

# City of Gold Bar

EST. 1910



107 – 5<sup>th</sup> Street, Gold Bar, WA 98251

## NOTICE OF DECISION

July 29, 2015

RE: Conditional Use Permit – Application No. 00-15-02  
41711 State Route 2, Gold Bar, WA 98251

The following information is provided in accordance with Gold Bar Municipal Code 19.05.080:

- A. An Open Record Public Hearing was held before the Hearing Examiner at City Hall, on July 22, 2015.
- B. Decision issued July 28, 2015.
- C. Decision. The Examiner **GRANTS** the requested Conditional Use Permit to use two buildings on a portion of the former Loth Lumber site for the production and processing of recreational marijuana **SUBJECT TO THE FOLLOWING CONDITIONS:**
  1. The Permittee shall comply with all permitting and licensing requirements of the City, permitting and licensing agencies. This permit authorizes marijuana businesses to be established within all of the existing Suites on site as depicted on Exhibit 4-A; PROVIDED, that each individual business must be licensed by the state and must obtain a City business license before commencing operation; and PROVIDED FURTHER, that only Suite 1 may be occupied by a marijuana retail sales business.
  2. Prior to occupancy of Suite 1 by a marijuana retail sales business:
    - a. the temporary fencing blocking the ingress/egress drives shall be removed and a permanent security fence/gate, with sight-obscuring slats, shall have been installed between Suite 2A and the east perimeter fence as depicted on Exhibit 4-A; and
    - b. all outside storage between US 2 and an east-west line across the subject property coterminous with the south line of Building 2 shall have been removed from the property and disposed of properly (or relocated to an allowed location within the fenced portion of the property).
  3. Prior to occupancy of Suite 2B by a recreational marijuana producer/processor business, the currently open portion of the building's north wall shall have been fully enclosed with new metal stud framing and metal siding as proposed.
  4. Prior to occupancy of any of the suites by marijuana businesses, a minimum 20-foot wide fire lane, properly marked, shall be provided to all structures. Due to limited access and multiple structures, the fire lane shall be a looped system. All fire lanes will be kept clear to provide emergency access. Any gates installed on the fire lane must provide 20-feet of clearance in the

open position. Gate standards are located in IFC, Section 503.3 and 503.6. The fire department can request the gates to open by "Opticom" or "Knox" key.

5. No business identification signage is allowed for Suites 2A, 2B, 3, 4A, 4B, 4C, or 5; PROVIDED, that a small business identification sign, not visible from US 2, may be placed near the primary entrance to each business.
  6. This permit is valid as to the use of Buildings 1 - 5 by recreational marijuana businesses only when the party(ies) occupying the suites within said buildings are currently licensed by the WSLCB as marijuana businesses and is (are) in good standing under any such license(s). Should the WSLCB suspend or revoke any such license, then this permit shall become null and void as to the particular suite until such time, if ever, as the state permit is reinstated or a comparable, new state permit is issued for that suite.
  7. All outstanding fees associated with Conditional Use Permit processing will be paid to the City prior to occupancy by a marijuana-related business.
- D. SEPA Threshold Determination. The proposed action is categorically exempt from threshold determination and EIS requirements under SEPA.
  - E. Right of Reconsideration. This Decision is final, subject to the right of any party of record to file a written request for reconsideration within 7 calendar days of the date notice was mailed to the parties. See GBMC 2.26.125 for additional information and requirements regarding reconsideration.
  - F. Right of Appeal. This Decision is final subject to the right of a party of record with standing, as provided in RCW 36.70C.060, to file a land use petition in Superior Court in accordance with the procedures of GBMC 2.26.140 and 19.06.060. Any appeal must be filed within 21 days following the issuance of this Decision unless reconsideration has been requested. See GBMC 2.26.140 and 19.06.060 for additional information and requirements regarding judicial appeals.
  - G. Provided in accordance with RCW 36.70B.130, the affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.
  - H. The complete Decision is available to the public for review at City Hall.
  - I. Notice of Decision was prepared by City's external planning consultant, BHC Consultants, LLC.
  - J. Please contact John Light, Public Works Director, at (360) 793-1101, for more information.