

Title 17C Land Use Standards

Chapter 17C.347 Medical Cannabis Collective Garden or a Retail Outlet for Recreational Marijuana

Section 17C.347.030 Regulations for a Medical Cannabis Collective Garden and State-Licensed Marijuana Producers, Processors and Retailers

A. City Zoning.

2. A medical cannabis collective garden shall comply with the requirements of [SMC 10.49.060](#).
- a. No person may conduct business within the City as a medical cannabis collective garden or a facility for delivery of cannabis produced by the garden unless the medical cannabis collective garden or a facility for delivery of cannabis produced by the garden is located within the CC2, CC3, CB, GC, DTC, DTG, DTU, DTS, LI, HI and PI Zones in accordance with Title 17 SMC. A medical cannabis collective garden is classified as a Manufacturing and Production land use as described in chapter [17C.190 SMC](#), Use Category Descriptions. Manufacturing and Production uses are limited as provided in Table [17C.120-1](#), Table [17C.130-1](#), and Table [17C.124-1](#). In Table [17C.122-1](#), for Center and Corridor Zones, a medical cannabis collective garden is classified as a Limited Industrial land use and is subject to the standards for a Limited Industrial use.
- b. A licensed medical cannabis collective garden or facility for delivery of cannabis produced by the garden may not be located within one thousand feet of the perimeter of the grounds of any of the following entities. The owner or operator of the medical cannabis collective garden shall have the responsibility to demonstrate that the collective garden is not within the one thousand foot perimeter:
 - i. elementary or secondary school;
 - ii. playground;
 - iii. recreational center or facility;
 - iv. child care center;
 - v. public park;
 - vi. public transportation center;

- vii. library; or
 - viii. any game arcade where admission is not restricted to persons age twenty-one or older.
 - c. The prohibition set forth in subsection (1) (a) and (b) above shall not apply to a medical cannabis collective garden legally operating prior to the enactment of this ordinance that is going to convert from a collective garden to a state-licensed retailer.
 - d. Medical cannabis cultivation and sale are prohibited as a home occupation and are not considered as an accessory use in residential zones.
 - e. Notwithstanding the provisions of [chapter 17C.210](#), an existing collective garden in operation as of the effective date of this ordinance shall be brought into full compliance with the provisions of this chapter within one year of the effective date of the ordinance.
3. State-Licensed Marijuana Producers, Processors and Retailers.
- a. No person may conduct business within the City of Spokane as a state-licensed marijuana producer, processor and retailer unless they are located within the CC2, CC3, CB, GC, DTC, DTG, DTU, DTS, LI, HI and PI Zones in accordance with Title 17 SMC and licensed under this chapter. A state-licensed marijuana producer or processor is classified as a Manufacturing and Production land use as described in chapter [17C.190 SMC](#), Use Category Descriptions. Manufacturing and Production uses are limited as provided in Table [17C.120-1](#), Table [17C.130-1](#), and Table [17C.124-1](#). In Table [17C.122-1](#), for Center and Corridor Zones, a state-licensed marijuana producer or processor is classified as a Limited Industrial land use and is subject to the standards for a Limited Industrial use. A state-licensed marijuana retailer is classified as a Retail Sales and Service land use as described in [chapter 17C.190 SMC](#), Use Category Descriptions. In Table [17C.122-1](#), for Center and Corridor Zones, a state-licensed marijuana retailer is classified as a Commercial land use and is subject to the standards for a Commercial use.
 - b. A state-licensed marijuana producer, processor and retailer may not be located within one thousand feet of the perimeter of the grounds of any of the following entities. The owner or operator of the state-licensed marijuana producer, processor and retailer shall have the responsibility to demonstrate that the state-licensed marijuana producer, processor and retailer is not within the one thousand foot perimeter:
 - i. elementary or secondary school;

- ii. playground;
- iii. recreational center or facility;
- iv. child care center;
- v. public park;
- vi. public transportation center;
- vii. library; or
- viii. any game arcade where admission is not restricted to persons age twenty-one or older.

B. Waste products shall be disposed of in a secure manner that would prevent exposure to the public or create a nuisance.

C. Measurement.

- 2. The measurement of the separation distance in subsection A.1.b and A.2.b. above shall be measured as the shortest straight line distance from the property line of the production and processing facility, retail outlet or collective garden to the property line of the entities listed in subsection A(1)(b) and A(2)(b).
- 3. A protected use specified in subsection A(1)(b) and A(2)(b) above shall not benefit from the separation requirements of this subsection if the use chooses to locate within the required separation distance from a lawfully located production or processing facility, collective garden or retailer outlet.

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