



MINUTES

RICHLAND CITY COUNCIL WORKSHOP MEETING

Tuesday, April 23, 2024

Richland City Hall ~ Council Chambers
625 Swift Boulevard

City Council Workshop - 6:00 p.m.

Mayor Richardson called the Council workshop to order at 6:00 p.m.

Attendance: Mayor Richardson	Present
Mayor Pro Tem Kent	Present
Councilmember Jones	Present
Councilmember Lukson	Present
Councilmember Maier	Present
Councilmember VanDyke	Present
Councilmember Whitten	Present

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Interim Chief of Police Meidl, Fire Chief Huntington, Development Services Director Jensen, and City Clerk Rogers.

Agenda Items

1. 2024 Comprehensive Plan and Development Regulation Update

Planning Manager Stevens outlined the process and status of the yearly Comprehensive Plan and Development Regulations amendment cycle. He explained that state law permits annual modifications to the Comprehensive Plan and Development Regulations and could include map and language alterations. Planning Manager Stevens explained that the first step of the process involves presenting the applications to Council, followed by the presentation of a resolution in May to forward the applications to the Planning Commission. The Planning Commission will then hold a public hearing and subsequently forward a recommendation to Council. Council would then decide whether to accept, reject, or table the applications.

With the aid of several maps, Planning Manager Stevens presented on the two (2) Comprehensive Plan and Land Use applications received.

- CPA 2024-101 & Z2024-102 JUB on behalf of HP Pasco
Applicant: Darral Moore, JUB Engineers, on behalf of HP Pasco, LLC (owner)
Request: Change the Comprehensive Plan and Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial. Rezone the site from Commercial Limited Business (C-LB) to Waterfront.
Project Site: Assessor's Parcel No. 115982011748012, located at 2599 Duportail Street.

- CPA2024-102 & Z2024-103 Richland Properties, LLC

Applicant: Richland Properties, LLC

Request: Change the Comprehensive Plan Land Use designations on property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations.

Project Site: Assessor's Parcel No. 134983000001009, located at 560 Bermuda Road.

Planning Manager Stevens participated in a detailed question and answer session with Council during each presentation, discussing the particulars of each application.

2. Regulation of Cannabis

City Attorney Kintzley addressed councilmembers to solicit high-level policy input on the decade-long decision to ban retail cannabis sales in the City of Richland. The solicitation of feedback was triggered by a zoning code text amendment received by the City that seeks to permit one (1) retail cannabis store in Richland. City Attorney Kintzley emphasized the purpose of the workshop discussion was not to persuade Council in any direction, but to understand whether Council is interested in departing from the long-standing policy decision to ban retail cannabis sales in city limits.

As a preliminary matter, City Attorney Kintzley briefly touched on the proposed amendment, which seeks to authorize only one (1) retail store in Richland. Richland has been allotted three (3) retail cannabis licenses by the Washington State Liquor and Cannabis Board. City Attorney Kintzley further opined that the proposed amendment, as currently drafted, does not provide a complete regulatory framework for the City in the event Council does have an interest in allowing the use.

City Attorney Kintzley advised that, in order to know the best way to approach the application, staff must know Council's position on the policy question of whether retail cannabis should be an allowed use in Richland. If Council is likely to move away from its long-established ban on retail cannabis sales, staff will draft a comprehensive regulatory scheme to properly site and regulate the use. Conversely, if Council is not likely to move away from its long-established ban on retail cannabis sales, additional ordinance drafting will not be necessary since the proposed amendment will not have Council support.

With the aid of a PowerPoint Presentation, City Attorney Kintzley provided a high-level overview of I-502, information on revenue generated by the state and local governments since passage of I-502 in 2012, siting limitations imposed by state law (i.e., the 1,000 foot buffer), and anecdotal public safety information. The presentation also included details on the number of jurisdictions who allow the use and those who ban it, and the status of the 2014 regional ban imposed by Pasco, Kennewick, Richland, West Richland and Franklin County. Pasco has since removed its ban on retail cannabis sales, and West Richland is currently processing a zoning code text amendment similar to that received by Richland. West Richland will send the matter to an advisory vote on the August primary

ballot. Franklin County and Kennewick have not revisited the issue.

City Attorney Kintzley offered the following options for Council consideration:

- Process the zoning code text amendment as written and as processed through the Planning Commission and approve or deny the code change when it reaches Council.
- Review Council's long-standing policy decision on banning retail cannabis sales and direct staff to draft a comprehensive ordinance that authorizes the use, to include provisions for business licensing, zoning/siting, buffers, etc.
- Prior to action, seek public input through either a community survey or an advisory vote on the November general election ballot.

Following City Attorney Kintzley's presentation, councilmembers expressed diverse opinions on amending the long-standing ban on retail cannabis sales. Some voiced support for waiting to observe the outcome of West Richland's August advisory vote. This approach was favored by those preferring to gauge public opinion before revisiting the ban.

Councilmembers who spoke favorably of lifting the ban stated that prohibition is ineffective and pointed out that the issue is not about access, but about dictating people's choices. Lifting the ban would enable the City to regulate and create best practices. While several councilmembers supported allowing the use, several others were not interested in proactively revisiting the ban at this time.

Councilmember Maier opined that regardless of whether Council determines to lift the ban or maintain the prohibition on retail cannabis sales in Richland, the decision should be made by City Council as Richland's elected representatives. Councilmember Maier did not support using taxpayer dollars to inform a decision through an advisory ballot measure. No consensus to pursue an advisory vote was reached by Council.

City Attorney Kintzley acknowledged that staff would continue to process the pending application, although the applicant will be given options in light of Council's position on its long-standing policy regarding retail cannabis sales. The proposed text amendment will reach Council for a legislative decision after it has been processed by the Planning Commission consistent with the Richland Municipal Code.

City Manager Amundson added there have been instances where staff's recommendation has differed from that of the Planning Commission. Given that additional elements would be required to adopt a comprehensive regulatory scheme to fully regulate retail cannabis sales in Richland, it is likely that staff will not recommend approval of the zoning code amendment as written, even if the Planning Commission submits a recommendation for approval.

Councilmember VanDyke thanked fellow councilmembers for the thoughtful discussion.

Adjournment

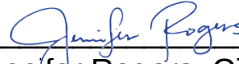
Mayor Richardson adjourned the meeting at 7:06 p.m.

APPROVED:



Theresa Richardson, Mayor

ATTEST:



Jennifer Rogers, City Clerk

DATE APPROVED: May 7, 2024

DATE PUBLISHED: May 8, 2024