

Exhibit 3

Example Marijuana Use Development Regulations

Aberdeen

- A. The production, processing and retailing of marijuana is and remains illegal under federal law. Nothing herein or as provided elsewhere in the ordinances of the city of Aberdeen is an authorization to circumvent federal law or provide permission to any person or entity to violate federal law. Only state-licensed marijuana producers, marijuana processors, and marijuana retailers may locate in the city of Aberdeen and then only pursuant to a license issued by the state of Washington. The purpose of these provisions is solely to acknowledge the enactment by Washington voters of Initiative 502 and a state licensing procedure and to permit to, but only to, the extent required by state law
- B. Marijuana producers may be located only in the Light-Industrial (L-I) and Industrial (I) Districts of the city. Such facilities and uses may be located only at designated sites licensed by the state of Washington and fully conforming to
- C. Marijuana processors may locate only in the Light-Industrial (L-I) and Industrial (I) Districts of the city, but only at designated sites licensed by the state of Washington and fully conforming to state law.
- D. Marijuana retailers may locate only in the General Commercial (C-G), Downtown Commercial (C-D), Light-Industrial (L-I) and Industrial (I) Districts of the city, at designated sites licensed by the state of Washington and fully conforming
- E. In addition to any other applicable remedy and/or penalty, any violation of this section is declared to be a public nuisance per se, and may be abated by the city attorney under the applicable provisions of this code or state law, including but not limited to the provisions of Chapters 1.12, 8.08, and 17.96 AMC.

Anacortes

- 17.19.020 - Permitted uses. Light Manufacturing Use Zone
- State licensed marijuana producers, processors and retail outlets that are in compliance with all Washington State statutory and Washington State Liquor Control Board regulations.
- 17.64.070 - State licensed marijuana producers, processors, and retailers.
- A. Purpose. The purpose of this chapter is to further clarify the provisions of Washington State law, including Initiative—502 and chapter 69.51A RCW, as it pertains to the use of land within the city, and to establish where recreational and medical marijuana producers, processors and retail outlets may locate in the city, and to describe
- B. The City hereby adopts the definitions in WAC 314-55-010 and RCW 69.50.101.
- C. Marijuana Related Uses.
 - 1. All marijuana production shall occur within indoor facilities. Outdoor production as may be permitted by the state is expressly prohibited by this section.
 - 2. Portable marijuana production, processing or retail outlet units are prohibited.
 - 3. Applicants for marijuana producers and processors shall submit calculations, prepared by an approved professional engineer, estimating water and sewer use.
 - 4. The subsequent establishment of a use listed in WAC 314-55-050(10) within one thousand feet of a legally established and licensed marijuana producer, processor or retail outlet shall not render the marijuana producer, processor, or retail outlet non-conforming in regard to location under this section.
- D. Any and all permits for the use or construction of facilities to produce, process or sell marijuana in the City of Anacortes shall bear the following warning: "The production, processing, sale and use of marijuana are a criminal activities under federal law and may subject any person engaging in such conduct to prosecution under federal law. The issuance of this permit by the City of Anacortes carries out a Washington State regulatory scheme, but does not

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Bellevue

20.20.535 Marijuana uses.
A. Purpose. The purpose of this section is to regulate marijuana producers, processors, and retailers regulated under Chapters 69.50 and 69.51A RCW by identifying appropriate land use districts and establishing development and performance standards. Marijuana producers, processors, and retailers shall only be permitted when licensed by the Washington State Liquor and Cannabis Board. The production, sale, and possession of marijuana remains illegal under the federal Controlled Substances Act. Nothing herein or as provided elsewhere shall be construed as authority to
B. Applicability. This section applies to marijuana uses licensed by the Washington State Liquor and Cannabis Board.
C. Review Required – Administrative Conditional Use. An Administrative Conditional Use Permit (Part 20.30E LUC) is required to operate any marijuana use. The Director shall review applications to operate a marijuana use for compliance with this section and with all other applicable provisions of the Bellevue City Code.
F. Limitations on Uses. The following limitations shall apply to all marijuana producers, processors, and retailers,
1. A marijuana producer, retailer, or processor shall not be located within 1,000 feet of the following uses or any use included in Chapter 314-55 WAC now or as hereafter amended:
a. Elementary or secondary school;
b. Playgrounds;
c. Recreation center or facility;
d. Child care centers;
e. Public parks;
f. Public transit centers;
g. Libraries; and
h. Any game arcade.
2. No marijuana retailer shall be located within 1,000 feet of any other marijuana retailer.
a. Areas Where No Retail Marijuana Uses Are Located. If 2 or more marijuana retail applicants seek licensing from the state and propose to locate within 1,000 feet of each other, the City shall consider the entity who is licensed first by the State Liquor and Cannabis Board to be the “first-in-time” applicant who is entitled to site the retail use. First-in-time determinations will be based on the date and time of the state-issued license or conditional license, whichever is issued first. The Director shall make the first-in-time determination, whether in
b. First-in-time determinations are location-specific and do not transfer or apply to a new property or site, unless the new site is within the same tax parcel. See subsection G.3 of this section for regulations applying to
c. Appeal of Director Determination. The Director’s first-in-time determination may be appealed pursuant to LUC 20.35.250, Appeal of Process II decisions.
3. No marijuana producer, processor, or retailer shall be located within 1,000 feet of any park mapped in the City’s Geographic Information System.
4. Measurement. All separation requirements shall be measured as the shortest straight line distance from the property line of the proposed business location to the property line of the use listed in this section.
5. No marijuana producer, processor, or retailer shall be allowed in single-family and multifamily land use districts
6. No marijuana retailer is allowed as a subordinate or accessory use in any land use district.
7. Marijuana shall be grown in a structure. Outdoor cultivation is prohibited.
G. Marijuana Retail Outlets.
1. Odor. Marijuana odor shall be contained within the retail outlet so that odor from the marijuana cannot be detected by a person with a normal sense of smell from any abutting use or property. If marijuana odor can be smelled from any abutting use or property, the marijuana retailer shall be required to implement measures,
2. Signage for Marijuana Retail Outlets. Retail outlets shall comply with WAC 314-55-155(1), now or as hereafter amended. Additionally, signage for retail outlets must undergo design review in those land use districts requiring

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3. First-in-Time – Change in Ownership, Relocation, and Abandonment.
a. Ownership. The status of a first-in-time determination is not affected by changes in ownership.
b. Relocation. Relocation of a retail outlet to a new property voids any first-in-time determination previously made as to the vacated property. The determination shall become void on the date the property is vacated. Applicants who may have been previously denied a license due to a first-in-time determination at the vacated property may submit a new application after the prior first-in-time determination becomes void.
c. Discontinuance. If an existing marijuana retail use is discontinued or abandoned for a period of 12 months with the intention of abandoning that use, then the property shall forfeit first-in-time status. Discontinuance of a licensed retail use for a period of 12 months or greater constitutes a prima facie intent to abandon the retail use. Intent to abandon may be rebutted by submitting documentation adequate to rebut the presumption.
i. State licensing review or administrative appeal; or
ii. Review of building, land use, other required development permits or approvals; or
iii. Correspondence or other documentation from insurance provider demonstrating an intent to reestablish the use after either a partial or full loss or disruption of the use.
iv. The Director shall determine whether a retail use has been discontinued, abandoned, or voided, whether in connection with an application for an Administrative Conditional Use Permit or as otherwise
d. Accidental Destruction. First-in-time status is not affected when a structure containing a state-licensed retail outlet is damaged by fire or other causes beyond the control of the owner or licensee; provided redevelopment occurs within 12 months or the licensee provides documentation demonstrating why redevelopment cannot commence within 12 months, otherwise the Director shall determine the retail use abandoned, unless the licensee can demonstrate an intent not to abandon the use. If the retail use cannot be
e. Appeal of Director Determination. The Director’s determination of whether a retail use has been discontinued, abandoned, or voided may be appealed pursuant to LUC 20.35.250, Appeal of Process II
H. Marijuana Producers and Processors. Marijuana production and processing facilities are allowed only in the Light Industrial land use district and shall comply with the following provisions:
1. Marijuana production and processing facilities shall be ventilated so that the odor from the marijuana cannot be detected by a person with a normal sense of smell from any adjoining use or property;
2. Signage for marijuana producers and processors shall comply with the City of Bellevue Sign Code, Chapter
3. A screened and secured loading dock, approved by the Director, shall be required. The objective of this requirement is to provide a secure, visual screen from the public right-of-way and adjoining properties, and prevent the escape of odors when delivering or transferring marijuana, marijuana concentrates, useable marijuana, and
I. Regulations Applicable to All Marijuana Uses.
1. Security. In addition to the security requirements in Chapter 315-55 WAC, during non-business hours, all marijuana producers, processors, and retailers shall store all marijuana concentrates, useable marijuana, marijuana-infused products, and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached thereto. For useable marijuana products that must be kept refrigerated or frozen, these products may be stored in a locked refrigerator or freezer container in a manner
2. Release of Liability and Hold Harmless. The permittee of a marijuana use shall provide an executed release in a form approved by the Bellevue City Attorney’s Office to the City of Bellevue, for itself, its agents, officers, elected officials and employees, from any injuries, damages, or liabilities of any kind that result from any arrest or prosecution or seizure of property, or liabilities of any kind that result from any arrest or prosecution for violations of federal or state law relating to operation or siting of a marijuana use. Additionally, within the release document, the permittee of a marijuana use shall indemnify and hold harmless the City of Bellevue and its agents, officers, elected officials, and employees from any claims, damages, or injuries brought by adjacent property owners or other third parties due to operations at the marijuana use and for any claims brought by any of the marijuana use’s
J. Conflicts. In the event of a conflict between Chapters 69.50 and 69.51A RCW, Chapter 314-55 WAC, and this section, the most restrictive provision shall apply. (Ord. 6253, 8-3-15, § 9)

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Buckley

19.35.010 Purpose.
(1) To ensure the marijuana industry in the community maintains the character and small-town feel.
(2) To clearly state city regulations in such a way that supports incoming and existing businesses, as well as residential
(3) To allow industrial, recreational, and medicinal growing, processing, and retail sales in the city in conformance with state laws. (Ord. 22-15 § 2, 2015).
19.35.020 Applicability.
All marijuana facilities are subject to this chapter. (Ord. 22-15 § 2, 2015).
19.35.030 Review process.
(1) Business licenses are required of all new businesses as specified in Chapter 6.04 BMC.
(2) Under Chapter 19.33 BMC, new construction or reconstruction may require a site plan review.
(3) Building permits will be needed to upgrade existing facilities to meet state standards.
(4) Construction that is not exempt under the State Environmental Policy Act will require an environmental determination by the city's SEPA official. (Ord. 22-15 § 2, 2015).
19.35.040 General requirements.
(1) All marijuana facilities shall be licensed by the state and must continually satisfy all of the requirements under regulations and rules promulgated by the State Liquor Control Board. The state license shall be provided to the city prior to opening and placed in the appropriate address file.
(2) Security shall be as specified in the state code.
(3) Fees shall be charged for each action or permit in accordance with city resolution.
(4) Hazardous materials that may be produced on site shall not enter the city's ecosystem, drainage system, or utility. All hazardous materials shall be disposed of in accordance with state regulations.
(5) Parking areas shall be supplied as required in Chapter 19.28 BMC and the uses' classification shall be as follows:
(a) Retail sales shall be considered "retail stores in general."
(b) Processing and producing shall provide one parking stall plus one parking stall for each 1,000 square feet of
(6) Landscaping shall be as required in Chapter 19.29 BMC.
(7) Signs shall be in accordance with Chapter 19.30 BMC and presented to the city for sign approval and may include
(8) Marijuana producers, processors and retail sales shall incorporate odor control technology and provisions to ensure that emissions do not exceed regulations.
(9) All fertilizers, chemicals, gases and hazardous materials shall be handled in compliance with all applicable local, state and federal regulations. No fertilizers, chemicals, gases or hazardous materials shall be allowed to enter a sanitary sewer or stormwater sewer system or be released into the atmosphere outside of the structure where the
(10) Odor control equipment shall be as approved by the Puget Sound Clean Air Agency. (Ord. 22-15 § 2, 2015).
19.35.050 Medical marijuana cooperatives.
(1) Medical marijuana cooperatives must comply with all state law requirements.
(2) No business license is required.
(3) Medical marijuana cooperatives shall not exceed the number of members allowed by the state and each member shall be a qualifying patient as defined by state statute.
(4) Medical marijuana cooperatives shall be enclosed in a permanent structure designed to comply with the building codes and state requirements for medical marijuana cooperatives.
(5) No production, processing, advertising, or delivery may be visible to the public.
(6) The city police department shall have the authority to inspect the site for compliance with all applicable permits at any time during the medical marijuana cooperative's regular business hours.
(7) The facilities shall be addressed, but no sign or indication of the medical marijuana cooperative shall be visible from the lot on which the facility rests.
(8) Individual production for qualifying patients shall follow the limitations under state statute. (Ord. 22-15 § 2, 2015).

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19.35.060 Recreational retail.
Retail facilities shall have a separation distance of 3,000 feet, measured from the perimeter of the individual state-licensed marijuana retail store. (Ord. 22-15 § 2, 2015).
19.35.070 Marijuana producing.
(1) Industrial hemp producing and processing shall be considered an agricultural crop and be exempt from the city's
(2) Outdoor marijuana production is not allowed.
(3) Production in a residential zone shall have the following performance standards:
(a) A barrier buffer (BMC 19.29.060(2)) and may use a secondary agricultural crop outside the facility;
(b) A minimum lot size of two and one-half acres; and
(c) Structural setbacks of 50 feet from each property line.
(d) Processing may be co-located with producing facilities. (Ord. 22-15 § 2, 2015).
19.35.080 Marijuana processing.
(1) Extraction of oils from the marijuana plant is to be done by nonvolatile methods, such as closed loop systems or
(2) Processing in a residential zone shall have the following performance standards:
(a) A barrier buffer (BMC 19.29.060(2)) and may use a secondary agricultural crop outside the facility;
(b) A minimum lot size of two and one-half acres; and
(c) Structural setbacks of 50 feet from each property line.
(d) Producing may be co-located with processing facilities. (Ord. 22-15 § 2, 2015).
19.35.090 Violations and enforcement.
(1) It is the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in
(2) Failure of the enforcing officer to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with this code.
(3) Inspectors shall be admitted at all reasonable times to the extent authorized by state law. (Ord. 22-15 § 2, 2015).

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Clark County
Purpose.
A. The purpose of this section is to implement Chapter 69.50 RCW, the Washington Uniform Controlled Substances Act, and Chapter 314-55 WAC, which address the producing, processing, and retailing of marijuana. This section addresses the facilities for such uses by establishing criteria to adequately separate such facilities from schools, community centers, parks, licensed daycare facilities, and other such facilities, and to establish minimum performance
B. Applicability.
1. This section shall apply to all unincorporated areas of the county.
2. The location restrictions and special standards in this section apply to any facility that:
a. Is a producer of marijuana as defined in WAC 314-55-075;
b. Is a processor of marijuana as defined in WAC 314-55-077; or
c. Is a retailer of marijuana as defined in WAC 314-55-079.
3. This section does not pertain in any respect to medical marijuana collective gardens.
4. Recreational marijuana-related permits will not be approved until such time that marijuana is no longer listed as a federally controlled substance in accordance with 21 U.S.C 812(c).
D. Location Standards.
1. Subject to Section 40.260.115(D)(1)(d), marijuana facilities as defined in Section 40.260.115(C) may be sited as
a. Marijuana production facilities may be allowed on legal parcels of at least ten (10) acres in size zoned AG-10 and FR-20, and on legal conforming parcels zoned IL, IH, and IR.
b. Marijuana processing facilities may be allowed on legal parcels as follows:
(1) Processor I facilities, on legal conforming parcels zoned IL, IH, IR, and BP;
(2) Processor I facilities, on parcels of at least ten (10) acres in size zoned AG-10 and FR-20, but only as accessory to licensed production facilities; and
(3) Processor II facilities, on parcels zoned IH, IL, IR, and BP.
c. Marijuana retailing facilities may be allowed on legal conforming parcels zoned GC, CC, and CR-2.
d. No facilities are allowed within one thousand (1,000) feet of the perimeter of the grounds of the following entities. The distance shall be measured as the shortest straight line distance from the property line of the proposed building/business location to the property line of the entities listed below:
(1) Elementary or secondary school;
(2) Public playground;
(3) Recreation center or facility, including the Clark County Events Center;
(4) Child care center;
(5) Public park;
(6) Public transit center;
(7) Library;
(8) Any game arcade where admission is not restricted to persons aged twenty-one (21) or older; or
(9) Churches and religious facilities.
2. Where allowed, production and processing facilities may co-locate on the same parcel, if they otherwise meet the requirements of Chapter 314-55 WAC and this section.
<i>(Amended: Ord. 2016-06-12)</i>

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E. Development Standards.
1. The requirements of Chapter 314-55 WAC are considered minimum standards for the purposes of this section.
2. Any facilities as described in Section 40.260.115(B)(2) shall be located entirely within an enclosed and secure structure with an engineered foundation, and shall be constructed in compliance with Titles 14 (Buildings and
3. There shall be no on-site display or sale of paraphernalia used for the consumption of cannabis.
4. Cannabis plants shall not be visible from the public right-of-way or any public place.
5. Signs.
a. In accordance with RCW 69.50.357(3), licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than twelve (12) square feet identifying the retail outlet by the licensee's business or
b. No signs for production and processing facilities are allowed.
6. Hours of operation for retailing facilities shall be between 8:00 a.m. and 8:00 p.m.
7. Measures shall be implemented to prevent adverse health and safety effects to nearby residents from odors, noise, noxious gases, light, smoke and security.
a. Odors. Facilities shall not create odors or smoke that is objectionable to residents or employees of adjacent
b. Lighting. All lights used for security shall be shielded or positioned to prevent glare impacts to nearby properties.
c. Noise. Maximum noise levels of WAC 173-60-040 shall not be exceeded.
d. Security. Security measures shall include, at a minimum, the requirements of WAC 314-55-083 and Title 14.
e. Waste Disposal. Waste materials generated from any facility must be disposed of in accordance with the plan filed as part of the license application.
F. Approval Process.
Applications for production, processing, and retailing facilities shall be considered using a Type II process pursuant
G. Enforcement.
Violations of this chapter shall be subject to enforcement action as contained in Title 32, Enforcement.