



RECREATIONAL MARIJUANA

The growing, processing, or selling of marijuana is subject to state and city regulations. This document is intended to explain how City of Des Moines regulations apply to recreational marijuana businesses. The City does not provide any guidance on state regulations so it is highly encouraged that businesses proposing to engage in these activities contact the Washington State Liquor Control Board (WSLCB) before they proceed on any permits.

WHAT DO YOU NEED TO KNOW?

Before you start this process, it will be helpful to determine the following:

1. What is the zoning for the proposed location? You can access the City of Des Moines zoning map online at <http://www.desmoineswa.gov/DocumentCenter/View/38>.
2. What changes will be necessary to improve the property? Common changes that may require a permit include: change of use (for example, putting a retail sales business where a restaurant used to be), additions, modification of walls or structural elements in existing buildings, or changes to electrical wiring, plumbing, or mechanical systems.
3. What Permits are Necessary? A permit is likely to be required if you are planning to do any of the following:
 - Change or add a use on your property such as converting an office to a retail space;
 - Change the building's interior, like moving or adding non-structural walls;
 - Change wiring or electrical plugs;
 - Change the mechanical systems;
 - Change the plumbing system;
 - Use flammable or compressed liquids or gases or store significant amounts of fertilizer.

GENERAL STANDARDS

In addition to state and federal restrictions, individuals proposing a recreational marijuana business must meet both the marijuana-specific regulations in the Des Moines Municipal Code (DMMC) and any general requirements for the zoning use category (setbacks, height restrictions, parking, lot coverage, etc.).

The following restrictions apply for recreational marijuana producers, processors, and retailers:

- Must comply with all requirements of Chapter 69.50 RCW, Chapter 314-55 WAC and other applicable Washington laws.
- May not operate as an accessory to a primary use or as a home occupation.
- Location shall be as established in WAC 314-55-050 and as required below:
 - Producers and processors may locate in the City of Des Moines if located within the Business Park (B-P) Zone located north of South 216th Street and south of South 208th Street, and within Highway Commercial (H-C), Transit Community (T-C) and Community Commercial (C-C) Zones generally located along Pacific Highway South, south of Kent Des Moines Road.
 - Retailers may locate within the Transit Community (T-C), Highway Commercial (H-C) and Community Commercial (C-C) Zones generally located along Pacific Highway South, south of Kent Des Moines Road.
- For more information see Chapter 18.250 DMMC.

IS A BUSINESS LICENSE REQUIRED?

Yes. Chapter 5.04 Des Moines Municipal Code requires all persons wishing to conduct any business within the City to first secure a City of Des Moines business license. However, a business license will not be processed until a state recreational marijuana license has been obtained.

WHAT ARE THE STATE REGULATIONS?

All businesses conducting recreational marijuana will be required to have a license from the WSLCB in order to operate in the city of Des Moines. The City of Des Moines does not provide any guidance on meeting state regulations including the requirement not to locate within 1,000 feet of certain facilities such as parks, playgrounds, or schools.