



TO: City Council
FROM: Carolyn Johnson, Community Development Planner
DATE: May 15, 2013
RE: Options for Collective Gardens

INTRODUCTION

Woodland Ordinance 1260 renewed a moratorium on collective gardens and is set to expire August 4, 2013. The adoption of Ordinance 1260 marked the third time the City opted to place a moratorium on Collective Gardens rather than adopt permanent zoning regulations. With the end of the current moratorium looming, staff is seeking Council direction on which of the following options to move forward with:

OPTION 1. Adopt a *belt and suspenders* approach that would: 1) require that the land use is in compliance with federal law, or that the applicable federal license is obtained; and 2) set location/siting requirements for collective gardens. Siting requirements could be those recommended by the Planning Commission that were based on a model collective gardens zoning ordinance prepared by AWC attorney Carol Morris. This model ordinance combined siting requirements with performance standards. This option is preferred by the City's attorney.

OPTION 2. Renew, for the fourth time, an interim zoning moratorium. As per RCW 36.70A.390, the existing collective gardens moratorium may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal. However, a moratorium can be overturned if a community fails to show it is taking the steps necessary to adopt a permanent zoning ordinance.

OPTION 3. Adopt zoning regulations that follow the siting requirements for marijuana retail stores established by Initiative 502. The initiative requires retail marijuana stores to be no closer than 1,000 feet from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or game arcade that allows minor to enter. Within these parameters, collective gardens would have the potential to locate in some parts of Woodland's Highway Commercial and Industrial Districts (see map below). Base zoning would also have to allow for the use.

Staff will move forward with the Council's preferred option and bring any required ordinance to Council before the August 4, 2013 moratorium expiration date.

CMJ

Figure 1. No-go Areas for Collective Gardens Based on Initiative 502 Parameters.

