

BLACK DIAMOND CITY COUNCIL MINUTES
Work Session of May 11, 2023
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular work session to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Douglass, Smith, Mulvihill, de Leon, Jones, Page
Planning Commissioners Olson, Sauskojus, McCain, Morgan, Syversen (Zoom)

ABSENT: Commissioner Jensen

Staff present: Mona Davis, Community Development Director; Andrew Williamson, Ec Dev/MDRT Director; David Linehan, City Attorney; Jake Kapsandy, IT Department; and Brenda L. Martinez, City Clerk/HR Manager.

NEW BUSINESS:

1) Discussion Regarding Steps for Potential Repeal of Cannabis Retail Prohibition

Mayor Benson welcomed everyone and turned the meeting over to Councilmember Page.

Councilmember Page briefed the Council and Planning Commission on this work session item and discussion took place on the following:

Points of Discussion

- I. Preparation and Planning – Review zoning to determine appropriate locations for siting of cannabis retail.
 - Identify appropriate existing zones or potential new zoning districts
 - Zoning identification –
 - Buffer reductions? Cities can, by local ordinance, reduce the buffers to 100 feet for all of the above except schools and playgrounds
 - Caps on number? Cities can adopt numerical limits on the number of cannabis businesses allowed within city limits
- II. Implementation and Phase – Repeal BDMC Chapter 20.08 (“Prohibition on Recreational Marijuana”)
 - Keep prohibition on growing and processing?

- Retain, amend, or repeal BDMC Chapter 20.04 governing “collective gardens” to reflect current state laws governing medical cooperatives?
- Repeal of cannabis retail concurrently with, or immediately after, new land use regulations and Comp Plan update
- Creates eligibility to receive state revenue sharing on per capita basis. If a cannabis retail business locates in the city, then the city will also receive a share based on local sales. Distributions occur in quarterly installments in the year following sale.

III. Other Code Updates

- Update nuisance codes – smells, fumes, other concerns?
- Update the sign codes to comply with WAC 314-55-155 advertising restrictions for cannabis
- Update local criminal code to allow misdemeanor prosecution in city court
- Sunset provisions (any of the above could have a trial period with an expiration date)

Following discussion of the above item, Councilmember Page summarized what’s on her list to research and bring back.

- 1) Work with legal to look at zoning areas and narrowing down to what is real and what is viable
- 2) Take a look at what a 1,000-foot buffer looks like
- 3) Definitions of playground recreation center playground or child care facility, public park, public transit center, and look into what other cities have for churches
- 4) What are sales from Goobie’s Doobies
- 5) Is Buckley the same jurisdictional size as Black Diamond?

Attorney Linehan discussed the procedural process moving forward on this issue.

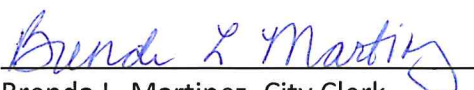
Councilmember Deady asked for a moment of silence in memory of Gomer Evans who passed away yesterday.

ADJOURNMENT

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember Smith. Motion **passed** with all voting in favor (7-0). The meeting ended at 7:55 p.m.

ATTEST:


 Carol Benson, Mayor


 Brenda L. Martinez, City Clerk