijuana stores to negatively impact neighboring businesses through factors including increased public use, traffic, and parking. These factors could cause a reduction in opportunity for businesses, or cause businesses to close or not come to the Urban 	

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

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	<p>Centers. Policies LU-38 and DT-27 speak directly to supporting the Urban Centers and Downtown especially as major retail and business areas and destinations and therefore supporting existing businesses and attracting new businesses compatible with the vision to these areas.</p> <p>In addition, considering policies LU-47 and LU-62, the Technical Committee Report notes “retail and other uses ‘that may have some adverse impacts’ and/or ‘are better suited for locations outside of the Downtown or Overlake’ Urban Centers should be located in” the General Commercial (GC) and Manufacturing Park (MP) zones. Taken together, the preceding factors combined with the policy language for the GC and MP zones indicate that allowing retail marijuana stores in the Urban Centers could result in impacts that Comprehensive Plan policies indicate should be avoided while providing a method of accommodating those uses which, while not appropriate for the Urban Centers, are still legal uses and/or should be accommodated in Redmond, and identifies the GC and MP zones as potential areas where those uses might be more appropriate.</p> <p><u>Public Comment</u> Public comments have expressed concern about the visibility of retail marijuana stores if located in the Downtown which families frequent which could make the stores more attractive and interesting to youth. Comments have also noted the potential impacts of retail marijuana stores on neighboring businesses, citing specific examples in Kirkland and the Factoria area of Bellevue. Other comments have noted the strict safety and security requirements imposed by the state on store licensees.</p>	
<p>12. Provide details of the housekeeping amendments for production and processing. (Biethan)</p>	<p><u>Planning Commission Discussion</u> (1/20) Commissioners discussed the housekeeping amendments and asked that they be specifically identified since they are not part of the Technical Committee Report.</p> <p>(2/10) Commissioners were satisfied with the information provided and closed this item.</p> <p><u>Staff Response/Recommendation</u> (1/22) Redmond’s current regulations regarding marijuana are from ordinance 2744. Due to an oversight, the Comprehensive Use Chart (RZC 21.04.030) was updated to show the zones where marijuana uses are allowed, but the individual use charts for the various zones (in RZC 21.06 through 21.14) were not updated. Therefore a conflict exists in the Zoning Code since the Comprehensive Use</p>	<p>Opened 1/20</p> <p>Closed 2/10</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

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	<p>Chart shows that marijuana uses are permitted, but no specific standards are set in the individual zones.</p> <p>The following sections would be updated:</p> <p>Marijuana production – Agriculture use</p> <ul style="list-style-type: none"> • Table 21.06.010B – Urban Recreation (UR) zone <p>Marijuana processing – Manufacturing and Wholesale Trade use</p> <ul style="list-style-type: none"> • Table 21.12.210A – Overlake Business and Advanced Technology (OBAT) zone • Table 21.13.030A – Regional Retail (RR) zone • Table 21.14.030B – Business Park (BP) zone • Table 21.14.040C – Manufacturing Park (MP) zone <p>NOTE: In addition to changes to allow marijuana retail sales in the Samm Valley Overlay)</p> <ul style="list-style-type: none"> • Table 21.14.050C – Industrial (I) zone <p>Specific text amendments to the RZC will be distributed prior to the public hearing and next study session.</p> <p>Public Comment No public comments have been received concerning this issue to date.</p>	
<p>13. What if a use requiring a buffer moves in after a store opens? What does the state law say? (Miller/ Haverkamp via email)</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed the procedure if a retail marijuana store opens in a compliant location, and then later a use requiring a buffer (a daycare, for example) opens within the buffer distance. Commissioners also requested to see the text of the state law concerning buffers.</p> <p>(2/10) Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation (1/22) If a licensed marijuana facility is sited in accordance with state and local regulations when it opens, and then later a use which would make that site non-compliant opens, the licensed marijuana facility would be “grandfathered” in at its current location. This would be similar to a non-conforming use. Redmond could specifically provide for this in the Zoning Code for clarity. Other cities have provisions in their codes regarding this situation.</p>	<p>Opened 1/20 Closed 2/10</p>

Issue	Discussion Notes	Status
	<p>The state law concerning buffers is contained in RCW 69.50.331 and is as follows:</p> <ul style="list-style-type: none"> (8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older. (b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health. (c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health. (d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility: <ul style="list-style-type: none"> (i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees; (ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and (iii) Bears no advertising or signage indicating that it is a marijuana research facility. <p>Public Comment No public comments have been received concerning this issue to date.</p>	
<p>14. Would allowing this retail use in the Manufacturing Park</p>	<p>Planning Commission Discussion (1/20) Commissioners discussed whether allowing a particular retail use in the Manufacturing Park (MP) zone could potentially either require the city to allow others, or would set precedent for allowing</p>	<p>Opened 1/21 Closed 2/24</p>

Issue	Discussion Notes	Status
<p>zone potentially require the City to allow other retail uses as well? (Haverkamp via email)</p>	<p>further retail uses.</p> <p>(2/10) Commissioners discussed whether retail marijuana use is an appropriate retail use in the MP zone, and the potential impacts of retail marijuana on other retail uses already allowed in the MP zone (see item #25).</p> <p>(2/24) Commissioners were satisfied with the information provided and closed this issue.</p> <p><u>Staff Response/Recommendation</u></p> <p>(1/22) Regarding the legal issue, in general the City has authority under its inherent zoning powers to regulate where land uses locate within the City, so it is not likely there is an issue with other retail uses seeking to locate in the Manufacturing Park zone, even if the City were to allow retail marijuana stores to locate there. RCW 35A.63.100 provides specific authority under state law for cities to adopt zoning regulations. Article XI, Section 11 of the state constitution also provides that cities have broad police powers, which are generally regarded to include the power to enact zoning.</p> <p>Redmond allows some limited retail uses in the Manufacturing Park zone today. The allowed uses are designed to provide services in the immediate vicinity of Redmond’s manufacturing and employment areas. For example, professional services are “Limited to research and development services and other uses that support another permitted use in the MP zone.” As previously noted, bars are also allowed but are restricted in size and scale. The Technical Committee analyzed whether allowing retail marijuana stores would have an impact on the availability of space for the uses primarily envisioned in the Manufacturing Park zone and determined that the probable maximum amount of area is approximately 10,000 square feet, which is not considered to be a significant impact.</p> <p>(2/10) See item #25.</p> <p><u>Public Comment</u></p> <p>Several public comments have noted that the City has historically not supported the expansion of retail uses in the Manufacturing Park zone, and that making a special allowance for retail marijuana is unfair.</p>	
<p>15. Public Notice (Miller)</p>	<p><u>Planning Commission Discussion</u></p> <p>(1/27) Commissioners asked if appropriate public notice has been provided for this proposed</p>	<p>Opened 1/27</p>

Issue	Discussion Notes	Status
	<p>amendment.</p> <p>(2/10) Commissioners were satisfied with the information provided and closed this item.</p> <p><u>Staff Response/Recommendation</u> (2/2) The Type VI process for legislative actions (for Comprehensive Plan and Zoning Code Amendments) requires Notice of the Public Hearing with some specifics based on the type of application. Comprehensive Plan and Zoning Code text amendments require this notice be published in the newspaper. Zoning Map amendments have additional requirements for mailed notice of the public hearing if the application requires owner signatures under RZC 21.76.070.AF.4 Special Application Requirements for applications for Comprehensive Plan or Zoning Map amendments; these signatures were not required for this application. Mailed notice is required to all parties of record for the proposal, and notice was mailed to all parties of record.</p> <p>Staff sent a courtesy notice of the public hearing to property owners and tenants in the proposed Sammamish Valley Manufacturing Park Overlay. This notice was mailed on January 13, 2016, for the January 27 public hearing.</p> <p>In addition, staff used several other approaches to inform people about the public hearing, including a press release, information on the City’s web page and social media posts. In addition, the Redmond Reporter included an article on the topic with the hearing date.</p> <p><u>Public Comment</u> Several public comments expressed concern about public notice for these proposed amendments, including the timing of the mailed notice to owners and tenants in the MP zone affected by the proposed zoning map amendments.</p>	<p>Closed 2/10</p>
<p>16. Use of anonymous online surveys (O’Hara via email)</p>	<p><u>Planning Commission Discussion</u> (1/29) Commissioners discussed the usefulness of anonymous online surveys since they are not statistically valid and are easily influenced by individuals and/or small groups repetitively voting. Commissioners asked what other survey methods may be considered in the future.</p> <p>(2/10) Commissioners discussed how the questionnaire does not provide a representative sample or</p>	<p>Opened 1/29</p> <p>Closed 2/10</p>

Issue	Discussion Notes	Status
	<p>statistically valid results, but still provides useful information. Commissioners closed this item without reaching a conclusion about this issue.</p> <p><u>Staff Response/Recommendation</u> (2/2) The online survey contains useful data for Commissioners to consider, but it has limitations. The survey is not scientific, nor is it intended to represent a statistically valid sample.</p> <p>This survey collected 2,217 total responses, of which 1,619 were unique. The survey software used can help identify multiple responses from the same person in several ways. The survey software assigns a unique Network ID to each IP address. It also logs the date and time a person begins the survey and when they submit their survey responses. For this survey, a total of 1,619 Network IDs provided responses. 315 of the Networks IDs provided multiple responses, totaling 913 total responses. In some cases it is highly likely a single person is submitting multiple responses, as the responses are all within a short time period and are identical or substantially similar (for example, preferring large buffers, no marijuana stores, and separation). In other cases, however, the same Network ID provides very different responses over a wide time period. This could represent, for example, people using the computers at a library or using a public Wi-Fi network (at a coffee shop, City Hall, etc.) or people in a single household providing different perspectives. Staff will provide the full survey results including timing and Network IDs.</p> <p>It is possible to use a survey tool that requires respondents to provide their email or phone number and thereby, reduce the potential for multiple responses. A trade-off is that not all people are willing to provide this information and that people in a single household may use a single phone or email address and would not be able to all participate. Respondents could also provide a bogus email address or phone number.</p> <p>Statistically valid surveys can be useful when considering some subjects. For example, the City conducted a survey of park usage in the City in 2014 in support of early PARCC Plan update activities and for Park Impact Fee update purposes. However, the City would need to retain an outside company to conduct such a survey, and does not have available funding for this. There is also significant lead time required to conduct a survey and get the results. These factors make it difficult to use statistically valid surveys for most subjects.</p>	

Issue	Discussion Notes	Status
	<p>(2/9) When accounting for 1,619 unique responses, the overall survey results change slightly, by 2 or 3 percent.</p> <p>Public Comment Some public comment has highlighted the survey results as indicative of the community’s views, while other comments have noted the limitations of the survey.</p>	
<p>17. What is the basis for considering an amendment? (O’Hara via email)</p>	<p>Planning Commission Discussion</p> <p>(2/2) Do we as a city believe there is a need to change zoning to increase the opportunities for retail marijuana stores to locate in Redmond? If so, why? If no, why not?</p> <p>(2/10) Commissioners discussed the original application by The Grass is Always Greener, the impact of public comment, and I-502 results. Commissioners also discussed whether it is fair to exclude a legal business from the City, and noted that the 2015 state law changes also eliminated the previous medical marijuana collective garden/dispensary system. Commissioners discussed buffers from trails.</p> <p>(2/24) A majority of the Commission indicated they believed a change is warranted to increase opportunities for retail marijuana stores in Redmond. The reasons provided by the majority included 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 be used to help address potential impacts. Some Commissioners indicated interest in considering a buffer from trails and private 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 that no change is needed 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.</p> <p>(3/9) Commissioners discussed being proactive when addressing retail marijuana stores and not reactive. Commissioners discussed implementing the intent of I-502 and identified the subjects of I-502 as priorities for law enforcement, tax revenue, and negating the black market with a legal market. Commissioners state the state legislature directly addressed the issue of recreational and medical marijuana systems by amending I-502 and medical marijuana laws. Other Commissioners noted I-502</p>	<p>Opened 2/2</p> <p>Closed 3/9</p>

Issue	Discussion Notes	Status
	<p>explicitly included 1,000 foot buffers. Commissioners closed this item.</p> <p><u>Staff Response/Recommendation</u> (2/3) The Technical Committee’s overall objectives when considering the proposed amendments included:</p> <ul style="list-style-type: none"> • Allow for retail marijuana stores to locate in Redmond. • Minimize potential impacts from retail marijuana stores. • Maintain the vibrancy of the Urban Centers. • Address public safety concerns. <p>The significant public testimony on this issue generally shows that this question could be a starting point for discussion. There are many factors to consider when determining whether Redmond should revise its policies and/or zoning to increase the opportunities for retail marijuana stores to locate in the City, including but not limited to Redmond’s vision, Comprehensive Plan policies, access to marijuana, and public safety concerns.</p> <p>(2/10) Please see item #21 for a discussion of gauging public opinion and the ballot title for I-502.</p> <p>Redmond has never allowed medical marijuana collective gardens and none operate in the City.</p> <p>Please see item #26 for a discussion about buffers from trails.</p> <p><u>Public Comment</u> Public testimony at the public hearing was primarily against allowing retail marijuana stores in Redmond, with a minority in favor. Public comment via email has also been primarily against allowing retail marijuana stores, with a minority in favor. Comments have noted the proximity of stores in Bellevue, Kirkland, and Issaquah as well as the potential negative effects of retail marijuana stores. Comments have also noted that retail marijuana stores are allowed under state law and the proponents intend to operate in conformance with all laws and rules. Some comments from property owners in or near the proposed MP zoning overlay have questioned whether the area is suitable for retail marijuana uses, or for retail uses generally due to peak traffic volumes, lack of parking, and presence of youth-friendly businesses such as Arena Sports. Comments have also noted the City has historically not allowed many retail uses in the Manufacturing Park zone, and allowing retail marijuana stores in the</p>	

Issue	Discussion Notes	Status
	Manufacturing Park zone may be unfair.	
18. Availability of illegal marijuana (Biethan via email per Councilmember Myers letter)	<p><u>Planning Commission Discussion</u> (2/5) Could legal marijuana stores reduce demand for illegal marijuana? (2/24) Commissioners closed this issue without resolution as no information is available.</p> <p><u>Staff Response/Recommendation</u> (2/5) To be added. (2/9) Staff is checking with Redmond Police on this question and will provide more information when it is available. (2/24) Redmond Police indicate that no information is available regarding this issue.</p> <p><u>Public Comment</u> To be summarized.</p>	Opened 2/5 Closed 2/24
19. City legal options (Biethan via email per Councilmember Myers letter)	<p><u>Planning Commission Discussion</u> (2/5) What can the City do legally with regard to retail marijuana stores? Are up-to-date maps illustrating state minimum buffers and buffered facilities available? (2/24) Commissioners were satisfied with the information provided and closed this issue.</p> <p><u>Staff Response/Recommendation</u> (2/9) The City has the authority to enact reasonable zoning regulations consistent with state law. This includes the ability to allow or not allow retail marijuana stores, or any other land use, in particular zones, and the ability to set development standards such as height limits, parking requirements, setbacks, etc. Generally speaking, the City may also not allow a particular land use including retail marijuana stores.</p> <p>State law sets some limitations on the location of licensed marijuana facilities including retail stores. For example, Liquor Control cannot issue a license to a marijuana facility if it is within 1,000 feet of a</p>	Opened 2/5 Closed 2/24

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>school, playground, daycare, libraries, etc., unless a city adopts an ordinance allowing for smaller buffers for some uses (playgrounds and schools are excepted). State law also mandates that licensed marijuana facilities may not be in private homes or other places where law enforcement access is limited.</p> <p>Maps showing all uses in Redmond and vicinity which require a buffer, as well as parcels which could potentially accommodate marijuana uses under different buffer scenarios, are available at www.redmond.gov/marijuana.</p> <p>Public Comment Some comments have asked for the City to ban retail marijuana stores, or to ban all licensed marijuana facilities. Other comments have noted licensed marijuana facilities are legal under state law and the City should accommodate these legal uses.</p>	
<p>20. Other cities' experiences (Biethan via email per Councilmember Myers letter)</p>	<p>Planning Commission Discussion (2/5) What are other cities experiences with licensed marijuana facilities, including for production and processing in addition to retailing? Specifically focus on crime, traffic, and impacts to neighboring businesses.</p> <p>(2/24) Commissioners asked for further detail on this issue from Bellevue and Kirkland.</p> <p>(3/9) Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation (2/9) Information is presently available regarding marijuana facilities in Issaquah and on the marijuana testing lab in Redmond. Information on facilities in other cities will be added as available.</p> <p>There are currently no licensed marijuana facilities (producer, processor, or retailer) in Redmond, however Redmond has one marijuana testing lab located on NE 95th Street in the Manufacturing Park zone. This facility tests marijuana products for compliance with state rules and does not produce, process, or sell marijuana. No complaints regarding this facility have been made to the City. This facility operates similar to any other laboratory type land use and does not have a noticeable parking or traffic impact.</p>	<p>Opened 2/5 Closed 3/9</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>Issaquah has one retail marijuana store and no producers or processors. Issaquah also has one medical marijuana facility and formerly had two others; only two medical marijuana facilities were open at the same time. The retail marijuana store is located in a manufacturing/industrial area north of I-90 near East Lake Sammamish Parkway, and occupies the second floor of a two story, 8,000 square foot building. The site has 21 parking spaces, and additional street parking is available. A medical marijuana facility formerly occupied the first floor.</p> <p>Regarding parking, there is occasionally some parking spillover onto the street at peak times, however this has not impacted the neighboring businesses as peak times which typically occur after other businesses have closed for the day.</p> <p>Regarding traffic, there is minimal traffic in this area and the increase from the retail marijuana store has not created an impact. Since the building was entirely vacant prior to the marijuana facilities occupying the building, traffic has increased compared to before the marijuana facilities arrived, but is within the range contemplated by the original permits for the building.</p> <p>The medical marijuana facility had some odor impacts to neighboring businesses because this facility had live plants on site (these were small plants for collective garden members, not active production plants) and also did some processing activities on site. Since the medical marijuana facility has closed, the odor impacts are no longer present. The retail marijuana store has only finished products on site, and these are packaged in accordance with state rules.</p> <p>Neither the medical marijuana facility nor the retail marijuana store have been broken into. Both facilities had/have extensive security measures including locked doors, cameras, and ID checks, and Issaquah Police work closely with the proprietors to ensure adequate security and safety. Issaquah Police indicate that loitering and public consumption is not an issue at and near the retail marijuana store.</p> <p>(2/19) Staff is awaiting a detailed response from Bellevue and Kirkland regarding their experiences with retail marijuana. Kirkland has indicated no major issues in general, without specifics.</p> <p>(3/4) Bellevue’s store on Main Street in their downtown is closing and moving to Factoria. There were</p>	

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>no issues related to this store apart from traffic and parking issues, however Bellevue staff also stated that traffic and parking are issues for all businesses along Main Street in Old Bellevue, so this is not specific to the retail marijuana store. The other stores in Bellevue have not had any significant issues; the minor ones include signage and fire/life safety permitting issues.</p> <p>Kirkland staff indicate there were initial minor issues with the store on Willows Road involving some smell, traffic, and parking issues. These issues subsided within the first month of the store opening.</p> <p>Public Comment Comments have noted that there are several stores on the Eastside including in Bellevue, Kirkland, and Issaquah.</p>	
<p>21. Public opinion (Biethan via email per Councilmember Myers letter)</p>	<p>Planning Commission Discussion (2/5) What do Redmond citizens want? Is a statistically valid measure available? (2/24) Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation (2/9) The vote on I-502 was in November 2012, over 3 years ago, and involved multiple related issues in the same ballot measure. As previously noted under item #10, public testimony (see below) has indicated various reasons for voting for or against I-502. For reference, the ballot title read as follows: Initiative Measure No. 502 concerns marijuana. This measure would license and regulate marijuana production, distribution, and possession for persons over twenty-one; remove state-law criminal and civil penalties for activities that it authorizes; tax marijuana sales; and earmark marijuana-related revenues. Should this measure be enacted into law? [] Yes [] No</p> <p>The Official Ballot Title and Explanatory Statement were written by the Attorney General as required by</p>	<p>Opened 2/5 Closed 2/24</p>

Issue	Discussion Notes	Status
	<p>law.</p> <p>The online survey/questionnaire is not a statistically valid survey, however it provides useful information on the respondents' views. After adjusting for unique responses, the results are still overwhelming in favor of large buffers, no retail stores, and separation.</p> <p>As noted in item #16, it is possible to conduct a statistically valid survey which could provide a snapshot of what Redmond citizens want, depending on how survey questions are phrased. However the cost and logistics of doing so are prohibitive.</p> <p>The significant public comment on this issue, while not necessarily representative, also provides useful information on peoples' views regarding this issue similar to the responses to the online survey/questionnaire.</p> <p>Public Comment Planning Commission has received public testimony that indicates that while some voters specifically supported legal access for retail marijuana, other voters supported the measure to decriminalize use of marijuana rather than support location of stores nearby. Some comments have highlighted the survey/questionnaire results as indicative of the community's views, while other comments have noted its limitations.</p>	
<p>22. Siting of marijuana uses (Biethan via email per Councilmember Myers letter)</p>	<p>Planning Commission Discussion (2/5) What are the potential impacts of siting marijuana facilities in various areas of the city? Does it make sense to exclude or centralize marijuana uses in particular areas? What are the potential impacts of concentrating these facilities in one area?</p> <p>(2/24) Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation (2/9) The Technical Committee Report discusses the potential impacts to siting retail marijuana stores in various areas of the city, but does not address marijuana production or processing facilities. The potential impacts from retail marijuana stores include traffic, parking, crime and security, and public use. These potential impacts could occur regardless of where in the city a retail marijuana store is</p>	<p>Opened 2/5 Closed 2/24</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>located, but whether these impacts are significant or not varies as different parts of the city have different characteristics.</p> <p>Marijuana processing facilities are generally similar to other manufacturing uses, with minimal or no public visibility. Odor is a potential impact, although this is being addressed through revisions to state building codes.</p> <p>In general, concentrating marijuana facilities in one area could concentrate the potential impacts. This could have a greater potential impact on this area, while minimizing or eliminating potential impacts in other areas. Conversely, separating (or dispersing) marijuana facilities to different areas could spread out the potential impacts.</p> <p>Public Comment Some comments have discussed how retail marijuana stores are or are not appropriate in different areas of the city, including Downtown, the proposed zoning overlay, the Manufacturing Park zone in general, and Southeast Redmond.</p>	
<p>23. Demand for marijuana (Biethan via email per Councilmember Myers letter)</p>	<p>Planning Commission Discussion (2/5) What is the documented demand for marijuana and marijuana products among Redmond residents? (2/24) Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation (2/9) Demand for marijuana is difficult to determine due to a lack of available data and limitations on the data that exists. For example, prior to the opening of retail marijuana stores, the only marijuana legally obtainable (under state law) was medical marijuana, and this was only available to people holding a medical marijuana authorization. Under state laws regarding medical marijuana, there was no tracking of overall production or amounts dispensed, and so it was not possible to determine the demand for medical marijuana (and remains not possible at this time). In addition home growing for medical patients was and remains legal, further limiting the possibility of determining demand for medical marijuana. Furthermore it is widely acknowledged, although precise data is not available, that abuse of medical marijuana authorizations occurs which enables people who are not necessarily in need</p>	<p>Opened 2/5 Closed 2/24</p>

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>of medical marijuana to obtain it for recreational purposes. This effect would further distort any attempt to gauge the demand for medical marijuana.</p> <p>Since the opening of retail marijuana stores, the state Liquor and Cannabis Board publishes sales data on their website http://lcb.wa.gov/marijuana/dashboard, and also makes individual store sales data available. While this information could be useful, it is not connected to who is purchasing marijuana, where purchasers live, or how much a representative individual is purchasing. As such it is impossible to disaggregate demand for recreational marijuana via retail stores down to the city level. Furthermore, the uneven distribution of retail store locations in the state, combined with sales to tourists, makes it difficult to draw conclusions about demand on a statewide basis. The Liquor and Cannabis Board commissioned several studies (the “BOTEC Reports”) to estimate the statewide demand for marijuana, among other things, but the studies also noted there is “enormous uncertainty.” The reports are available at http://lcb.wa.gov/marijuana/botec_reports.</p> <p>(2/24) Redmond Police indicate that no additional information is available regarding this question.</p> <p>Public Comment Some comments have asserted a low demand for marijuana in Redmond. Other comments have noted that the demand is not relevant and marijuana is available from stores in neighboring cities. The proprietor of a retail marijuana store in Kirkland has provided some figures regarding business at that store.</p>	
<p>24. Pace of potential changes (Biethan via email per Councilmember Myers letter)</p>	<p>Planning Commission Discussion (2/5) What is the appropriate pace for increased opportunities for marijuana retail in Redmond in thinking about current conditions and future growth in the city?</p> <p>(2/24) Commissioners discussed how a possible phased approach to the number of stores may help address this issue, and how this could be done overtly or through other measures such as buffers and separation. Commissioners also discussed the City’s role in governing the number of stores. Commissioners closed this issue.</p> <p>Staff Response/Recommendation (2/9) There are many factors to consider when discussing what may be an appropriate pace for</p>	<p>Opened 2/5 Closed 2/24</p>

Issue	Discussion Notes	Status
	<p>increased opportunities for retail marijuana in Redmond. The pace and planning for future growth is one such factor, along with state law, public input, and activities of neighboring cities, to name several.</p> <p>Redmond is projected to grow significantly over the next 15 years, with the majority of growth in the two Urban Centers. The 2030 targets are 78,000 people and 119,000 jobs, compared to 59,180 people and approximately 84,000 jobs today.</p> <p>One of the primary considerations when contemplating if there are any suitable locations in Redmond for retail marijuana stores involves the interaction of Redmond’s zoning with uses that require a buffer under state law. This can be visualized on the map posted on the city’s website at http://www.redmond.gov/common/pages/UserFile.aspx?fileId=177537. While land uses which require a buffer, especially private businesses such as daycares, will change somewhat over time, Redmond already has a significant number of these land uses spread throughout the City and especially concentrated in the Urban Centers. As the City grows over time, it is likely that additional land uses which require a buffer will emerge. This could further erode the potential areas where retail marijuana could locate.</p> <p>Public Comment Some comments have asked the City to wait and gather additional information about marijuana and retail marijuana stores before making a decision.</p>	
25. Retail uses in MP zone (Biethan/Miller)	<p>Planning Commission Discussion (2/10) Commissioners discussed whether retail marijuana is an appropriate use in the Manufacturing Park (MP) zone, and what the impact of retail marijuana stores in the MP zone could be on other currently-allowed uses in the MP zone.</p> <p>(2/24) Commissioners discussed the impacts of any retail uses in the Manufacturing Park zone. Commissioners also discussed possible suitability of the Business Park (BP) zone for retail marijuana. Staff briefly described the traits and development pattern of the BP zone and Commissioners concluded it is not suitable for retail marijuana uses. Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation</p>	Opened 2/10 Closed 2/24

Retail Marijuana Amendments

Final Planning Commission Issues Matrix

Attachment D

Issue	Discussion Notes	Status
	<p>(2/12) Comprehensive Plan policy LU-62 for the Manufacturing Park (MP) zone calls for providing for “manufacturing and other uses that are better suited for locations outside of the Downtown or Overlake due to site requirements, noise impacts, transportation needs or other considerations.” It also calls for the use of “performance standards, permit conditions and critical areas regulations to protect the community and other uses within the Manufacturing Park designation.” These can be in conflict with each other to an extent, but there is a presumption that uses that could have adverse impacts in Downtown or Overlake should be sited in the MP zone, and additional regulations put in place to ensure these uses do not also impact other uses in the MP zone, to the extent possible.</p> <p>Public Comment Some comments have noted issues in the MP zone concerning traffic and parking as well as the proximity of private uses which are patronized by children including Arena Sports.</p>	
<p>26. Trails (Haverkamp via email)</p>	<p>Planning Commission Discussion (2/12) Commissioners asked for background on the definition of trails and whether they would or would not require a buffer.</p> <p>(2/24) Commissioners discussed whether other uses not listed in state law should be buffered, including trails and private recreational facilities. Commissioners discussed the need to be very specific about other possible uses having a buffer and why they have a buffer. Commissioners also noted trails serve dual functions: transportation and recreation.</p> <p>(3/9) Commissioners discussed the nature of trails as both transportation and recreation facilities. Commissioners also discussed the different characteristics of various trails including the Redmond Central Connector, SR 520 Trail, and East Lake Sammamish Trail and how the Central Connector is more akin to a park, the SR 520 Trail is mostly used for commuting, and the East Lake Sammamish Trail is more recreational. Commissioners also noted that trail users typically are not lingering in one place, making a buffer less useful. Commissioners discussed various possible ways to minimize impacts to trails including building orientation and signage. Commissioners noted the City does not control all of the trails in Redmond. Commissioners were satisfied with the information provided and closed this issue.</p> <p>Staff Response/Recommendation</p>	<p>Opened 2/12 Closed 3/9</p>

Issue	Discussion Notes	Status
	<p>(2/12) I-502 did not contain definitions for parks, daycares, schools, etc., leaving it up to the Liquor Control Board (LCB, now the Liquor and Cannabis Board) to enact rules to define these and other terms. LCB, like other state agencies, has a formal rulemaking process to add, change, or delete rules from the Washington Administrative Code (WAC). LCB’s initial rulemaking concerning licensed marijuana facilities occurred in 2013 (WAC 314-55). This chapter of the WAC has been updated in both 2014 and 2015. The definition of “public park” is in WAC 314-55-010 and reads “(21) "Public park" means an area of land for the enjoyment of the public, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a city, county, state, federal government, or metropolitan park district. Public park does not include trails.”</p> <p>A history of rulemaking for WAC 314-55-010 (Definitions) at http://apps.leg.wa.gov/wac/registerfiling.aspx?cite=314-55-010. The original definition adopted in 2013 omitted the last sentence about trails. This was changed in 2014 (see Proposed Original Notice 14-21-103 on the linked page above). This was done in response to questions and concerns about whether trails were, in fact, parks or not. Many municipalities included trails among their parks, although there was (and is) a wide variety of trails. Trails range from heavily used ones such as the Burke Gilman Trail, Sammamish River Trail, or I-90 Trail to lesser-used ones such as the informal trails above DigiPen.</p> <p>While the LCB specifically excludes trails from their definition of public park, certain areas which are near or similar to a trail could fit in the definition of a park. For example, Redmond considers the downtown portion of the Redmond Central Connector to be a park, specifically the area between Leary Way and Bear Creek Parkway (the Signals art installation area) to be a park because it is an area where people congregate and has benches and other features to encourage people to stay and enjoy the area.</p> <p>(3/4) The City Attorney’s opinion based on researching this issue is that the City has the authority to require buffers from sensitive uses other than those in state law. As generally described earlier, the state did not intend to preempt a city’s zoning power in enacting the state marijuana laws, so a further restriction of location or ban is possible. 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. See the staff memo for additional information on this topic.</p>	

Issue	Discussion Notes	Status
	<p><u>Public Comment</u> Comments have noted the East Lake Sammamish Trail and Sammamish River trail are heavily used by the community and by children.</p>	



**TECHNICAL COMMITTEE REPORT
TO THE PLANNING COMMISSION**

To: Planning Commission

From: Technical Committee

Staff Contacts: Rob Odle, Planning Director, 425-556-2417
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Date: December 30, 2015

Project File Number: LAND-2015-02282

Project Name: Amendments to Comprehensive Plan and Zoning Code for Retail Marijuana

Related File Numbers: SEPA-2015-02285

Applicant: The Grass is Always Greener, LLC

**Recommendation and
Reasons:**

The Technical Committee recommends amending the Comprehensive Plan and Zoning Code to allow retail marijuana stores in a portion of the Manufacturing Park zone in the Sammamish Valley neighborhood because:

- The proposal is consistent with the Comprehensive Plan, because it will provide opportunities for a land use - marijuana retail stores - better suited for locations outside of Downtown and Overlake due to characteristics described below, consistent with policy LU-62;
- The proposal will provide for sufficient area to locate retail marijuana stores and provide access to legal marijuana and marijuana products within Redmond;
- The proposal will reduce the potential for impacts of retail marijuana stores upon surrounding businesses and properties, support public safety, and support compatibility with other land uses and services within the City; and

- Use of an overlay approach within the Manufacturing Park (MP) zone reduces the impact to land supply for more typical MP uses compared to allowing the use in the entire zone.

I. APPLICANT PROPOSAL

The applicant requested an amendment to the Zoning Code to allow retail marijuana stores in Redmond. No specific amendment was identified by the applicant at the time of application in Spring 2014, however it was anticipated the applicant would work with staff to identify a detailed proposed amendment. At that time, marijuana uses were required by state law to be a minimum of 1,000 feet from sensitive land uses and as a result of this minimum together with Redmond's zoning for retail uses there were no locations for retail marijuana. As a consequence, this application was docketed as Zoning Code and associated Comprehensive Plan amendments.

II. RECOMMENDATION

The Technical Committee recommends that the Comprehensive Plan and Zoning Code be amended to allow retail marijuana stores in a portion of the Manufacturing Park zone in the Sammamish Valley neighborhood, specific criteria for marijuana retail stores including parking requirements be added, and the current buffers not be changed (1,000 feet).

Specifically, the Technical Committee recommends that the Land Use Element of the Comprehensive Plan be amended to include:

- A. Revisions to policy LU-62 to add a reference to the proposed Manufacturing Park Overlay in the Sammamish Valley neighborhood.

The Technical Committee also recommends that the Zoning Code be amended to include:

- A. Revisions to the Zoning Map to create an overlay in the Manufacturing Park zone north of NE 90th Street, east of Willows Road, and west of the Sammamish River.
- B. Revisions to RZC 21.04.030 Comprehensive Allowed Uses Chart to show Retail Marijuana is allowed in the MP zone, subject to restrictions and allowed in the GC zone; and not allowed in mixed-use zones and the RR zone.
- C. Revisions to RZC 21.04.030 Comprehensive Allowed Uses Chart to show Marijuana Production is not allowed in the BCDD1 zone.
- D. Revisions to RZC 21.14.020 General Commercial to add Retail Marijuana stores as a permitted use in the GC zone, and set parking standards for Retail Marijuana stores.
- E. Revisions to RZC 21.14.040 Manufacturing Park to change text referring to the *Manufacturing Park Overlay* to now refer to the *Southeast Redmond Manufacturing Park Overlay*, add Retail Marijuana stores as permitted uses in the MP zone restricted to the new *Sammamish Valley Manufacturing Park Overlay*, and set parking standards for Retail Marijuana stores.

- F. Revisions to Map 14.1 (in RZC 21.14.040) to rename the map *Southeast Redmond Manufacturing Park Overlay*.
- G. Addition of a new Map 14.2 (in RZC 21.14.040) titled *Sammamish Valley Manufacturing Park Overlay*.
- H. Revisions to RZC 21.41 Marijuana-Related Uses to update the section to conform to recent changes in state law concerning marijuana.

Exhibit A shows the Technical Committee recommended amendments to the Comprehensive Plan. Exhibit B shows the Technical Committee recommended amendments to the Zoning Code.

III. BACKGROUND, FACTORS CONSIDERED, AND ALTERNATIVES

A. BACKGROUND AND REASON FOR THE PROPOSAL

Initiative 502 was approved by the voters at the November 6, 2012, general election. I-502 provided for a legal recreational marijuana market including a 3-tier system of producers (growers), processors, and retailers, similar to the system in place for liquor at the time, applied taxes for marijuana production, processing, and retailing, and made it legal for adults to possess up to one ounce of marijuana. I-502 also mandated that the state Liquor Control Board adopt rules to implement and enforce the provisions of I-502.

I-502 places significant restrictions on the recreational marijuana industry and on the location of recreational marijuana businesses. In particular, I-502 mandated that any recreational marijuana facility be at least 1,000 feet away from several land uses.

In addition, I-502 stipulated that marijuana producers and processors cannot have any interest, financial or otherwise, in marijuana retailers and cannot co-locate with them; this is an attempt to maintain a competitive marketplace by banning vertical integration. Furthermore, marijuana retailers cannot sell other types of merchandise.

Rules adopted by the state Liquor Control Board (now the Liquor and Cannabis Board) in 2013 also limited the total square footage of space allocated for marijuana production on a statewide basis, and limited the number of retail outlets to 334. LCB allocated these licenses to cities and counties based on population; Redmond was allocated two retail licenses. Due to the high demand for licenses, LCB conducted a lottery in jurisdictions where there were more applicants than licenses available, including for Redmond.

The City Council adopted Ordinance 2744 in June 2014, which sets Redmond's regulations regarding marijuana uses in general and retail marijuana stores in particular. In summary, retail marijuana stores are allowed in Redmond's commercial and mixed use zones provided they are 1,000 feet from schools, parks, daycares, etc. Retail marijuana stores are not allowed in manufacturing

and industrial zones, or in residential zones due principally to zoning limits. In practice, this has meant that no retail marijuana stores can locate in Redmond due to the combination of where commercial and mixed-use zones are located combined with the large number of uses requiring the 1,000 foot buffer. Recent examination of the map of uses requiring a buffer indicates the East Lake Sammamish Trail should not be included as a park, which would allow a retail marijuana store on one property in Redmond under the current zoning. Re-examination of the map of uses occurs any time a site is proposed as some uses requiring a buffer, such as daycares, can change locations.

Following adoption of Ordinance 2744, one of the license lottery winners, The Grass is Always Greener, LLC, applied for a Zoning Code amendment to amend Redmond's regulations to allow space for at least one retail marijuana store, and possibly more, in Redmond. The City Council agreed to consider the application and placed it on the 2014-2015 Annual Comprehensive Plan Amendment Package ("Docket"); see Ordinance 2749. City Council discussed whether the timing was appropriate to include this proposal on the 2014-15 docket since Council had recently adopted regulations regarding marijuana uses. Ultimately, Council's direction was to include the proposal as part of the 2014-15 docket and to time the start of review toward the end of the docket year, which is the 3rd quarter of 2015. This topic was carried forward to the 2015-16 docket for completion via Ordinance 2805 and Council confirmed that potential amendments to the Zoning Code and Comprehensive Plan should be included for consideration.

During implementation of I-502, several issues were noted by interested parties, including the restrictiveness of the 1,000 foot buffers, limited number of retail stores, taxation system and distribution of tax receipts to local governments, and integration with Washington's medical marijuana system. While efforts to amend I-502 and also change the medical marijuana system failed in the 2014 session, during the 2015 session the state legislature made significant changes to Washington's marijuana system. The relevant changes for local governments include distribution of marijuana tax revenues to help pay for public safety, changes to buffer requirements, and changes to the number of retail store licenses.

Specifically, the new law now allows local governments the option of reducing buffers from some uses down to a minimum of 100 feet. These uses include parks (without playgrounds), transit centers, daycares, recreation centers, and arcades. Buffers from schools and playgrounds must remain 1,000 feet without exception. The change to the number of retail store licenses effectively doubles the number, from 334 to 556; cities and counties with bans/moratoriums in place did not have their license allocation changed, while cities and counties which allow retail marijuana stores had their license allocation doubled in most cases. Redmond is now allocated 4 licenses. The increase is intended to provide access to medical marijuana since the legislature also banned collective gardens (and previously banned dispensaries).

B. FACTORS CONSIDERED AND POLICY BASIS

This section summarizes several factors and the policy basis that staff considered in the process of analyzing this request and developing the recommended amendments.

Factors considered

1. What was the input from community outreach for this topic?

Staff gathered input from the community at a workshop held on December 10, 2015 attended by 6 people; via an online survey accessed from the City of Redmond web site and completed by 291 people (as of January 5); and from several email and phone comments to staff. A full summary of public feedback can be found in Exhibit D. Public feedback can be summarized as follows:

- a) Locations: There was a wide range of input regarding locations. Responses can be generally noted as falling into four categories. Survey percentages are noted as well:
 - i. Locate stores in retail areas only – 25.1%
 - ii. Locate stores in industrial (e.g. Manufacturing Park and Business Park-zoned) areas only – 18.6%
 - iii. Locate stores anywhere in Redmond provided they meet state standards – 21.3%
 - iv. Locate stores nowhere in Redmond (ban retail marijuana stores) – 35.0%

Some responses indicated that retail marijuana stores should be restricted to only certain geographic areas in Redmond, in particular the downtown retail area, Southeast Redmond, and the Willows Road area.

- b) Buffers: Public input regarding buffer distances shows those who responded prefer either very large (1,000+ feet) or very small (350 feet or less) buffers (over 95%), with almost no respondents preferring a middle buffer distance (see table below). Some respondents indicated a need to provide the largest possible area for retail marijuana stores to locate which means small buffers.

Buffer distance	Percent
1 or less than 1 football field (about 350 feet or less)	31.6%
2 football fields (about 700 feet)	4.5%
3 or more than 3 football fields (about 1,000 feet or more)	63.9%

- c) Separation: Staff specifically sought input also on whether retail marijuana stores should be separated from each other. Workshop attendees preferred to have separation to limit the number of stores in Redmond. Survey respondents are somewhat evenly split, with a small majority preferring separation.
 - d) Security: Marijuana businesses in general do not have direct access to the banking system because marijuana remains illegal under federal law. Therefore these businesses operate on a cash basis, which can make the stores attractive targets for thieves. Workshop attendees commented that security could be enhanced by placing stores in accessible and visible locations.
 - e) Parking: Workshop attendees included two participants who operate a marijuana retail store and two prospective marijuana retail business owners. Attendees commented that marijuana retail stores are high-turnover businesses that can be very busy at peak times, which are early evenings and Friday afternoons. For example, The Higher Leaf located on Willows Rd. in Kirkland has a peak parking demand of approximately 25-30 spaces, and customers typically spend less than 15 minutes in the store. The store is approximately 900 square feet, which translates to a very high peak parking demand.
 - f) Public Use: While public use of marijuana is illegal, in practice this does not prevent all public use. In particular, dense areas with many apartment buildings may not provide private space to consume marijuana, leading to the potential for increased public use through a combination of higher population density and residential use restrictions (e.g. indoor smoking bans). Workshop attendees and survey participants spoke to this issue.
2. How many and where are properties that would be allowed based on zoning for retail marijuana under different buffer distance scenarios?

Under current regulations, one property could accommodate a retail marijuana store, located near Redmond Way/SR 520, pending review of sites which require a buffer. The estimated number of properties that would be allowed for this use under representative alternative buffers is as follows:

Buffer distance	Downtown – Historic Core	Downtown – Bella Bottega	Downtown – Bear Creek Pkwy/159 th Ave.	Overlake Village	Avondale near Union Hill Rd.	Redmond Way/SR 520	Leary Way/W. Lk. Samm. Pkwy	TOTAL
1,000 ft.	0	0	0	0	0	1	0	1

Buffer distance	Downtown – Historic Core	Downtown – Bella Bottega	Downtown – Bear Creek Pkwy/159 th Ave.	Overlake Village	Avondale near Union Hill Rd.	Redmond Way/SR 520	Leary Way/W. Lk. Samm. Pkwy	TOTAL
750 ft.	0	6	0	1	0	2	0	9
500 ft.	0	7	0	4	1	4	1	17
250 ft.	0	8	0	10	3	5	2	28
100 ft.	8	8	6	16	5	8	2	53

3. What are the various uses requiring a buffer under state law and how are they distributed throughout Redmond?

There are approximately 40 different uses located in Redmond which require a buffer from marijuana uses under state law. This includes schools, playgrounds, daycares, recreation centers, parks, transit centers, and arcades. Many of these uses are located in residential areas; however there is a significant concentration in the downtown also. The number of uses in the downtown results in large areas where a retail marijuana store cannot locate, even if buffer distances were reduced to the minimum of 100 feet.

4. How might landlord/property manager willingness to lease/sell space to marijuana retailers affect the number of potential spaces?

Based on feedback from the applicant and from workshop participants, some landlords/property managers are reluctant to lease space or sell property to marijuana proprietors due to general opposition to marijuana or drugs, or due to federal marijuana restrictions which might negatively impact bank financing. This effect is most pronounced when considering large shopping center-type locations. Therefore, the number of potential locations for a retail marijuana store is often lower in practice than it is in theory.

5. How large are typical retail marijuana stores?

Based on analysis of retail marijuana store sizes in the Puget Sound region, stores are typically between approximately 750 and 2,500 square feet in size.

6. How and where might people consume marijuana and marijuana products?

State law prohibits the consumption of marijuana or marijuana products “in view of the general public.” This includes a prohibition on consumption at retail and other marijuana businesses. Violation of this law is a civil infraction, similar to a parking ticket; it is not a criminal offense. A complication is that multifamily buildings often have smoking restrictions or

other restrictions in the lease which effectively prohibit marijuana use. The experience in other cities, and a concern expressed through public input, is that this could result in public use in parks and other community gathering areas, notwithstanding state law.

7. What security concerns do proprietors for retail marijuana stores face?

Store proprietors have expressed several security concerns. The most significant by far is the large amount of cash on hand. Since marijuana remains illegal under federal law, marijuana businesses generally do not have direct access to the banking system and must operate on a cash basis. Stores might have between \$10,000 and \$50,000 cash on hand at any one time. This can make retail marijuana stores an attractive target for theft. The other two primary concerns are ensuring compliance with state laws prohibiting minors on the premises and prohibiting use of marijuana and marijuana products on the premises.

8. Do retail marijuana stores affect nearby businesses?

Retail marijuana stores may affect nearby businesses in several ways. Since they can be well-patronized, this can create parking and traffic (access) impacts. As noted, public use near retail marijuana stores could have an impact on nearby businesses due to people using marijuana. Similar to the landlord/manager issue discussed earlier, some nearby business owners may have personal objections to marijuana sales and/or drugs in general, which could cause them to reconsider the location of their business.

Through public feedback by one of the marijuana business owners, staff heard anecdotal reports of nearby businesses vacating when retail marijuana stores opened in some cases, but this is not conclusive in general. Staff does not have sufficient information to indicate whether this effect is prevalent.

Preliminary information from the Institute of Transportation Engineers (ITE) shows that retail marijuana stores may have daily trip generation rates approximately 10 times higher than specialty retail (ITE Code 826) and approximately 4 times higher than pharmacies (ITE Code 880/881). It is important to note that these are based on national surveys, transportation and land use patterns vary somewhat throughout the country, and this is preliminary data from ITE. However it appears that marijuana stores could potentially have some traffic impacts.

9. What are the parking needs for retail marijuana stores?

As noted above under public feedback, the parking demands for retail marijuana stores can be high. For example, The Higher Leaf in Kirkland is a 900 square foot store with a peak parking demand of 25-30 spaces, yielding a parking ratio of 27-33 spaces per 1,000 square feet of store area. While this may be an extreme example, these stores have a high turnover of customers and are therefore similar in parking needs to other businesses like convenience stores or bars.

10. What regulations have other communities put in place for retail marijuana stores?

On the Eastside, Bellevue, Kirkland, and Issaquah have ordinances which allow retail marijuana stores; Woodinville and Sammamish have banned retail marijuana stores; and Mercer Island has taken no action due to not having any commercial property further than 1,000 feet from schools, parks, etc.

Bellevue allows retail marijuana stores in most commercial and industrial zones; some zones require a Conditional Use Permit. Bellevue also requires that stores be at least 1,000 feet from each other. The parking requirement is not specifically set for retail marijuana stores and is 5 spaces per 1,000 square feet of store area consistent with other retail uses. Kirkland allows retail marijuana stores in some heavy commercial/light industrial areas and prohibits them in most general commercial areas and on school walk routes. The parking requirement is set specifically for retail marijuana stores and is 3.3 spaces per 1,000 square feet of store area. Issaquah allows retail marijuana stores in most commercial and mixed use zones, and also requires that stores be at least 1,000 feet from each other. The parking requirement is not specifically set for retail marijuana stores and is 5 spaces per 1,000 square feet of store area consistent with other retail uses.

There are currently 3 stores open in Bellevue, 2 in Kirkland, and one in Issaquah. Staff from these cities state there have been no major issues with these stores to date. Bellevue had issues in the permitting phase due to their separation requirement; 2 retailers sought to open virtually next door to each other on Main Street, and only one would be permitted. Issaquah has had some minor confusion issues with their store since a medical marijuana collective garden was formerly located on a different floor of the same building; the medical marijuana facility has since closed. As noted earlier, one store in Kirkland has high parking demand which may have contributed to other tenants in the building choosing to leave.

11. Should any changes to allowances for marijuana processing or production be proposed?

The Zoning Code presently allows marijuana processing in the Manufacturing Park (MP), Business Park (BP), Industrial (I), and Regional Retail (RR) zones, and allows marijuana production (growing) in the Urban Recreation (UR) and Bear Creek Design District 1 (BCDD1) zones. To date, there have been no license applications with the state for a marijuana producer or processor to locate in Redmond. A state-certified testing lab for marijuana products is located in Redmond (in the MP zone). There has been no indication that a producer or processor is seeking to locate here, and sufficient areas exist to accommodate potential future requests. As part of this package of amendments, minor revisions are proposed as follows:

- a) Do not allow marijuana production in Performance Area 1 of the Bear Creek Design District (BCDD1) as this use is inconsistent with the

purpose of BCDD1 as a zone primarily for residential use (see RZC 21.14.070(A)).

Summary

Several key points associated with retail marijuana uses from these factors include high parking demand; safety, security and location concerns for both store proprietors and the general public; higher traffic and trip generation; and the effect of various buffer distances on the number of properties that might be available.

Policy basis

Relevant policies include those which discuss the purpose and intent of various zoning districts along with general guidance for Redmond's commercial areas. In particular, the following vision sections and policies are relevant:

1. *Future Vision for Redmond: Urban Centers ... Downtown is an outstanding place to work, shop, live and recreate and is a destination for many in Redmond and in the region. Attractive offices, stores, services and residential developments have contributed to a new level of vibrancy, while retaining a comfortable, connected feel that appeals to residents, businesses and visitors. ... Cleveland Street is a pleasant place to walk or sit, and people fill the street during the day and evening. The Redmond Central Connector (the former railroad right-of-way) has been transformed to an urban green space that people of all ages enjoy, that has convenient access to light rail, as well as places to stroll, gather and talk with others, celebrate, or stop and peek in store windows while walking to Old Town or Redmond Town Center.... Overlake has become a regional urban center that is the location of internationally known companies, corporate headquarters, high technology research and development companies, and many other businesses... Overlake has demonstrated that high technology uses can thrive in a sustainable urban setting that offers opportunities to live, work, shop and recreate for an increasingly diverse workforce.*

The Future Vision for Redmond's Urban Centers calls for creating vibrant places which are "destinations" for people to spend time in and support a variety of uses offering opportunities to live, work, shop, and recreate. The Future Vision implies a focus on complimentary uses which enhance the Urban Centers and promote vibrancy and vitality to both draw people in and keep them in the Urban Centers. As expressed through public comments, there is a concern that retail marijuana stores may not be compatible with the concepts of the Future Vision due to issues of public marijuana use, in particular marijuana smoke, and potential impacts to business vitality.

2. *LU-38 Maintain the Urban Centers (Downtown and Overlake) as the major retail, service, entertainment and cultural centers for the city and the greater*

Eastside. Ensure that other commercial areas in the city do not detract from the Urban Centers and help to meet other community commercial needs.

3. *DT-27 Actively support economic development measures that retain and promote existing businesses and attract new businesses compatible with the scale and vision for Old Town. Encourage a variety of economic activities, such as boutiques and other unique stores, restaurants, residences and offices, that promote Old Town as a destination and provide for active uses during the day and evening hours.*
4. *LU-51 Downtown Mixed-Use Designation Purpose. Encourage development of the Downtown as a place that:*
 - *Meets community needs for employment, shopping, recreation, civic activities, and cultural and night life opportunities;*
 - *Provides attractive and safe places to live close to amenities, such as restaurants and cafes, a wide selection of stores and services, frequent transit service, and plazas, parks and art; ...*
 - *Invites people to enjoy it, provides a comfortable atmosphere, and maintains and tangibly reminds people of Redmond's history and historic buildings.*
5. *LU-52 Overlake Mixed-Use Designation Purpose. Maintain and encourage Overlake as a place that:*
 - *Serves an important local and regional economic role as a center for advanced technology uses, research and development, corporate offices, distribution and compatible manufacturing; ...*
 - *Provides an intense commercial shopping district that supports and complements nearby employment and residential areas;*
 - *Includes primarily in Overlake Village mid-rise, mixed-use neighborhoods that provide attractive and safe places to live close to amenities, such as restaurants, frequent transit service, and a network of parks, sidewalks and trails; ...*

For the Technical Committee, maintaining and enhancing the viability and vibrancy of the Urban Centers is a primary policy consideration. This is supported by multiple policies. As expressed through public feedback at the workshop, directly to staff, and via the online survey, there is concern that retail marijuana stores may detract from the Urban Centers by impacting adjacent businesses and increasing the potential for marijuana use in public parks and trails. Allowing retail marijuana stores to locate outside of the Urban Centers would address this concern. Furthermore, the policies emphasize creating an environment in the Urban Centers which is conducive to and attracts activity during the day and evening by creating appealing and lively places within the greater context of the Urban Centers. Retail uses are

intended to be many and varied but ultimately complementary to each other and to other uses.

Another consideration with the urban center zones is the parking needs associated with retail marijuana, which is high demand and turnover. While Downtown has a surface lot for general use on a pay basis, parking in other portions of the Downtown is limited.

6. *LU-47 General Commercial Designation Purpose. Provide for retail and service businesses that serve community needs and are better suited for locations outside of the Urban Centers or Neighborhood Commercial zones. Examples of these businesses include retail uses that may have some adverse impacts if located close to primarily residential neighborhoods or other commercial uses, uses that are land extensive, uses that tend to attract vehicle trips from locations beyond surrounding neighborhoods, and activities that involve wholesale commercial uses.*
7. *LU-62 Manufacturing Park Designation Purpose. Provide locations for existing and future manufacturing and industrial uses, particularly those that require significant areas for storage of materials and equipment (both indoors and outdoors). Provide for manufacturing and other uses that are better suited for locations outside of the Downtown or Overlake due to site requirements, noise impacts, transportation needs or other considerations.*

The policies concerning the GC and MP zones specifically acknowledge that retail and other uses “that may have some adverse impacts” and/or “are better suited for locations outside of the Downtown or Overlake” Urban Centers should be located in these zones. Siting retail marijuana stores in these zones would conform to the Comprehensive Plan for the reasons described above.

C. ALTERNATIVES CONSIDERED

1. Create an Overlay in the Manufacturing Park Zone in the Sammamish Valley Neighborhood, and do not change buffers. This would create a zoning overlay in the MP zone in the Sammamish Valley Neighborhood north of NE 90th St., east of Willows Rd., and west of the Sammamish River and allow retail marijuana stores within that overlay. This alternative would not change buffers and would set specific development criteria, including parking standards of 10 spaces per one thousand square feet of store area, which is the same as for bars/drinking places. While there is potential for impacts of retail marijuana stores upon surrounding properties under this alternative also, since the MP zones are less intensively developed, the impact is likely less than Alternative 2. Use of a zoning overlay would also reduce the impact to land supply for more typical MP zone uses in contrast to allowing the use in any MP zone. This alternative is more responsive to public input, including

expressed concerns about public use of marijuana due to the limited number of heavily-trafficked public spaces in the MP zone generally, and the Sammamish Valley portion of the MP zone in particular. It is also more responsive to concerns about traffic and parking by having a development pattern and standards more conducive to addressing these issues compared to a more dense area. Finally this alternative more closely conforms to Comprehensive Plan policy guidance concerning the purpose and intent of the MP zone and the Urban Centers. The Technical Committee recommends this alternative.

2. Reduce buffers from daycares, parks (without playgrounds), transit centers, recreation and community centers, and game arcades to 250 feet. This would continue to allow retail marijuana stores in Redmond's commercial and mixed-use zones while reducing the required buffer from 1,000 to 250 feet for the listed land uses. This would increase the number of potential properties from one to 28.

This alternative would allow retail marijuana uses in very visible locations, which some store proprietors may prefer, and in retail and other zones which a portion of questionnaire participants favored. This alternative is not consistent with Redmond's vision and policy as described above, the perspective of most of those who participated in the questionnaire regarding minimum buffers and appropriate locations and also those who expressed concerns about the potential for increased use of marijuana in public areas, including marijuana smoke in parks and on Downtown sidewalks. This alternative also may not address concerns about parking as portions of Downtown are parking constrained.

3. No change. This would maintain Redmond's existing regulations for retail marijuana stores, which provides for one site for a retail marijuana store located in a General Commercial zone at the intersection of SR 520 and Redmond Way. The likely result is that Redmond would continue to have either zero or possibly one retail marijuana store which does not increase availability for people who would like greater access. This alternative would provide access in a location that is intended for commercial uses though is not intended to be a major community gathering place like the Downtown and Overlake neighborhoods. This helps to reduce potential adverse impact to people who would like to frequent these locations and not be exposed to marijuana smoke.
4. Combination of Alternatives 1 and 2. This would both allow retail marijuana stores in a portion of the Manufacturing Park (MP) zone and reduce the buffers from 1,000 to 250 feet. This would greatly expand the number of potential properties. This alternative would treat retail marijuana both the same as regular retail uses (to the extent feasible under state law) while also treating it as a use requiring special allowance to locate in the MP zone, which is an unnecessary allowance when other alternatives exist which do not

require such an exceptional allowance. This alternative is both responsive and not responsive to expressed concerns about use of marijuana in public areas, including marijuana smoke in parks and on Downtown sidewalks. It is also both responsive and not responsive to expressed concerns about parking, traffic, and access in more dense areas such as Downtown and Overlake.

IV. ADDITIONAL SUPPORTING ANALYSIS

A. COMPLIANCE WITH CRITERIA FOR AMENDMENTS

Redmond Comprehensive Plan Policy PI-16 directs the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan.

The following is an analysis of how this proposal complies with the requirements for amendments.

1. **Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.**

The proposed amendments take into account direction by the GMA, including encouraging business development and economic vibrancy and sustainability. The proposed amendments would ensure that retail marijuana stores are appropriately sited in Redmond and provide for access to purchasing marijuana. The GMA, the State of Washington Department of Commerce, VISION 2040, and King County Countywide Planning Policies also emphasize public involvement and notification. Staff conducted public outreach including holding a public workshop, soliciting direct feedback, and conducting an online survey.

2. **Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:**

a. **Consistency with the goals contained in the Goals, Vision and Framework Policy Element.**

Two of the eight goals for Redmond contained in the Goals, Vision and Framework Policy Element are "To maintain a strong and diverse economy and to provide a business climate that retains and attracts locally owned companies, as well as internationally recognized corporations; and To provide opportunities to live a healthy lifestyle, enjoy a variety of community gathering places and celebrate diverse cultural opportunities." The proposed amendments support these goals and are consistent with other goals within this Element.

b. Consistency with the preferred land use pattern as described in the Land Use Element.

The proposed amendment is consistent with the preferred land use pattern by providing for the siting of retail marijuana stores in an area where they would be most compatible and minimize adverse impacts to other land uses and the community.

c. Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.

The proposed amendment is consistent with policy CC-1, which reads "Maintain Redmond's vision for its size and character while balancing its regional role in meeting transportation needs, caring for the environment, and meeting the demands for growth."

d. Consistency with other sections including the Transportation Element as applicable.

The proposed amendment is consistent with policy TR-20, which reads "Establish minimum and maximum parking ratio requirements consistent with the transportation and land use objectives of the Comprehensive Plan, considering constraints imposed by financial institutions."

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.

The proposed amendment is not likely to impact the natural environment including impacts to critical areas and other natural resources.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.

The proposed amendment may increase the demand for police services, as security of the marijuana retail shops themselves is a concern expressed via public comment including store owners. This is related to the operating procedures of retail marijuana stores as cash businesses. However this impact is expected to be limited as the potential number of retail marijuana stores in Redmond is limited to four, and neighboring communities have reported no apparent increase in property crime resulting from the establishment of retail marijuana stores to date.

5. Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.

The proposed amendment seeks to minimize adverse impacts to business, residents, and other property owners by creating an overlay in a portion of the MP zone, consistent with policy guidance for the MP zone.

6. For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.

The amendment has not been considered within the last four annual updates, nor has there been a change in circumstances.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC Sections 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the Comprehensive Plan) be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Determination of Non-Significance and SEPA Checklist was issued for this non-project action on January 13, 2016.

D. 60-DAY STATE AGENCY REVIEW

State agencies will be sent 60-day notice of this proposed amendment no later than January 15, 2016.

E. PUBLIC INVOLVEMENT

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing which will be held on January 27, 2016. Public notice of the public hearing was published in the Seattle Times on January 6, 2016. The public also had opportunities to provide input through a workshop and questionnaire.

F. APPEALS

RZC 21.76.070.J identifies Comprehensive Plan Amendments as a Type VI permit. Final action is by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to applicable requirements.

VI. LIST OF EXHIBITS

- Exhibit A: Recommended Amendments to the Comprehensive Plan Land Use Element
- Exhibit B: Recommended Amendments to the Zoning Code
- Exhibit C: SEPA Threshold Determination (to be provided)
- Exhibit D: Public Outreach Summary (as of January 5, 2016)

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



ROBERT G. ODLE,
Planning Director
Planning and Community Development
Department



LINDA DE BOLDT,
Director of Public Works
Public Works Department

LU-62 Manufacturing Park Designation

Purpose.

Provide locations for existing and future manufacturing and industrial uses, particularly those that require significant areas for storage of materials and equipment (both indoors and outdoors). Provide for manufacturing and other uses that are better suited for locations outside of the Downtown or Overlake due to site requirements, noise impacts, transportation needs or other considerations.

Allowed Uses.

Implement this designation through two zones: Manufacturing Park and Industry. Provide areas primarily for uses, such as manufacturing; research and development; light industry; wholesale, assembly and distribution businesses; and essential public facilities. Limit office and other secondary uses to those that support these primary uses. Consider allowing other limited supportive uses, including but not limited to day care centers, retail vehicle fuel sales and technical colleges. Allow a broader range of commercial uses within the [Southeast Redmond Manufacturing Park Overlay](#) ~~in~~ [Southeast Redmond and retail marijuana uses within the Sammamish Valley Manufacturing Park Overlay](#) as shown on the Redmond Zoning Map.

Examples of allowed uses in the Industry zone include those allowed in the Manufacturing Park zone and those existing industrial uses, including outside manufacturing and mineral resource processing, whose continuing operations are unlikely to harm groundwater resources and Evans Creek.

Ensure that allowed uses in both zones do not create significant hazards or other adverse impacts on the community, other manufacturing uses or the natural environment. Use performance standards, permit conditions and critical areas regulations to protect the community and other uses within the Manufacturing Park designation.



RZC 21.04 GENERAL PROVISIONS

21.04.030 Comprehensive Allowed Uses Chart - [Subsections A. and B. not shown – no changes]

C. Nonresidential Zones.

[Parts of the table not shown have no changes]

Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones										
Online Users: Click on District Abbreviation to View Map -->	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3
General Sales or Service										
General Sales or Service										P
Automobile sales, rental, or service establishment		P	P	C	P	P				P
Heavy consumer goods sales, rental, or service			P	P	P		P			P
Durable consumer goods sales, rental, and service			P	P	P		P			P
Consumer goods, other	P	P	P		P		P			P
Membership wholesale / retail warehouse					P					
Grocery, food, beverage, or dairy sales	P	P	P				P			P
Marijuana retail sales			P		<u>P</u>		<u>P</u>			
Health and personal care		P	P		P					P
Convenience store			P	P						P
Finance and insurance		P	P	P	P		P	P		P
Real estate services	P	P	P		P		P			P
Professional services	P	P	P	P	P	P	P			P
Administrative services			P	P	P		P			P
Services to buildings or dwellings				P	P		P			P
Travel arrangement and reservation services							P			P
Investigation and security services							P			P
Full-service restaurant	P	P	P	P	P	C	P			P
Cafeteria or limited-service restaurant	P	P	P	P	P	C	P			P
Bar or drinking place			P	P	P					P
Caterer					P	P				P
Food service contractor					P	P				P
Animal kennel/shelter			P		P					P
Personal services	P	P	P	P	P					P
Pet and animal sales or service (except veterinary)			P		P					P
Hotels, motels and other accommodation services										
Bed and breakfast inn										
Hotel or motel			P				P			
Manufacturing and Wholesale Trade										
Manufacturing and Wholesale trade				P	P	P	P			P
Marijuana processing				P	P	P	P			
Agriculture										



Redmond Zoning Code

Crop production									P	P	P
Marijuana production									P		
Animal production											
Equestrian facility											

D. Mixed Use Zones.

[Parts of the table not shown have no changes]

Table 21.04.030 Comprehensive Allowed Uses Chart: Mixed Use Zones							
Online Users: Click on District Abbreviation to View Map -->	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	
General Sales or Service							
General Sales or Service	P	P	P/C	P	P	P/C	
Automobile sales, rental, or service establishment	P	P	P/C	P	P		
Heavy consumer goods sales, rental, or service	P	P	P/C	P	P		
Durable consumer goods sales, rental, and service	P	P	P/C	P	P		
Consumer goods, other	P	P	P/C	P	P		
Membership wholesale / retail warehouse							
Grocery, food, beverage, or dairy sales	P	P	P/C	P	P		
Marijuana retail sales	P	P	P	P	P		
Health and personal care	P	P	P/C	P	P		
Convenience store	P	P	P/C	P	P		
Finance and insurance	P	P	P/C	P	P		

RZC 21.14 COMMERCIAL REGULATIONS

21.14.020 General Commercial

[Subsections A., B., & C. not shown – no changes]

D. **Allowed Uses and Basic Development Standards.** The following table contains the basic zoning regulations that apply to uses in the General Commercial (GC) zone. To use the chart, read down the left-hand column titled “Use.” When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit



approval. See RZC 21.76.020, *Overview of the Development Process*, for more information. Uses not listed are not permitted.

[Parts of the table not shown have no changes]

Table 21.14.020C Allowed Uses and Basic Development Standards					
Section	Use	Maximums		Parking ratio: unit of measure (min. required, max. allowed)	Special Regulations
		Height (stories)	FAR		
		w/o TDR or GBP; w/TDR or GBP	w/o TDR or GBP; w/TDR or GBP		
General sales or services					
3	Automobile sales, service, or rental establishment	2; 3	0.35; 0.70	600 sq ft enclosed sales gfa (1.0, 1.0); and 2,500 sq ft open sales/rental display area (1.0, 1.0); and service bay (3.0, 3.0); and employee on maximum shift (1.0, 1.0)	<ul style="list-style-type: none"> A. Shall not abut residential zone. B. Sales uses must operate as stand-alone businesses; rental uses may operate in mixed-use developments. C. Rental uses operating in mixed-use developments are limited to eight rental vehicles at any given time in existing parking spaces; additional vehicles may be stored on-site in a building or elsewhere given submittal and approval by the Technical Committee of a vehicle storage plan. D. Vehicle display area shall be outside of required parking and landscape areas. E. Vehicles shall be stored on paved surfaces. F. Advertising signs are not permitted on the outside of vehicles. Signs providing information about the vehicle, such as year, make, model, may be displayed on the outside of or in the windows of vehicles. G. Outdoor loudspeaker systems are prohibited. H. Razor wire, chain link, and barbed wire fences prohibited on street or access frontage. I. Vehicle repair shall be conducted indoors.
4	Heavy consumer goods sales or service	2; 3	0.35; 0.70	1,000 sq ft gfa (4.0, 5.0)	
5	Durable consumer goods sales or service				
6	Consumer goods sales or service, other than heavy or durable				
7	Grocery, food and beverage				
8	Convenience				

	store				
9	Health and personal care				A. Drive-through facilities permitted. B. Adequate vehicle queuing space shall be provided outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street. C. Type II landscaping shall screen drive-through lanes.
10	Finance and insurance				
11	Real estate services				
12	Professional services				
13	Administrative services				
14	Full-service restaurant			1,000 sq ft gfa (9.0, 9.0)	A. Drive-through facilities permitted. B. Adequate vehicle queuing space shall be provided outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street. C. Type II landscaping shall screen drive-through lanes.
15	Cafeteria or limited service restaurant			1,000 sq ft gfa (10.0, 10.0)	
16	Bar or drinking place				
17	Personal services				
	Pet and animal sales or service (except veterinary)	2; 3	0.35; 0.70		Boarding and training facilities must be located inside of a structure.
18	Animal kennel/shelter				1,000 sq ft gfa (4.0, 5.0)
19	Hotel or motel			Rental room (1.0, 1.0)	
<u>20</u>	<u>Marijuana retail sales</u>	<u>2;</u> <u>2</u>	<u>0.35;</u> <u>0.35</u>	<u>1,000 sq ft gfa (10.0, 10.0)</u>	<u>Only permitted on properties that front on public streets.</u>

[Renumber following uses in table to accommodate addition of “Marijuana retail sales” use. Otherwise no other changes to table.]

21.14.040 Manufacturing Park

[Subsections A., B., & C. not shown – no changes]

D. **Allowed Uses and Basic Development Standards.** The following table contains the basic zoning regulations that apply to uses in the Manufacturing Park (MP) zone. To use the chart, read down the left-hand column titled “Use.” When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC [21.76.020](#), *Overview of the Development Process*, for more information. Uses not listed are not permitted.

**Table 21.14.040C
Allowed Uses and Basic Development Standards**

Section	Use	Maximums		Parking ratio: unit of measure (min. required, max. allowed)	Special Regulations
		Height (stories)	FAR		
		w/o TDR or GBP; w/TDR or GBP	w/o TDR or GBP; w/TDR or GBP		
General sales or services					
1	Automobile sales, service, or rental establishment	4; 5	0.5; 1.0	600 sq ft enclosed sales gfa (1.0, 1.0); and 2,500 sq ft open sales/rental display area (1.0, 1.0); and service bay (3.0, 3.0); and employee on maximum shift (1.0, 1.0)	<ul style="list-style-type: none"> A. Gasoline service requires conditional use permit. See RZC 21.76.070.K, <i>Conditional Use Permit</i>. B. Shall not abut residential zone. C. Rental uses operating in mixed-use developments are limited to eight rental vehicles at any given time in existing parking spaces; additional vehicles may be stored on-site in a building or elsewhere given submittal and approval by the Technical Committee of a vehicle storage plan. D. Vehicle display area shall be outside of required parking and landscape areas. E. Vehicles shall be stored on paved surfaces. F. Advertising signs are not permitted on the outside of vehicles. Signs providing information about the vehicle, such as year, make, model, etc., may be displayed on the outside of or in the windows of vehicles. G. Outdoor loudspeaker systems are prohibited. H. Razor wire, chain link, and barbed wire fences are prohibited on street or access frontage. I. Vehicle repair shall be conducted indoors. J. Auto and motorcycle repair uses may also allow sales, not to exceed 25 percent of the combined gross floor area of all uses. K. Auto sales only permitted in conjunction with repair (see note J above), or as stand-alone businesses on properties with frontage on NE 90th Street between Willows Road and 152nd Avenue NE, NE 95th Street between Willows Road and 151st Avenue NE, and 151st Avenue NE between NE 90th Street and NE 95th Street.
2	Real estate services	4; 5	0.5; 1.0	1,000 sq ft gfa (2.0, 3.0)	Limited to mini-warehouses/self-storage only, except within the Manufacturing Park Overlay as shown on Map 14.1, <i>Southeast Redmond Manufacturing Park Overlay</i> .
3	Heavy consumer goods sales or service	4; 4	0.25; 0.25	1,000 sq ft gfa (2.0, 5.0)	<ul style="list-style-type: none"> A. Limited to repair and rental of goods, and membership wholesale/retail warehouses only, except within the Manufacturing Park Overlay as shown on Map 14.1, <i>Southeast Redmond Manufacturing Park Overlay</i>. B. For membership wholesale/retail warehouses: <ul style="list-style-type: none"> 1. Permitted in SE Redmond only. 2. A Development Agreement is required and must address the following policy areas of the Comprehensive Plan: land use and design, sustainable building practices, utilities, environmental issues, transportation, parks and open space, and community character. 3. A neighborhood meeting is required prior to development agreement public hearing. 4. Notice for neighborhood meeting shall be mailed at least 21 days in advance to all owners and tenants of properties within 1,000 feet of the site for which a complete application has been received by the City. Notice shall also be mailed to all homeowners' associations and
4	Durable consumer goods sales or service				
5	Consumer goods sales or service, other than heavy or durable				

**Table 21.14.040C
Allowed Uses and Basic Development Standards**

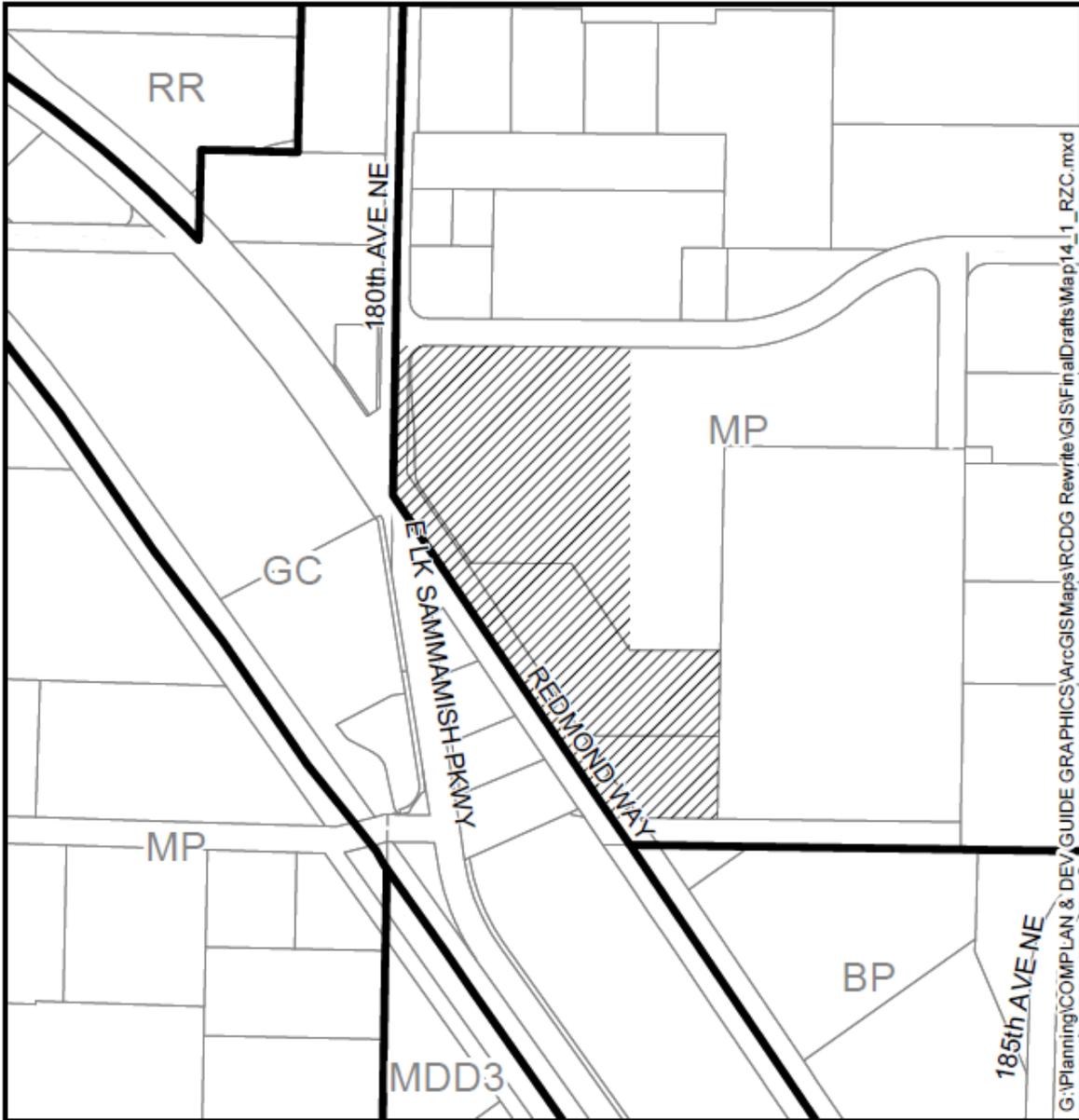
Section	Use	Maximums		Parking ratio: unit of measure (min. required, max. allowed)	Special Regulations
		Height (stories)	FAR		
		w/o TDR or GBP; w/TDR or GBP	w/o TDR or GBP; w/TDR or GBP		
					residential properties adjacent to the specific MP zone in question. C. Parking in the Manufacturing Park Overlay shall be provided at 2.0 to 3.0 stalls per 1,000 sq ft gfa.
6	Health and personal care	4; 5	0.5; 1.0	1,000 sq ft gfa (2.0, 3.0)	Allowed only within the Manufacturing Park Overlay as shown on Map 14.1, <u>Southeast Redmond Manufacturing Park Overlay</u> . Limited to research and development services and other uses that support another permitted use in the MP zone, except within the Manufacturing Park Overlay as shown on Map 14.1, <u>Southeast Redmond Manufacturing Park Overlay</u> . Limited to corporate headquarters and regional offices associated with manufacturing or wholesale trade uses in an MP zone in Redmond, except within the Manufacturing Park Overlay as shown on Map 14.1, <u>Southeast Redmond Manufacturing Park Overlay</u> . Allowed only within the Manufacturing Park Overlay as shown on Map 14.1, <u>Southeast Redmond Manufacturing Park Overlay</u> .
7	Finance and insurance				
8	Professional services				
9	Administrative services				
10	Personal services				
11	Services to buildings and dwellings				
12	Full-service restaurant	4; 5	0.5; 1.0	Employee on maximum shift (1.0, 1.0)	A. Shall be located in multi-tenant building or a single building in a multibuilding, multi-tenant complex. B. 50-person seating capacity, except when associated with manufacture of food or kindred products. In that case, maximum is 100-person seating capacity, so long as the seating area does not occupy more than 25 percent of combined gross floor area. The seating limit does not apply when the use is secondary to a winery or brewery, but the 25 percent limit continues to apply. C. Hours of operation limited to 6 a.m.-12 a.m. daily.
13	Cafeteria or limited service restaurant				
14	Bar or drinking place			1,000 sq ft gfa (10.0, 10.0)	
15	Caterer			1,000 sq ft gfa (2.0, 3.0)	
16	Food service contractor				
17	Pet and animal sales or services (except veterinary)				Allowed only within the Manufacturing Park Overlay as shown on Map 14.1, <u>Southeast Redmond Manufacturing Park Overlay</u> . A. Boarding facilities must be located inside of a structure. B. Outdoor runs or yards are allowed for the purpose of exercising animals. Runs/yards must be enclosed by eight-foot-high walls of sound-attenuating fencing or material such as masonry or concrete. C. The planned maximum number of animals to be sheltered shall be indicated on the application. The maximum may be
18	Animal kennel / shelter				

Table 21.14.040C Allowed Uses and Basic Development Standards					
Section	Use	Maximums		Parking ratio: unit of measure (min. required, max. allowed)	Special Regulations
		Height (stories)	FAR		
		w/o TDR or GBP; w/TDR or GBP	w/o TDR or GBP; w/TDR or GBP		
					reduced if the applicant cannot demonstrate that the development has adequate lot size and facility design to accommodate the planned number of animals in a way that ensures neighboring residential properties will not be impacted with noise or odor problems.
<u>19</u>	<u>Marijuana retail sales</u>	<u>2;</u> <u>2</u>	<u>0.25;</u> <u>0.25</u>	<u>1,000 sq ft gfa</u> <u>(10.0, 10.0)</u>	<u>A. Allowed only within the Sammamish Valley Manufacturing Park Overlay as shown on Map 14.2, Sammamish Valley Manufacturing Park Overlay</u> <u>B. Only permitted on properties that front on public streets.</u>

[Renumber following uses in table to accommodate addition of “Marijuana retail sales” use. Otherwise no other changes to table.]

E. **Manufacturing Park Overlay.** The Southeast Redmond Manufacturing Park Overlay is shown in Map 14.1, *Southeast Redmond Manufacturing Park Overlay*, below. The Sammamish Valley Manufacturing Park Overlay is shown in Map 14.2, Sammamish Valley Manufacturing Park Overlay, below.

Map 14.1
Southeast Redmond Manufacturing Park Overlay

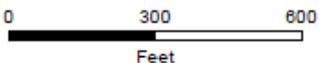


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Legend		Manufacturing Park Overlay
		Parcel
	Zoning	



Map 14.1
Southeast Redmond Manufacturing Park Overlay
 Effective: xxxx xx, 2016

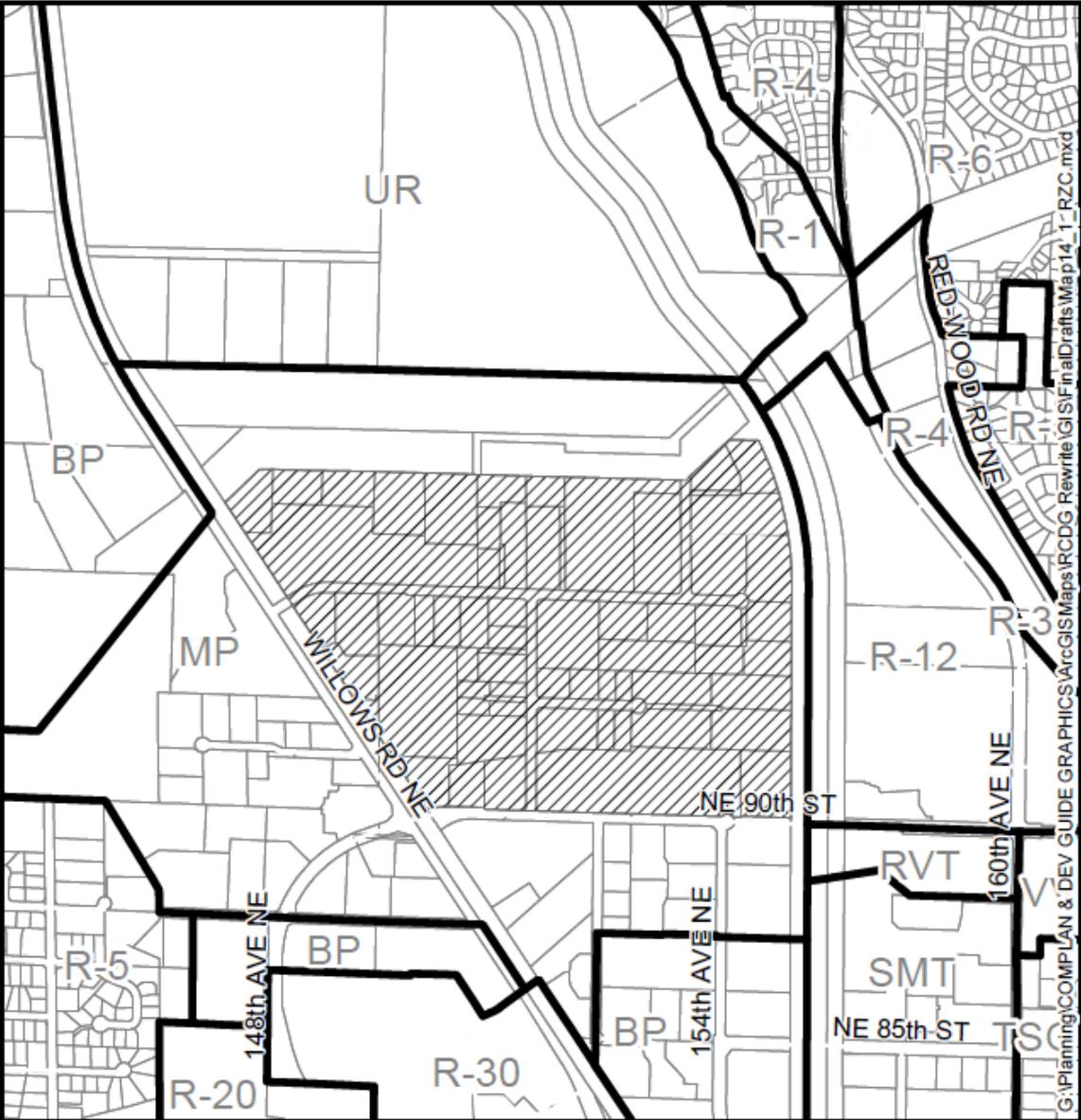


0 300 600
Feet



N

Map 14.2
Sammamish Valley Manufacturing Park Overlay



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Legend		Manufacturing Park Overlay
		Parcel
		Zoning

Map 14.2
Sammamish Valley
Manufacturing Park Overlay
 Effective: xxxx xx, 2016

0 300 600 900 1,200 1,500
Feet

N

RZC 21.41 MARIJUANA-RELATED USES

21.41.010 Relationship to Federal Law

The production, processing, and retailing of marijuana is and remains illegal under federal law. Nothing in this chapter or as provided elsewhere in the RZC or RMC authorizes or permits any person or entity to circumvent or violate federal law.

21.41.020 Collective Gardens

- A. On ~~March 31, 2014~~ May 21, 2015, the ~~Court of Appeals, Division I~~ Washington Supreme Court, in *Cannabis Action Coalition v. City of Kent*, held that, ~~despite the authorizing language in RCW 69.51A.085, collective gardens are illegal uses consistent with former RCW 69.51A.140 (Chapter 181, Laws of 2011), cities may adopt zoning regulations regarding collective gardens including regulations which prohibit collective gardens.~~
- B. ~~During the 2015 Regular Session, the Washington State Legislature passed 2SSB 5052 (Chapter 70, Laws of 2015) which, among other things, deleted RCW 69.51A.085, which authorizes collective gardens, effective July 1, 2016. Therefore, as of July 1, 2016, the state law authorizing collective gardens will no longer exist and collective gardens will not be allowed under state law.~~
- A.C. Consistent with state law, collective gardens are not allowed within the city.

21.41.030 State License

No marijuana processor, marijuana producer, or marijuana retailer shall locate in the city without a valid license issued by the Washington State Liquor ~~Control and Cannabis~~ Board, and must at all times conform with state law and city regulations. In the event any city regulation conflicts with state law or state regulations, the more restrictive provision shall prevail.

21.41.040 Location; Buffers

- A. Marijuana production, marijuana processing, and marijuana retail uses are allowed uses within the city where in compliance with state law and regulation and this chapter.
- B. No marijuana producer, marijuana processor, or marijuana retailer shall locate within 1,000 feet, measured in the manner set forth in WAC 314-55-050(10), from any of the existing uses listed in RCW 69.50.331 and as defined in WAC 314-55-010 as of the date of adoption of this chapter:
1. Elementary or secondary school,
 2. Playground,
 3. Recreation center or facility,
 4. Child care center,
 5. Public park,
 6. Public transit center,

7. Library, or
8. Game arcade.

21.41.050 Structural Requirements

All marijuana processors, marijuana producers, and marijuana retailers must operate in a permanent structure designed to comply with the City Building Code.

Exhibit D: Summary of Public Comments

Survey Results

Staff posted an online survey accessed from the City of Redmond web site to solicit feedback on three questions:

1. How far should retail marijuana stores be from libraries and daycares?
2. Where should retail marijuana stores be in Redmond?
3. Should there be a minimum separation between retail marijuana stores?

Responses for the first question (regarding buffers) allowed an answer of a certain number of football fields. Football fields were chosen in lieu of distances in feet because some people find it easier to visualize the size of a football field, versus trying to determine (for example) 300 feet. Libraries and daycares were chosen as representative uses, and also because the buffers from schools and playgrounds is required to remain 1,000 feet under state law.

Responses for the second question (regarding locations) allowed for a free-form answer. The intent was to ascertain where, if anywhere, in Redmond may be suitable for retail marijuana stores. For summation purposes, answers have been grouped into four general categories: Anywhere, Retail Areas, Industrial Areas, and Nowhere.

Finally, responses for the third question (regarding separation) allowed for a binary Yes/No answer.

The results of the survey as of January 5, 2016, are shown below. Summaries from previous reporting dates are also included for reference. 291 people responded to the survey as of January 5, 2016.

	12/18/2015	12/21/2015	12/28/2015	1/5/2016
Buffers				
1 or less than 1 football fields	51.2%	46.0%	34.4%	31.6%
2 football fields	4.6%	5.9%	5.8%	4.5%
3 or more than 3 football fields	44.2%	48.1%	57.8%	63.9%
Location				
Anywhere	23.2%	17.5%	20.9%	21.3%
Retail	32.6%	34.3%	26.2%	25.1%
Industrial	11.6%	20.4%	16.5%	18.6%
Nowhere	32.6%	27.8%	36.4%	35.0%
Separation				
Yes	60.5%	52.5%	57.3%	58.8%
No	39.5%	47.5%	42.7%	41.2%
TOTAL RESPONSES				
	43	137	225	291

Public Workshop

City staff held a public workshop on December 10, 2015, to allow for a more informal atmosphere for the public to provide feedback while also allowing staff to record that feedback. 6 people attended, including 2 marijuana store proprietors, the applicants for the amendment, a commercial real estate broker, and a resident, along with two City Council members. A summary is below.

- Locations:
 - Consider only parts of MP/BP zones and also Downtown.
 - Access/street grid/visibility should inform choice of potential locations.
- Buffers:
 - Property owner/manager reluctance limits supply of property that is actually available; need smaller buffers – while some preferred 100 feet, others preferred 500 feet.
 - Concern about enforcement of public use prohibition.
 - Smaller buffers may lead to more public use in Downtown area and parks – concern about exposure to smoke, especially for kids.
- Separation
 - Limit number of stores either outright or via separation (or both) to support initial businesses and reduce parking impact.
- Other issues:
 - Security:
 - Break-ins are targeting money, not product (stores operate as cash business due to federal banking restrictions).
 - Similar to other uses, high visibility (“eyes on street”) is best to reduce safety concerns from robberies and public use.
 - Parking and access concerns and experiences
 - Marijuana retail is high turnover and parking requirements may exceed our minimum standards – area retail marijuana store of 960 square feet has 700 customers in 1 day and 30 vehicles at a time – may have contributed to other nearby businesses relocating;
 - Marijuana retail store in Bellevue was required to rent a separate lot for parking.

Other feedback

Staff has also received feedback in the form of email, phone, and personal (face-to-face) communication. This feedback has sounded similar themes, with a notable emphasis on the potential impacts of public use of marijuana, in particular secondary exposure to marijuana smoke for people in public places.

Staff has also been contacted by numerous parties interested in opening a retail marijuana store, or agents seeking information for their clients seeking to open a retail marijuana store.

March 17, 2016

Dear City Council Members,

First, I would like to express my support for the decision reached by my fellow Planning Commissioners regarding Amendments to Comprehensive Plan and Zoning Code for Retail Marijuana. I applaud their thoughtful deliberation, and regret that I was absent, due to illness, during the final vote. I also appreciate the passionate input from our community.

Even though I support the decision reached, I do have two concerns that I would like to share regarding accessibility, especially for those to have a medical need. I voted against I-502, in part due to a concern that medical marijuana and retail marijuana would be merged, as it has. As a cancer survivor, I know first-hand how those activities we do daily can take a toll on mind and body. It is easy to say to healthy people that they can drive to Kirkland, Bellevue or Issaquah, but that could be such a chore for someone who is ill that it would deter them from accessing a substance that could help them improve their current state and outcomes.

My concerns include the following:

- I feel we did not flush out a good reason for excluding a legal retail business from the retail zones. During initial deliberations, we thoroughly discussed carve-outs for the Downtown and Overlake areas, which I fully support. Yet retail zones were not considered during final deliberations.
- The five year waiting period before additional review could be too long, thus unnecessarily restricting a legal retail business from opening in Redmond. I recommend an interim review in 6-12 months to determine if the licensees are able to find a location in which to operate. If they cannot, I believe the City should re-examine the zoning and buffer requirements.

Thank you for your attention and consideration.

Sincerely,

Meishelle Haverkamp
Planning Commissioner

March 16, 2016

Dear City Council Members,

On March 9 the planning commission passed the zoning code amendment for retail marijuana on a 3-1 vote. I believe that we thoroughly discussed the issue, and heard from a record number of citizens on the topic. I am very proud of how the commission conducted itself on behalf of the city.

As I was the dissenting vote, I want to explain my reasons.

- The public comment on this issue, in person, via email, and through the online questionnaire was overwhelmingly opposed to the introduction of retail marijuana stores in the city. This testimony was very compelling to me, and my vote was in part representing these citizens.
- Given that retail stores located in Bellevue, Kirkland, or Issaquah are only a few minute's drive from most anywhere in Redmond, I don't believe that not having stores in Redmond will deprive any citizen of convenient access to marijuana. Thus I don't see it as essential that Redmond have such stores too.
- While I grant that marijuana sales and use are legal under Washington law, it remains illegal under federal law. This bothers me deeply: I don't like the idea that we are permitting an illegal (under federal law) business to operate in the city.

Regards,

Robert O'Hara

Chair, Redmond Planning Commission

March 24, 2016

Dear City Council Members,

After a long and challenging process, the planning commission was able to come to a decision with respect to making a recommendation to you regarding retail marijuana in Redmond. As a member of the majority who was present for the vote, I recognize that it is unusual for me to submit a minority report. However, there is an aspect of the report that is sufficiently different from the spirit of what I believe we were trying to accomplish with our vote that I feel compelled to note it for the record.

One of our recommendations is to add privately owned recreation facilities, such as Arena Sports, to the list of locations specified by the state that would require a buffer from a retail marijuana site. The thought behind this recommendation was that there were a number of such businesses in the MP zoning area that served children, and the intent of buffer zones is to protect children. I had concerns from the beginning of the discussion of this topic that a workable definition would be difficult to develop, but in the spirit of compromise, I agreed to accept the idea and voted yes.

When the report came out, and I saw the language for the definition of a privately owned recreational facility, I did not find the definition suitable to the purpose. The definition in the report protects sports facilities, not children. If I were to open a gym only open to adults, for example, that would be a privately owned recreational business that would require a buffer even though no children were clients of my business. On the other hand, were I to open an art studio or a music studio, and offer lessons to children, my business would not be protected by a buffer despite my business catering primarily to children, because my business would not be for sports, exercise, physical activity, etc.

This definition seems to me to be rather arbitrary, being both too broad in some ways and too narrow in others, and does not address the purpose of buffer zones. I believe the City should reconsider whether privately owned recreational facilities are an appropriate category to add to the list set out by the state.

I thank you for your consideration.

Sincerely,

Sherri Nichols

Planning Commissioner, City of Redmond

Jodi L. Daub

From: Planning Commission
Sent: Thursday, March 31, 2016 2:18 PM
To: Jason Rogers
Subject: FW: Amendments to Comprehensive Plan and Zoning Code for Retail Marijuana

Follow Up Flag: Follow up
Flag Status: Completed

Hi Jason,

FYI - forwarding this which came in last week while I was out. Would you like to respond? I'll ask Jodi to send to PC with packet tomorrow.

Thanks,
Sarah

From: Eric Kennedy [<mailto:efkennedy@rexland.com>]
Sent: Thursday, March 24, 2016 10:44 AM
To: Planning Commission
Subject: Amendments to Comprehensive Plan and Zoning Code for Retail Marijuana

Good Morning,

I apologize for being a little late to the party and understand that I have missed my opportunity to protest, but would like to inquire about a few matters on the topic. My name is Eric Kennedy and my family owns and manages two buildings called Willows East Business Park located on the corner of 95th St. and 153rd Ave east of Willows Road. I understand this property falls into the Manufacturing Park zone that is slated to permit retail marijuana retail. To be blunt, I am very much opposed to this kind of business operating near my property or in Redmond at all but will trust the planning commission has done their due diligence. It is my hope you can help me understand a few points that don't add up to me. I appreciate your time on this matter.

First, why is there so much emphasis to protect "Privately owned Recreational Businesses?" I'm struggling to understand what about that kind of use would require a larger buffer than any other use. I can assure you that my tenants don't want to be bothered by smoke or other byproducts of a marijuana retail store any more than somebody working out in a recreational facility.

Secondly, how did it come to be that an education facility such as Digipen requires a 1,000 foot buffer, but a child care center only 250 feet? We have had preschools and child care centers interested in leasing space at my property, but that line of business will no longer be an option for me if there is marijuana retail use in the immediate area. If we are looking to protect children from the "potential impacts" of this use, how is it that a child care facility doesn't qualify for the larger buffer?

What are the recognized "potential impacts?" If this kind of use is being delegated to industrial districts and requires buffers similar to strip clubs, it would be logical to infer that the use is not interpreted to be a positive one for society as a whole. That leads me to wonder why we would want that kind of potential impact in Redmond at all. Selfishly speaking, it further makes me question why I get the unfortunate burden of being a business impacted by such use simply because of the location of my property.

It appears that the very large majority of respondents opposed allowing marijuana retail stores in Redmond. It also appears that the Planning Commission recognizes the probable negative impacts of this use. Given these simple realities, what were the overwhelming factors that led to the Planning Commission approving the use?

Thank you for your time,

Eric F. Kennedy
Rex Land Company
p: 425.644.0500
f: 888.644.2171
EFKennedy@RexLand.com

PO Box 569
Redmond, WA 98073

Click [here](#) to report this email as spam.

Jodi L. Daub

From: tracyfamily <tracyfamily3@frontier.com>
Sent: Thursday, March 24, 2016 11:26 AM
To: Jason Rogers; Council
Subject: objecting to Marijuana stores/zoning

Follow Up Flag: Follow up
Flag Status: Completed

City of Redmond,

My husband and I have lived in Redmond for over 36 years. We have raised 6 children here. We protested about allowing Adult entertainment and gambling into the city. It did not come. We were thankful.

We had concerns about allowing homeless encampments in, due to the variety of people it would bring to our town. We protested, but you allowed the use anyway. From our perspective one block away from St. Judes, we were right to have concerns. We have seen things now on the Power Trail that never used to be there, and more people asking on our street corners then ever because they are now "comfortable" here and we are perceived to be "able to afford it". We would be curious to know what the crime rate is since they have been established in Redmond as a revolving allowed use.

Now you are looking at Marijuana stores being allowed in Redmond. We would ask you not to, in any way, shape or form, to allow them to be here. The problems communities face are well documented. The influence on young people is also documented.

The effect on a business near a location is also an issue. We are aware of a business that has a storefront in Puyallup. They are in a nice strip mall on a busy road with a well lit parking lot. In the next strip mall over a "Canabas " store has moved in. They are at the end of their building facing the next store front. Employees report locking the door because someone from "that store" is hanging around the door. They are frightened. They are sometimes worried to leave work and go out to their car because it is dark and they can't see who is out there by the buildings where the lighting is not good.

Please do not subject our local employees, of any age, to this. Do not subject our youth to the easy access in their own backyard. I know, you have to be a certain age to buy...but they get around it to buy alcohol and they will get around this as well. Someone is always willing to make a fast buck and do something illegal.

We would ask you to "Just say NO" to Canabas stores in Redmond. Oh wait, we used to teach our kids to "Just say NO" to drugs, maybe we should set the example.

Please set a good example and "Just say NO" to Canabas!

Sincerely,

Lisa & Steve Tracy

Click [here](#) to report this email as spam.

Jodi L. Daub

From: Gail Domingos <gail@cedarcrestacademy.org>
Sent: Thursday, March 24, 2016 11:10 AM
To: Jason Rogers
Cc: Linda Thelin; Geeta Vyas
Subject: FW: Redmond City Council Examines Opening Marijuana Retail Stores in Manufacturing Park (MP) Zones

Follow Up Flag: Follow up
Flag Status: Completed

Hello Jason,

I understand that there is a proposal to have a marijuana retail store located close to our school. We are located near Marymoor Park (Redmond Campus - 17720 NE 65th St. | Redmond, WA. 98052
T: 425-376-0441 | F: 425-376-0440) and have approximately 120 children from 3-6 years of age in our program from Monday – Friday. I am in favor of the maximum setback for all but at there should definitely be a maximum set back of 1000 feet for our school. Please tell me if there a proposed specific location for this store or if there is a general zone but no specific proposed location.

In our general area, there is a KinderCare about 1000 feet away, and within 250 feet of us there is gymnastic school and Lake Washington Technical College.

Thank you in advance.

Gail Domingos
Founder



www.cedarcrestacademy.org

Bellewood Campus - 2125 112th Ave. NE | Bellevue, WA. 98004
T: 425-454-1234 | F: 425-454-2442

Park Highland Campus - 308 118th Ave. SE | Bellevue, WA. 98005
T: 425-455-1211 | F: 425-455-1661

Kirkland Campus - 10406 NE 37th Cir. | Kirkland, WA. 98033
T: 425-889-1111 | F: 425-889-1011

Redmond Campus - 17720 NE 65th St. | Redmond, WA. 98052
T: 425-376-0441 | F: 425-376-0440

From: We Love Redmond . [<mailto:contact@weloveredmond.org>]

Sent: Wednesday, March 23, 2016 11:06 PM

To: We Love Redmond . <contact@weloveredmond.org>

Subject: Redmond City Council Examines Opening Marijuana Retail Stores in Manufacturing Park (MP) Zones

Dear business owners in the MP zones,

I want to bring to your attention that the planning commission had made their final recommendations on the marijuana rezone issue. Please use this link to get more details.

<http://www.redmond.gov/common/pages/UserFile.aspx?fileId=181858>

In summary, the planning commission recommended to allow retail pot stores in **ALL Redmond Manufacturing Park (MP) zones** and to reduce the buffers from 1,000 ft to 250 ft. Upon approval Redmond will be the first city on the Eastside to reduce the buffers, everyone else is still at 1,000 ft.

Your business might be in jeopardy with retail pot stores right next door. Please see attached for the comment from a neighboring business of Higher Leaf, a marijuana retail store in Kirkland. They, along with many other businesses in the building, were forced to move out.

Same tragedy could happen to your business if the City Council approves this recommendation. It's never too late to take action. Here are the few things you can still do to turn this around.

- Email your comments and concerns to council@redmond.gov
- If your customers are mainly children, your business might be protected by the buffers if the City label your business as "Educational Facilities" or "Recreational Facilities". Email Jason Rogers, City Sr. Planner, jrogers@redmond.gov, to see if yours is qualified.
- Testify in person at the City Council meeting on Tuesday April 5th, 2016. 7:30pm, Redmond City Hall.
- Request to meet with individual council members to express your concerns.

Sincerely,

Jodi L. Daub

From: Planning Commission
Sent: Wednesday, January 27, 2016 9:13 AM
To: Jason Rogers
Subject: FW: Marijuana Zoning

Follow Up Flag: Follow up
Flag Status: Flagged

forwarding

From: Vick Barn [<mailto:OneandTwo@hotmail.com>]
Sent: Tuesday, January 26, 2016 5:29 PM
To: Planning Commission
Subject: Marijuana Zoning

The business I worked for was above the Higher Leaf marijuana store t not in favor of marijuana being sold in our state, but was okay with it k business. Since that time my opinion has changed. We have moved a that occupied that building for a number of years. The number of pro smell of pot was throughout the halls as people would smoke it in the smoking it in their cars during their breaks. Overall the area declined business attracted. You had to think twice about working at night if y feeling of being safe was gone.

I feel Redmond needs to keep the current 1000 ft buffer to protect the to enjoy public places.

Thanks,

Click [here](#) to report this email as spam.

Jodi L. Daub

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We Love
Redmond

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Thanks,

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Jodi L. Daub

From: Tanya Hart <thart@hartwinegroup.com>
Sent: Tuesday, March 22, 2016 10:35 AM
To: Jason Rogers
Cc: commission@redmond.gov
Subject: Grass is Always Greener support - Cannabis in Redmond

Dear Mr. Rogers,
I'm not sure if this is still timely,
But I wanted you to know, I support the zoning changes to enable a retail marijuana store to open in Redmond.

Tanya Hart

Hart Wine Group



Mobile | 708.670.1866 |
www.hartwinegroup.com
www.megustasangria.com



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www.avast.com

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