

**CITY OF MONROE  
RESOLUTION NO. 012/2017**

A RESOLUTION OF THE CITY OF MONROE,  
WASHINGTON, ADOPTING ADDITIONAL FINDINGS IN  
SUPPORT OF ORDINANCE NO. 005/2017,  
ESTABLISHING INTERIM ZONING AMENDMENTS TO  
CHAPTER 18.70 MMC, MARIJUANA RELATED USES;  
AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, on March 7, 2017, the Monroe City Council adopted Ordinance No. 005/2017, which established interim zoning amendments to the marijuana-related use regulations codified at Chapter 18.70 MMC; and

WHEREAS, on April 4, 2017, the City Council held a duly noticed post-adoption public hearing on Ordinance No. 005/2017; and

WHEREAS, Ordinance No. 005/2017 set forth preliminary legislative findings in support of the interim zoning amendments contained therein; and

WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council desires to supplement the preliminary findings contained in Ordinance No. 005/2017 with additional findings;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Additional Findings. As additional legislative findings in support of Ordinance No. 005/2017, the Monroe City Council hereby adopts the recitals set forth above, the content of Agenda Bill No. 17-066, the findings contained in Ordinance Nos. 025/2013, 009/2014, and 004/2015, together with the following:

- A. RCW 69.51A.250(3)(c) authorizes cities and towns to adopt and enforce local zoning requirements, including zoning prohibitions, upon medical marijuana cooperatives, and
- B. The City Council understands that medical uses of cannabis may provide relief to patients suffering from debilitating or terminal conditions, but potential secondary impacts from the establishment of facilities for the growth, production, processing and/or distribution of medical cannabis are not appropriate for any zoning designation within the City, and
- C. The City Council further understands that while the medical benefits of cannabis have been recognized by the state legislature, cannabis, also known as marijuana, remains a Schedule I controlled substance under the federal Controlled Substances Act (CSA), and possession and use of cannabis is still a violation of federal law, and

- D. The City Council wishes to exercise the authority granted pursuant to state law in order to clarify that the establishment of marijuana cooperatives will be deemed to be a violation of city zoning ordinances, but the City Council expressly disclaims any intent to exercise authority over marijuana cooperatives in a manner that would directly conflict with the CSA, and
- E. The Washington State Liquor and Cannabis Board (WSLCB) has recently received and has processed multiple license applications for marijuana-related businesses that have been proposed for locations within the City of Monroe, and
- F. At least some of the above-referenced license applications purport to involve both retail marijuana sales and medical marijuana, and
- G. In light of this recent WSLCB licensing activity, the City Council desires both to reaffirm the City's zoning prohibition upon all marijuana-related uses, and also to ensure that the City's local regulations are appropriately updated to reflect current state law nomenclature regarding medical marijuana generally and marijuana cooperatives specifically, and
- H. The City Council reiterates and reaffirms that the emergency adoption of Ordinance No. 005/2017 was necessary to ensure that applicants do not vest to the body of local land use regulations that would otherwise be in effect, and
- I. The City has developed and is currently implementing a work plan under which the interim regulations adopted under Ordinance No. 005/2017 will be replaced and superseded by permanent amendments to Chapter 18.70 MMC, following review by the Planning Commission, public hearings, notification to the Department of Commerce, and adoption by the City Council, and
- J. The City Council reaffirms that the public health, safety and welfare is served by the enactment and continued effectiveness of Ordinance No. 005/2017.

Section 2. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 11<sup>th</sup> day of April, 2017.

CITY OF MONROE, WASHINGTON

  
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 Geoffrey Thomas, Mayor

(SEAL)

ATTEST:

  
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 Elizabeth M. Adkisson, MMC, City Clerk