

**RESOLUTION NO. 817**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, REQUESTING THAT THE CITY PLANNING COMMISSION REVIEW MUNICIPAL CODE PROVISIONS REGARDING ZONING AND DEVELOPMENT CONDITIONS WHICH WOULD APPLY TO STATE-LICENSED AND REGULATED MARIJUANA USES, IF THE COUNCIL CHOSE TO ALLOW SUCH USES IN THE CITY OF UNIVERSITY PLACE, AND PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL**

WHEREAS, the Revised Code of Washington 36.70A.040 requires the City to adopt development regulations which are consistent with and implement the Comprehensive Plan; and

WHEREAS, the City Code currently prohibits all marijuana uses in University Place; and

WHEREAS, the City Council may in the future reconsider the prohibition on State-licensed and regulated marijuana uses; and

WHEREAS, in the event the City Council chooses to reconsider the prohibition as to State-licensed and regulated marijuana uses, recommendations from the Planning Commission regarding potential zoning for all types of State-licensed and regulated marijuana uses may assist the Council in its deliberations; and

WHEREAS, in accordance with Council Rules, directives to the City's Commissions, including the Planning Commission, are to be in the form of a City Council Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:**

Section 1. The City Council hereby refers the existing City zoning and development regulations regarding State-licensed and regulated marijuana related uses to the Planning Commission, to seek public opinion, review and provide recommendations regarding the following:

1. In the event the City Council in the future determines to allow State-licensed and regulated marijuana uses in the City, recommend additional zones where such uses should be allowed including production, processing and retail sales; and
2. State law allows local jurisdictions to reduce some of the 1,000 foot buffers stipulated in State law. In the event the City Council in the future determines to allow State-licensed and regulated marijuana uses in the City, recommend any reductions of buffers where allowed by State law; and
3. If the prohibition in the current City Code were removed, marijuana uses would be subject to a conditional use permit process. In the event the City Council in the future determines to allow State-licensed and regulated marijuana uses in the City, should those uses remain subject to a conditional use permit, or be outright permitted, subject to specific development regulations; and
4. Prioritize this work to return any recommendations to the City Council within sixty (60) days.

Section 2. Reservation of Decision on Allowing Marijuana Uses to City Council. The decision of whether in the future State-licensed and regulated marijuana uses will be allowed in the City is wholly and solely the decision of the City Council. By referring these zoning and development issues for review to the Planning Commission, the City Council does not commit to making any change in the City's current Code.

Section 3. Effective Date. This Resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 19, 2016.**

  
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Javier H. Figueroa, Mayor

**ATTEST:**

  
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Emelita Genetia, City Clerk

**APPROVED AS TO FORM:**

  
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Steve Victor, City Attorney