

February 2014

Medical Marijuana: *Access and Regulations in Washington State*

The use of marijuana for certain medical purposes was authorized by a Washington State voter initiative in 1998. The law was subsequently amended, most recently by the 2011 Legislature. The amended statute includes an assignment for the Washington State Institute for Public Policy (WSIPP) to “conduct a cost-benefit evaluation of the implementation” of the law.¹

At present, insufficient data are available to conduct a cost-benefit analysis of the impacts of Washington’s medical marijuana laws. This report provides a snapshot summary (as of January 2014) of known medical marijuana “access points” and current city and county policies related to “collective gardens” throughout Washington State.

The report is organized as follows:

[Section 1: Medical Marijuana Legislation in Washington State](#)

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Summary

In 1998, Washington State voters legalized the use of medical marijuana for certain medical purposes. Very little is known about patient access to medical marijuana and other implications of the law. At the local level, some cities and counties have prohibited collective cultivation of medicinal marijuana. Most Washington residents, however, live in areas that allow collective gardens.

The recreational use of marijuana by adults has recently been legalized and regulated in Washington State. Current proposals before the 2014 Washington State Legislature include plans to integrate aspects of a regulated medical marijuana market with the emerging recreational system.

Following this report, the Washington State Institute for Public Policy, as directed in state statute, will report on the impacts of recreational marijuana legalization in 2015 and subsequent years of implementation.

Suggested citation: Lemon, M. & Hanley, S. (2014). *Medical Marijuana: Access and Regulations in Washington State*. (Doc. No. 14-02-4101). Olympia: Washington State Institute for Public Policy.

¹ RCW 69.51A.200

Section 1: Medical Marijuana Legislation in Washington State

In 1998, voters in Washington State approved Initiative 692 (I-692), the Medical Use of Marijuana Act, which provides authorized patients and their designated caregiver a defense against criminal charges related to possessing or using medical marijuana. The initiative set limits on possession amounts (no more than a 60-day supply) and identified qualifying medical conditions for which medical marijuana could be used (e.g., cancer, glaucoma, HIV or AIDS, seizure disorders, or intractable pain). This act, in effect, legalized medical marijuana use in the state.

State legislation in 2007 and 2010 amended I-692 by clarifying provisions of the original legislation and identifying additional medical conditions for which medical marijuana could be authorized.² Washington State's medical marijuana laws were again amended in 2011 when "collective gardens" were authorized, among other provisions.³

The 2011 legislation included an assignment for WSIPP to "conduct a cost-benefit evaluation of the implementation" of the 2011 changes to state medical marijuana laws.⁴ Specifically, WSIPP was directed to examine patients' access to an adequate, safe, consistent, and secure source of medical marijuana; patients' involvement with the criminal justice system; home invasions and other criminal incidents associated with medical marijuana; diversion from medical to recreational use; and rates of authorizations for medical marijuana among health care professionals.

Studying the Law Governing Recreational Use of Marijuana in Washington State

In 2012, Washington State voters approved Initiative 502 (I-502), which legalizes and regulates the production, processing, and distribution of marijuana for recreational use by adults age 21 or older. I-502 includes a section that directs WSIPP to conduct a cost-benefit analysis of the law's impacts on substance use, public health, crime, and other outcomes.

During the 2014 legislative session, additional bills were introduced to amend Washington's medical marijuana laws in light of the regulatory provisions for recreational use in I-502. This report addresses medical marijuana only. WSIPP's I-502 reports will be issued separately, starting in December 2015.

A separate section of the 2011 law that created a registry of medical marijuana patients was vetoed. As a result, WSIPP is unable to identify participants in the medical marijuana system in order to directly track access, criminal justice system involvement, diversion, and authorization rates. Instead, this report provides a snapshot summary (as of January 2014) of known medical marijuana access points and current city and county regulations related to collective gardens throughout Washington State.

² Engrossed Substitute Senate Bill 6032, Chapter 371, Laws of 2007 and Substitute Senate Bill 5798, Chapter 284, Laws of 2010.

³ Engrossed Second Substitute Senate Bill 5073, Chapter 181, Laws of 2011; RCW 69.51A.085 defines collective gardens as "qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use."

⁴ The bill required that WSIPP conduct the study "within available funds" by July 1, 2014. (Sec. 1001).

Section 2: Access to Medical Marijuana

This section summarizes available data regarding the number of patients authorized to use medical marijuana and points of access in Washington State.

Number of Medical Marijuana Patients

Two national advocacy organizations have released estimates of the number of authorized patients in Washington based on the number of medical marijuana patients per capita in Oregon and Colorado. The estimates range from 1 to 1.5% of the state's population, or 68,824 – 103,236 patients.⁵

Known Access Points

A source from which qualified patients may acquire medical marijuana is commonly known as an "access point." Access points include (but may not be limited to) dispensaries, cooperatives, and collectives. Only collective gardens and personal plant cultivation are specifically allowed under current state law.⁶

Estimates of the number of access points across the state vary. Using data gathered from a website listing medical marijuana dispensaries, BOTEC (a consultant hired by the Liquor Control Board—the regulatory authority in Washington for recreational marijuana) identified 262 "known medical access points" in Washington State.⁷

As shown in [Exhibit 1](#) (next page), the number of known access points varies by county. Twenty-two counties have no known access points, while three counties have 20 or more (with 125 in King County).⁸

The BOTEC figures are likely underestimates, based on information from other sources. For example, the Marijuana Business Factbook estimated between 300-350 "marijuana stores" in Washington,⁹ while recent news reports have estimated up to 274 access points in the city of Seattle alone.¹⁰

Access Points-per-Resident

Using BOTEC's estimates, there is approximately one known access point for every 26,325 state residents. [Exhibit 2](#) (next page) shows the density of known access points by county per 10,000 residents. Thurston County has the highest density with 0.9 access points per 10,000 residents. King County has the next highest density at 0.6, followed by Mason and Whatcom counties at 0.5.

⁵ Marijuana Policy Project. (2013). *Medical marijuana patient numbers*. Retrieved from http://www.mpp.org/states/medical-marijuana-patient.html#_ftn11 and Belville, R. (2011). *America's one million legalized marijuana users*. Retrieved from <http://blog.norml.org/2011/05/31/americas-one-million-legalized-marijuana-users/>. Population estimates are based on an estimated statewide population of 6,882,400 from the Washington State Office of Financial Management, (2013). <https://data.wa.gov/Demographics/WAOFM-April-1-Population-Estimates-for-the-State-C/crb9-cw3g>.

⁶ RCW 69.51A.085 and RCW 69.51A.040.

⁷ Including storefronts and delivery services. Caulkins, J.P., & Dahlkemper, L. (2013). Retail store allocation. *BOTEC Analysis Corporation*. Retrieved from http://www.lcb.wa.gov/publications/Marijuana/BOTEC%20reports/Re_Store_Allocation_Task_Report-Final.pdf.

⁸ Caulkins & Dahlkemper, (2013).

⁹ As cited in Caulkins, & Dahlkemper, (2013).

¹⁰ Goodman, M. (2013). Pot dispensaries popping up faster than Starbucks. *MSN News*. Retrieved from <http://news.msn.com/us/pot-dispensaries-popping-up-faster-than-starbucks>.

Exhibit 1

Number of Known Access Points Identified by BOTE, by County

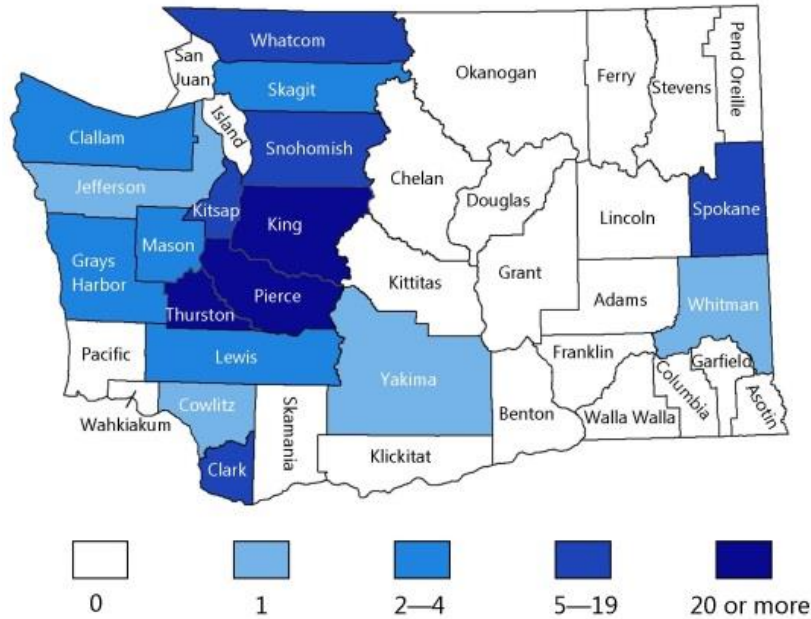
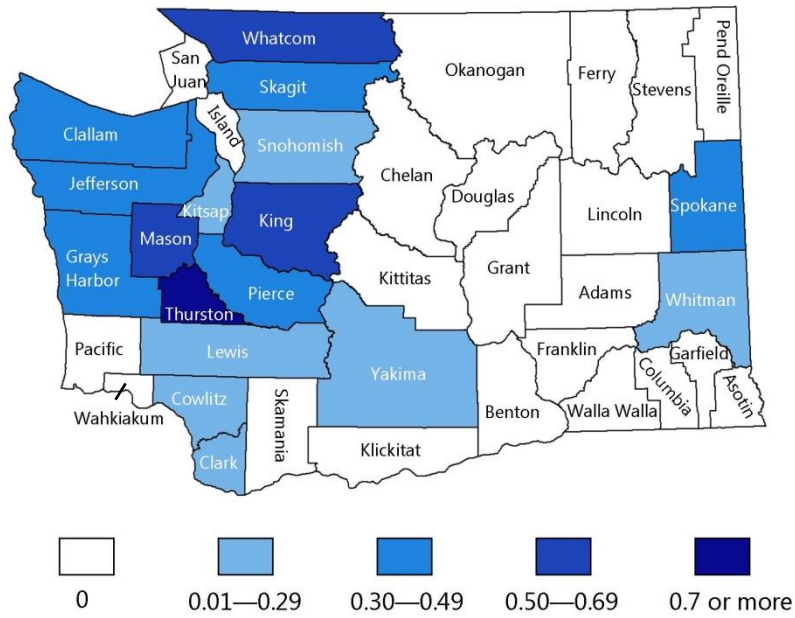


Exhibit 2

Density of Known Access Points Identified by BOTE per 10,000 Population, by County



Section 3: Local Regulations

Washington State law related to access points allows qualifying patients to create and participate in collective gardens for the purpose of growing and delivering marijuana for medical use.¹¹ The statute restricts collective gardens to no more than ten qualifying patients per garden. The amount of marijuana that can be grown in a collective garden is no more than 45 plants and the amount of useable marijuana cannot exceed 72 ounces per garden.¹²

State law also allows cities, towns, and counties to adopt zoning and licensing requirements and business taxes within their jurisdictions for those producing or using medical marijuana.¹³

Local governments have responded to the legalization of medical marijuana in a variety of ways, including, among others, adopting interim or permanent regulations, placing moratoria on medical marijuana uses, imposing bans, or taking no action at the local level.¹⁴

To learn more about how local governments in Washington have chosen to address medical marijuana, WSIPP analyzed current policies in 281 cities and 39 counties throughout the state. We focused on local decisions regarding collective gardens as an access point.¹⁵

For this analysis, we searched for documents available online in January 2014 including municipal and county codes; ordinances and resolutions; council meeting minutes; legal notices; and published news stories. We compiled a database of the most current local policies we could locate for each city, town, and county (see [Appendix](#) for full lists).

We classified each city and county's policies into one of four categories: moratorium; regulated; prohibited; and no action.¹⁶

Moratorium. A moratorium is an emergency measure that allows local governments to temporarily (usually 6 or 12 months) prohibit an action while officials consider new regulations.¹⁷ This category includes moratoria that specifically address collective gardens as well as those addressing any land use associated with marijuana, with some exceptions. Moratoria that address only "producers," "processors," and/or "retailers"—terms from the recreation-focused I-502—are not included in this review of local medical marijuana policies.

Regulated. This category includes local government decisions that explicitly allow for collective gardens through zoning, business licensing/permitting, nuisance, or other regulations.

¹¹ RCW 69.51A.085

¹² Collective gardens may not contain more than 15 plants and 24 ounces of usable marijuana per patient, up to the limits cited above. For example, a collective garden with only two members would be limited to 30 plants and 48 ounces of usable marijuana.

¹³ RCW 69.51A.140

¹⁴ Morris, C.A. (2013). *Medical and recreational marijuana uses – Local regulation*. Gig Harbor, WA: Morris Law, P.C.

¹⁵ Other than personal cultivation, collective gardens are the only state authorized means of producing medical marijuana. This analysis is based in part on a list of local government ordinances compiled by the Municipal Research Services Center. See <http://www.mrsc.org/subjects/legal/medmarireg.aspx> for more information.

¹⁶ These categories are based in part on Matthews, D. (2014). Local implementation of I-502. *Center for the Study of Cannabis and Social Policy*. Retrieved from <http://cannabisandsocialpolicy.org/projects/washington-local-i-502-implementation/>.

¹⁷ Morris, (2013). Local officials may elect to renew a moratorium.

Prohibited. This category includes local government laws and rules that explicitly prohibit collective gardens through zoning, business licensing/permitting, nuisance, or other regulations. This category also includes “de facto bans” that do not mention medical marijuana specifically but prohibit activities that are illegal under federal law. De facto bans sometimes require a letter of approval from a federal agency (such as the Department of Justice or the Drug Enforcement Administration) before issuing a business license or permit.

No Action. Local governments for which we were unable to locate any current regulations regarding collective gardens are categorized as “no action.”¹⁸

Below, we summarize our findings for Washington municipalities and counties.

Municipal Regulations

Just under half (49%) of cities and towns in Washington State have taken no action regarding medical marijuana collective gardens (see [Exhibit 3](#)). These cities and towns are smaller, on average, than those that have passed laws and policies on this topic. About 86% of cities with fewer than 1,000 residents have taken no action, while only 8% of cities with more than 40,000 residents have chosen that option (see [Appendix A](#)).

Most municipal residents in Washington State live in cities and towns that explicitly regulate (41%) or prohibit (24%) collective gardens.

The regulatory decisions of the ten largest cities in the state show a mix of approaches. Seattle, Spokane, Tacoma, Vancouver, and Bellevue have chosen to regulate collective gardens. Kent, Everett, and Yakima have chosen to prohibit; Renton currently has a moratorium in place; and Spokane Valley has chosen to take no action.

¹⁸ In some cases, local governments may have previously taken temporary action that has expired.

Exhibit 3

Municipal Regulation of Medical Marijuana Collective Gardens in Washington State January 2014

Category	Number of Municipalities	Total Population* Impacted
Moratorium	64 (23%)	936,129 (21%)
Regulated	33 (12%)	1,818,670 (41%)
Prohibited	45 (16%)	1,053,480 (24%)
No Action	139 (49%)	624,420 (14%)
Total	281 (100%)	4,432,699 (100%)

*Population living in incorporated cities/towns. (2013 estimates from OFM.)

County Regulations

Most Washington counties (74%) have taken no action to regulate collective gardens for residents of unincorporated areas. These counties represent about 59% of residents of these areas statewide (see [Exhibit 4](#), next page).

The five largest counties in the state again show a mix of approaches. King County currently has a moratorium in place for unincorporated areas. Snohomish County has chosen to regulate collective gardens, while Clark County has chosen to prohibit. Pierce and Spokane counties have taken no action.

Exhibit 4

County Regulation of Medical Marijuana Collective Gardens January 2014

Category	Number of Counties	Total Population* Impacted
Moratorium	3 (8%)	339,435 (14%)
Regulated	3 (8%)	378,450 (15%)
Prohibited	4 (10%)	274,920 (11%)
No Action	29 (74%)	1,456,896 (60%)
Total	39 (100%)	2,449,701 (100%)

*Population living in unincorporated areas. (2013 estimates from OFM.)

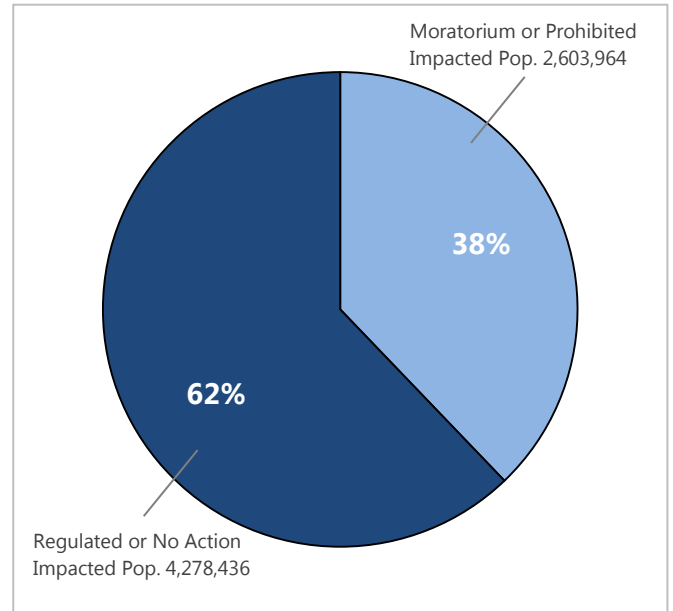
Statewide Summary

Exhibit 5 shows the proportion of the statewide population impacted by local collective garden regulations. We examined the total population living in cities, towns, or counties that currently restrict the establishment of collective gardens (moratorium or prohibited) compared to the total population living in areas that allow collective gardens (regulated or no action).

Approximately 4.3 million (62%) state residents live in areas that allow collective gardens either through no action or regulation, while about 2.6 million (38%) live in areas that have chosen to temporarily or permanently prohibit them.

Exhibit 5

Total Washington State Population Impacted by Medical Marijuana Collective Garden Regulations
January 2014



Section 4: Medical Marijuana Laws in Other States

Currently 20 states, including Washington, and the District of Columbia have legalized medical marijuana.¹⁹ [Exhibit 6](#) (next page) lists those states.

The 20 states and D.C. vary in their approaches to patient registration, dispensaries, allowable possession amounts, and personal cultivation (among many other policy options). The following sub-sections present a brief discussion of how Washington's approach to these issues compares to other states.

[Registry](#)

As previously discussed, Washington does not have a centralized state registry of medical marijuana patients. Washington is unique in this area; every other state and D.C. have some form of a registry. Eighteen states have mandatory registration, while two states (California and Maine) have voluntary registries.²⁰ The 2011 Legislature passed a bill requiring a registry, but that provision was vetoed by Governor Christine Gregoire.²¹

¹⁹ Maryland has limited medical marijuana laws that provide for an affirmative defense at trial for patients and caregivers, though patients still may face arrest. Maryland also provides for limited research use of marijuana for medical purposes. For additional information, see <http://medicalmarijuana.procon.org/view.resource.php?resourceID=000881>; and National Conference of State Legislatures (2014). *State medical marijuana laws*. Retrieved from <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>

²⁰ ProCon.org, (2014). *20 legal medical marijuana states and DC: Laws, fees, and possession limits*. Retrieved from <http://medicalmarijuana.procon.org/view.resource.php?resourceID=000881>

²¹ Veto message, Engrossed Second Substitute Senate Bill 5073, Chapter 181, Laws of 2011.

[Dispensaries/Access Points](#)

Current Washington State law does not allow for medical marijuana dispensaries (although other types of medical marijuana access points exist). Six other states prohibit dispensaries, while 14 allow for state-licensed dispensaries in some form.²²

[Possession Amounts](#)

Limits on the amount of usable marijuana a qualifying patient (or caregiver) may possess at one time vary. Washington and Oregon have the highest possession limits at 24 ounces. Most states (14) have possession limits between 1–3 ounces, while Connecticut allows for a “one month supply.”

[Personal Cultivation](#)

Several states allow qualifying patients and caregivers to grow a personal supply of medical marijuana. Washington allows patients to grow up to 15 mature plants, which is the highest limit nationally. The most common limit (seven states) is 3-4 mature plants. Six states prohibit personal cultivation entirely, while some states allow personal cultivation only for patients with limited access to dispensaries.²³

²² National Conference of State Legislatures, (2014). *State medical marijuana laws*. Retrieved from <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>

²³ FindLaw, (2014). *Medical marijuana laws by state*. Retrieved from <http://healthcare.findlaw.com/patient-rights/medical-marijuana-laws-by-state.html>

Exhibit 6

Summary of Selected State Policies Regarding Medical Marijuana

State	Patient Registry	Allows Dispensaries	Possession Limit (Usable)	Personal Cultivation Limit
Alaska	Mandatory	No	1 oz.	6 plants, 3 mature
Arizona	Mandatory	Yes	2.5 oz.	12 plants*
California	Voluntary	Yes	8 oz.**	6 mature or 12 immature**
Colorado	Mandatory	Yes	2 oz.	6 plants, 3 mature
Connecticut	Mandatory	Yes	1 month supply	Prohibited
Delaware	Mandatory	Yes	6 oz.	Prohibited
District of Columbia	Mandatory	Yes	2 oz.	Prohibited
Hawaii	Mandatory	No	3 oz.	7 plants, 3 mature
Illinois	Mandatory	Yes	2.5 oz.	Prohibited
Maine	Voluntary	Yes	2.5 oz.	6 plants, 3 mature
Massachusetts	Mandatory	Yes	10 oz.	Limited***
Michigan	Mandatory	No	2.5 oz.	12 plants
Montana	Mandatory	No	1 oz.	4 mature, 12 seedlings
Nevada	Mandatory	No	1 oz.	7 plants, 3 mature
New Hampshire	Mandatory	Yes	2 oz.	Prohibited
New Jersey	Mandatory	Yes	2 oz.	Prohibited
New Mexico	Mandatory	Yes	6 oz.	16 plants, 4 mature
Oregon	Mandatory	No	24 oz.	24 plants, 6 mature
Rhode Island	Mandatory	Yes	2.5 oz.	12 plants
Vermont	Mandatory	Yes	2 oz.	9 plants, 2 mature
Washington	None	No	24 oz.	15 plants

* Home cultivation only allowed if patient lives more than 25 miles from nearest dispensary.

** Patients who exceed these limits may use a medical necessity defense in court.

*** Patients may apply for a "hardship cultivation registration" and, if approved, may grow the amount necessary for a 60-day supply.

Sources: National Conference of State Legislatures, (2014). *State medical marijuana laws*. Retrieved from <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>; ProCon.org, (2014). *20 legal medical marijuana states and DC: Laws, fees, and possession limits*. Retrieved from <http://medicalmarijuana.procon.org/view.resource.php?resourceID=000881>; FindLaw, (2014). *Medical marijuana laws by state*. Retrieved from <http://healthcare.findlaw.com/patient-rights/medical-marijuana-laws-by-state.html>; Massachusetts Department of Health, (2013). *105 CMR 725.000: Implementation of an act for the humanitarian medical use of marijuana*. Retrieved from <http://www.mass.gov/eohhs/docs/dph/regs/105cmr725.pdf>.

Section 5: New Developments in Washington State

The 2013 Legislature directed the state Liquor Control Board to work with the Departments of Health and Revenue to “develop recommendations for the legislature regarding the interaction of medical marijuana regulations and the provisions of” I-502.²⁴

The three agencies submitted recommendations to the legislature on December 18, 2013.²⁵ The recommendations included establishing a patient registry, aligning the production and distribution systems for recreational and medical uses of marijuana, eliminating collective gardens, clarifying access by age levels, and limiting possession amounts (see side bar).

2013 State Agency Recommendations to the Legislature Regarding Medical Marijuana Access

Registry: Create a mandatory registry for authorized patients, designated providers, and health care professionals.

Access: Integrate medical and recreational marijuana producers, processors, and retailers into one licensing system with some tax exemptions for medical marijuana.

Collective Gardens: Eliminate collective gardens.

Personal Cultivation: Medical marijuana patients may maintain their own personal home grows of three mature and three non-flowering plants.

Possession: Reduce medical possession amounts from 24 to 3 ounces, with additional limits for infused products.

Age: The recommendations would allow for medical marijuana use for those under age 21 provided they have authorization from a health care professional (and, if under age 18, parental consent).

Washington State Liquor Control Board. (2013). *Medical marijuana recommendations*. Retrieved from <https://lcb.app.box.com/MMJ-Final-Rec>

²⁴ Third Engrossed Substitute Senate Bill 5034, Chapter 4, Law of 2013 (Sec. 141).

²⁵ Bills have been introduced in both the House and Senate in the 2014 Legislative Session that would adopt these recommendations in part or in whole. Our review simply serves as a summary of the recommendations made by LCB, DOH, and DOR to the legislature.

Section 6: Summary

In 1998, Washington State voters legalized the use of marijuana for certain medical purposes. Due in part to the lack of a patient registry in Washington State, very little is known about patient access and other implications of the law. At the local level, some cities and counties have prohibited collective cultivation of medicinal marijuana. Most Washington residents, however, live in areas that allow (regulate or do not expressly prohibit) collective gardens.

The recreational use of marijuana by adults in Washington State has recently been legalized by voters and regulated by the Liquor Control Board. Current proposals before the 2014 Washington State Legislature include plans to integrate aspects of a regulated medical marijuana market with the emerging recreational system.

Following this report, the Washington State Institute for Public Policy, as directed in state statute, will report on the impacts of marijuana legalization in 2015 and subsequent years of implementation.



Technical Appendix

Local Regulation of Medical Marijuana Collective Gardens in Washington State

To learn more about how local governments in Washington have chosen to address medical marijuana, WSIPP analyzed current policies in 281 cities and 39 counties throughout the state. We focused on local decisions regarding collective gardens as an access point.²⁶

For this analysis, we searched for documents available online (as of January 2014) including municipal and county codes; ordinances and resolutions; council meeting minutes; legal notices; and published news stories. We compiled a database of the most current local policies we could locate for each city, town, and county.

We classified each city and county's policies into one of four categories: moratorium; regulated; prohibited; and no action.²⁷

- **Moratorium.** A moratorium is an emergency measure that allows local governments to temporarily (usually 6 or 12 months) prohibit an action while officials consider new regulations.²⁸ This category includes moratoria that specifically address collective gardens as well as those addressing any land use associated with marijuana, with some exceptions. Moratoria that address only "producers," "processors," and/or "retailers"— terms from the recreation-focused I-502—are not included in this review of local medical marijuana policies.
- **Regulated.** This category includes local government decisions that explicitly allow for collective gardens through zoning, business licensing/permitting, nuisance, or other regulations.
- **Prohibited.** This category includes local government laws and rules that explicitly prohibit collective gardens through zoning, business licensing/permitting, nuisance, or other regulations. This category also includes "de facto bans" that do not mention medical marijuana specifically, but prohibit activities that are illegal under federal law. De facto bans sometimes require a letter of approval from a federal agency (such as the Department of Justice or the Drug Enforcement Administration) before issuing a business license or permit.
- **No Action.** Local governments for which we were unable to locate any current regulations regarding collective gardens are categorized as "no action."²⁹

Exhibits 3 and 4 in the main body of this report provide a summary of our overall municipal and county results. Exhibit A1 in this Appendix summarizes the actions taken by municipalities in terms of total population. Exhibit A2 lists each municipality's decision and Exhibit A3 lists each county.

²⁶ Other than personal cultivation, collective gardens are the only state authorized means of producing medical marijuana. This analysis is based in part on a list of local government ordinances compiled by the Municipal Research Services Center. See <http://www.mrsc.org/subjects/legal/medmarireg.aspx> for more information.

²⁷ These categories are based in part on Matthews, D. (2014). Local implementation of I-502. *Center for the Study of Cannabis and Social Policy*. Retrieved from <http://cannabisandsocialpolicy.org/projects/washington-local-i-502-implementation/>.

²⁸ Morris, (2013). Local officials may elect to renew a moratorium.

²⁹ In some cases, local governments may have previously taken temporary action that has expired.

Exhibit A1

Municipal Regulation of Medical Marijuana Collective Gardens
in Washington State, by Population
January 2014

	Less than 1,000 (n)	1,001 - 5,000 (n)	5,001 - 40,000 (n)	40,001 + (n)	Total Overall (n)
Moratorium	9% (7)	25% (21)	32% (30)	24% (6)	23% (64)
Regulated	3% (2)	6% (5)	19% (18)	32% (8)	12% (33)
Prohibited	3% (2)	15% (13)	23% (21)	36% (9)	16% (45)
No Action	86% (68)	54% (45)	26% (24)	8% (2)	49% (139)
Total	100% (79)	100% (84)	100% (93)	100% (25)	100% (281)

Exhibit A2

Municipal Regulation of Medical Marijuana Collective Gardens as of January 2014

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Aberdeen	Grays Harbor	16,860			X	
Airway Heights	Spokane	7,935	X			
Albion	Whitman	550				X
Algona	King	3,075			X	
Almira	Lincoln	285				X
Anacortes	Skagit	16,080		X		
Arlington	Snohomish	18,270			X	
Asotin	Asotin	1,265				X
Auburn	King/Pierce	73,235	X			
Bainbridge Island	Kitsap	23,190		X		
Battle Ground	Clark	18,130				X
Beaux Arts Village	King	290				X
Bellevue	King	132,100		X		
Bellingham	Whatcom	82,310		X		
Benton City	Benton	3,240				X
Bingen	Klickitat	725				X
Black Diamond	King	4,170				X
Blaine	Whatcom	4,785				X
Bonney Lake	Pierce	18,010			X	
Bothell	King/Snohomish	34,460				X
Bremerton	Kitsap	37,850			X	
Brewster	Okanogan	2,370				X
Bridgeport	Douglas	2,425	X			
Brier	Snohomish	6,315				X
Buckley	Pierce	4,370	X			
Bucoda	Thurston	560				X
Burien	King	48,030				X
Burlington	Skagit	8,445		X		

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Camas	Clark	20,320	X			
Carbonado	Pierce	610				X
Carnation	King	1,785		X		
Cashmere	Chelan	3,055			X	
Castle Rock	Cowlitz	2,135		X		
Cathlamet	Wahkiakum	500				X
Centralia	Lewis	16,600		X		
Chehalis	Lewis	7,355	X			
Chelan	Chelan	3,955			X	
Cheney	Spokane	11,070		X		
Chewelah	Stevens	2,615			X	
Clarkston	Asotin	7,210			X	
Cle Elum	Kittitas	1,870	X			
Clyde Hill	King	2,980				X
Colfax	Whitman	2,780				X
College Place	Walla Walla	8,875			X	
Colton	Whitman	420				X
Colville	Stevens	4,685			X	
Conconully	Okanogan	220				X
Concrete	Skagit	710		X		
Connell	Franklin	5,350				X
Cosmopolis	Grays Harbor	1,650				X
Coulee City	Grant	570				X
Coulee Dam	Douglas/Grant/ Okanogan	1,100				X
Coupeville	Island	1,890				X
Covington	King	18,100	X			
Creston	Lincoln	235				X
Cusick	Pend Oreille	205				X
Darrington	Snohomish	1,350				X
Davenport	Lincoln	1,700				X
Dayton	Columbia	2,545				X
Deer Park	Spokane	3,800				X
Des Moines	King	29,730				X
DuPont	Pierce	8,855	X			
Duvall	King	7,120				X
East Wenatchee	Douglas	13,350				X
Eatonville	Pierce	2,815				X
Edgewood	Pierce	9,460			X	
Edmonds	Snohomish	39,950	X			
Electric City	Grant	1,010	X			
Ellensburg	Kittitas	18,370		X		
Elma	Grays Harbor	3,115	X			
Elmer City	Okanogan	235				X

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Endicott	Whitman	295				X
Entiat	Chelan	1,140	X			
Enumclaw	King	11,100			X	
Ephrata	Grant	7,870	X			
Everett	Snohomish	104,200			X	
Everson	Whatcom	2,550				X
Fairfield	Spokane	615	X			
Farmington	Whitman	145				X
Federal Way	King	89,720	X			
Ferndale	Whatcom	12,290				X
Fife	Pierce	9,290	X			
Fircrest	Pierce	6,540		X		
Forks	Clallam	3,545				X
Friday Harbor	San Juan	2,185				X
Garfield	Whitman	595				X
George	Grant	720	X			
Gig Harbor	Pierce	7,670		X		
Gold Bar	Snohomish	2,080				X
Goldendale	Klickitat	3,410				X
Grand Coulee	Grant	1,045	X			
Grandview	Yakima	11,010	X			
Granger	Yakima	3,315				X
Granite Falls	Snohomish	3,385				X
Hamilton	Skagit	304	X			
Harrah	Yakima	645				X
Harrington	Lincoln	420	X			
Hartline	Grant	155				X
Hatton	Adams	110				X
Hoquiam	Grays Harbor	8,620	X			
Hunts Point	King	395				X
Ilwaco	Pacific	940				X
Index	Snohomish	180				X
Ione	Pend Oreille	445				X
Issaquah	King	32,130		X		
Kahlotus	Franklin	195				X
Kalama	Cowlitz	2,400			X	
Kelso	Cowlitz	11,940	X			
Kenmore	King	21,170	X			
Kennewick	Benton	76,410			X	
Kent	King	120,500			X	
Kettle Falls	Stevens	1,595				X
Kirkland	King	81,730	X			
Kittitas	Kittitas	1,450	X			

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Krupp	Grant	50				X
La Center	Clark	3,015				X
La Conner	Skagit	890				X
Lacey	Thurston	44,350		X		
LaCrosse	Whitman	315				X
Lake Forest Park	King	12,680			X	
Lake Stevens	Snohomish	28,960			X	
Lakewood	Pierce	58,310			X	
Lamont	Whitman	80				X
Langley	Island	1,065				X
Latah	Spokane	195				X
Leavenworth	Chelan	1,970	X			
Liberty Lake	Spokane	8,190				X
Lind	Adams	570				X
Long Beach	Pacific	1,410	X			
Longview	Cowlitz	36,940		X		
Lyman	Skagit	440				X
Lynden	Whatcom	12,730				X
Lynnwood	Snohomish	35,960	X			
Mabton	Yakima	2,305			X	
Malden	Whitman	205				X
Mansfield	Douglas	325				X
Maple Valley	King	23,910			X	
Marcus	Stevens	175				X
Marysville	Snohomish	62,100			X	
Mattawa	Grant	4,540	X			
McCleary	Grays Harbor	1,655	X			
Medical Lake	Spokane	4,945				X
Medina	King	3,000				X
Mercer Island	King	22,720				X
Mesa	Franklin	495				X
Metaline	Pend Oreille	175				X
Metaline Falls	Pend Oreille	240				X
Mill Creek	Snohomish	18,600	X			
Millwood	Spokane	1,790				X
Milton	King/Pierce	7,185			X	
Monroe	Snohomish	17,510			X	
Montesano	Grays Harbor	4,070				X
Morton	Lewis	1,120				X
Moses Lake	Grant	21,250	X			
Mossyrock	Lewis	755			X	
Mount Vernon	Skagit	32,710	X			
Mountlake Terrace	Snohomish	20,160		X		
Moxee	Yakima	3,655				X

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Mukilteo	Snohomish	20,440		X		
Naches	Yakima	805				X
Napavine	Lewis	1,795		X		
Nespelem	Okanogan	235				X
Newcastle	King	10,640				X
Newport	Pend Oreille	2,140				X
Nooksack	Whatcom	1,410				X
Normandy Park	King	6,350			X	
North Bend	King	6,020	X			
North Bonneville	Skamania	1,005		X		
Northport	Stevens	290				X
Oak Harbor	Island	22,080	X			
Oakesdale	Whitman	425				X
Oakville	Grays Harbor	690	X			
Ocean Shores	Grays Harbor	5,815				X
Odessa	Lincoln	905				X
Okanogan	Okanogan	2,560	X			
Olympia	Thurston	48,480	X			
Omak	Okanogan	4,830			X	
Oroville	Okanogan	1,715	X			
Orting	Pierce	6,930			X	
Othello	Adams	7,565	X			
Pacific	King/Pierce	6,760	X			
Palouse	Whitman	1,020				X
Pasco	Franklin	65,600			X	
Pateros	Okanogan	665				X
Pe Ell	Lewis	630				X
Pomeroy	Garfield	1,400				X
Port Angeles	Clallam	19,120				X
Port Orchard	Kitsap	12,870				X
Port Townsend	Jefferson	9,225	X			
Poulsbo	Kitsap	9,585		X		
Prescott	Walla Walla	325				X
Prosser	Benton	5,810			X	
Pullman	Whitman	30,990			X	
Puyallup	Pierce	37,980				X
Quincy	Grant	7,000		X		
Rainier	Thurston	1,840	X			
Raymond	Pacific	2,895		X		
Reardan	Lincoln	575				X
Redmond	King	55,840			X	
Renton	King	95,540	X			
Republic	Ferry	1,095				X

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Richland	Benton	51,150			X	
Ridgefield	Clark	5,545	X			
Ritzville	Adams	1,700				X
Riverside	Okanogan	280				X
Rock Island	Douglas	790				X
Rockford	Spokane	470				X
Rosalia	Whitman	555				X
Roslyn	Kittitas	895				X
Roy	Pierce	805	X			
Royal City	Grant	2,190	X			
Ruston	Pierce	795		X		
Sammamish	King	48,060	X			
SeaTac	King	27,310				X
Seattle	King	626,600		X		
Sedro-Woolley	Skagit	10,610		X		
Selah	Yakima	7,340				X
Sequim	Clallam	6,855				X
Shelton	Mason	9,975	X			
Shoreline	King	53,670		X		
Skykomish	King	195				X
Snohomish	Snohomish	9,220		X		
Snoqualmie	King	11,700				X
Soap Lake	Grant	1,530	X			
South Bend	Pacific	1,630			X	
South Cle Elum	Kittitas	530				X
South Prairie	Pierce	435				X
Spangle	Spokane	280				X
Spokane	Spokane	211,300		X		
Spokane Valley	Spokane	91,490				X
Sprague	Lincoln	445				X
Springdale	Stevens	280				X
St. John	Whitman	500				X
Stanwood	Snohomish	6,340		X		
Starbuck	Columbia	130				X
Steilacoom	Pierce	6,040				X
Stevenson	Skamania	1,515				X
Sultan	Snohomish	4,660			X	
Sumas	Whatcom	1,449				X
Sumner	Pierce	9,520			X	
Sunnyside	Yakima	16,200	X			
Tacoma	Pierce	200,400		X		
Tekoa	Whitman	770				X
Tenino	Thurston	1,705			X	

City Name	County	Est. 2013 Population	Moratorium	Regulated	Prohibited	No Action
Tieton	Yakima	1,235	X			
Toledo	Lewis	720			X	
Tonasket	Okanogan	1,020				X
Toppenish	Yakima	8,950	X			
Tukwila	King	19,160	X			
Tumwater	Thurston	18,300				X
Twisp	Okanogan	940				X
Union Gap	Yakima	6,110				X
Uniontown	Whitman	320				X
University Place	Pierce	31,340	X			
Vader	Lewis	620				X
Vancouver	Clark	164,500		X		
Waitsburg	Walla Walla	1,220			X	
Walla Walla	Walla Walla	31,930		X		
Wapato	Yakima	5,035			X	
Warden	Grant	2,705	X			
Washougal	Clark	14,580	X			
Washtucna	Adams	215				X
Waterville	Douglas	1,145				X
Waverly	Spokane	107				X
Wenatchee	Chelan	32,520			X	
West Richland	Benton	13,080				X
Westport	Grays Harbor	2,110	X			
White Salmon	Klickitat	2,275				X
Wilbur	Lincoln	880	X			
Wilkeson	Pierce	485				X
Wilson Creek	Grant	209				X
Winlock	Lewis	1,335				X
Winthrop	Okanogan	405				X
Woodinville	King	10,990			X	
Woodland	Cowlitz/Clark	5,625	X			
Woodway	Snohomish	1,300				X
Yacolt	Clark	1,615	X			
Yakima	Yakima	92,620			X	
Yarrow Point	King	1,015				X
Yelm	Thurston	7,470	X			
Zillah	Yakima	3,115			X	

Note: This list contains 281 cities and towns identified by the Municipal Research Services Center at <http://www.mrsc.org/cityprofiles/citylist.aspx>. Population estimates from Washington State Office of Financial Management April 1st population estimates (<https://data.wa.gov/Demographics/WAOFM-April-1-Population-Estimates-for-the-State-C/crb9-cw3g>).

Exhibit A3

County Regulation of Medical Marijuana Collective Gardens as of January 2014

County	Est. 2013 Unincorporated Population	Moratorium	Regulated	Prohibited	No Action
Adams	9,040				X
Asotin	13,325				X
Benton	33,710				X
Chelan	30,960				X
Clallam	42,830				X
Clark	207,710			X	
Columbia	1,425	X			
Cowlitz	44,345				X
Douglas	21,060				X
Ferry	6,555				X
Franklin	13,160			X	
Garfield	850				X
Grant	40,956				X
Grays Harbor	28,615				X
Island	54,665				X
Jefferson	21,050				X
King	253,100	X			
Kitsap	170,505				X
Kittitas	18,785				X
Klickitat	14,290				X
Lewis	45,270			X	
Lincoln	5,230				X
Mason	51,825		X		
Okanogan	25,110				X
Pacific	14,125		X		
Pend Oreille	9,945				X
Pierce	378,495				X
San Juan	13,815				X
Skagit	48,411				X
Skamania	8,780			X	
Snohomish	312,500		X		
Spokane	137,813				X
Stevens	34,160				X
Thurston	137,395				X
Wahkiakum	3,520				X
Walla Walla	17,150				X
Whatcom	88,276				X
Whitman	6,035				X
Yakima	84,910	X			

Note: Population estimates from Washington State Office of Financial Management April 1st population estimates (<https://data.wa.gov/Demographics/WAOFM-April-1-Population-Estimates-for-the-State-C/crb9-cw3g>).

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