

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
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*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; repealing Ordinance 124552 and amending Sections 23.42.058, 23.47A.002, 23.47A.004, 23.47A.020, 23.48.002, 23.48.005, 23.48.065, 23.49.002, 23.49.025, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.320, 23.49.338, 23.50.002, 23.50.012, 23.50.014, 23.50.044, 23.66.122, 23.66.322, and 23.84A.025 of the Seattle Municipal Code to change marijuana zoning regulations and make technical corrections.

**Summary and background of the Legislation:** Land Use Code Section 23.42.058, Marijuana, would be reorganized to clarify how the rules apply to marijuana businesses including those associated with dwelling units and other uses. The requirement to obtain a license from the state and the City is included in the proposal. In addition, the ‘scope of provisions’ and ‘use provisions’ of applicable zones are amended to refer to or reflect the regulations in Section 23.42.058. The proposed bill would: change the definition for major marijuana activity and would require separations between major medical marijuana retail activities; buffers from a list of uses including schools and playgrounds; and apply odor control standards.

**2. CAPITAL IMPROVEMENT PROGRAM**

     This legislation creates, funds, or amends a CIP Project.

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

  X   This legislation does not have direct financial implications.

**4. OTHER IMPLICATIONS**

**a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

Yes, this proposal will require DPD permit review and compliance staff to respond to requests from license and permit applicants and the state Department of Licensing. Prior to approving a permit application or the issuance of a state license, the required separations between major medical activities and from a list of uses (schools, etc.) must be assessed and verified. This will also need to be done when complaints are received from the public about the production, processing, selling, or delivery of marijuana. DPD must prepare and maintain a database using GIS for this assessment. Staff time will be required to review an estimated 25 to 50 permit applications per year (depending on the number of licenses to be issued by the state per year), according to state licensing

provisions, which may limit the number of license issued per year.

Overall, it is likely that the rules would result in a minor increase in the amount of time that permit review and code compliance staff dedicate to this issue. Added permit review time and costs are anticipated to be offset by increased permit fees and code compliance resources added last year as part of the 2016 budget. Given the scale of this increase in permit review and compliance activity, DPD anticipates that the increase can be handled within existing and planned 2016 resources.

**b) Is there financial cost or other impacts of not implementing the legislation?**

DPD believes that the cost of not implementing the legislation would not be significant.

**c) Does this legislation affect any departments besides the originating department?**

FAS will issue City licenses and will interact with DPD to apply separation and other requirements. DPD and FAS have worked together closely on this legislation.

**d) Is a public hearing required for this legislation?**

Yes, the City Council will hold a public hearing as part of their deliberations on the legislation.

**e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

Publication of the public hearing notice will occur in the DPD land use bulletin and in the DJC.

**f) Does this legislation affect a piece of property?**

This legislation would apply to permit application on land in commercial and industrial zones throughout the city.

**g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

The proposal clarifies existing provisions and adds new requirements for the good of all and is not anticipated to impact vulnerable or disadvantaged communities.

**h) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

The legislation clarifies and modifies standards for an existing land use and is not a new initiative or program expansion.

**i) Other Issues: None**

**List attachments/exhibits below:** None