

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

BETTER BUDS LLC  
d/b/a BETTER BUDS

1102 SCOTT AVE STE 102  
BREMERTON, WA 98310-4477

APPLICANT

LICENSE APPLICATION NO. 413832  
UBI: 603 354 008 0001 0001

LCB NO. M-25,218  
OAH NO. 2014-LCB-0093

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Licensing Division of the Liquor Control Board issued a Statement of Intent to Deny Marijuana License dated June 17, 2014.

2. The Applicant submitted a request for a hearing.

3. On December 24, 2014, Administrative Law Judge Terry A. Schuh issued his Initial Order, affirming the decision to deny the Applicant's license application as expressed in the Statement of Intent to Deny Marijuana License.

4. No Petition for Review was received.

5. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Initial Order are AFFIRMED and adopted as the Findings of Fact, Conclusions of Law and Final Order of the Board, with the following modifications:

Conclusions of Law 5.4, through 5.7 are hereby modified to read:

5.4 Better Buds's proposed location is within 1000 feet of Manette Playfield. Better Buds argued that Manette Playfield is not a playground or public park. WAC 314-55-010, adopted by the Board on October 21, 2013, effective November 21, 2013 defines both terms.

5.5 WAC 314-10-055(16) as codified as of the date of the decision to issue the Statement of Intent to Deny Marijuana License, read as follows:

(16) "Playground" means a public outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a city, county, state, or federal government. Although the Board later adopted an emergency rule to add other definitions to WAC 314-55-010, changing the subparagraph number for this definition, the text of the definition of playground was not changed.

5.6 WAC 314-10-055(17) as codified as of the date of the decision to issue a Statement of Intent to Deny Marijuana License, read as follows:

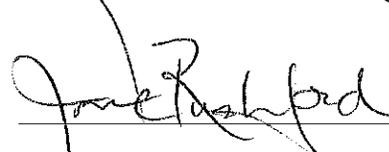
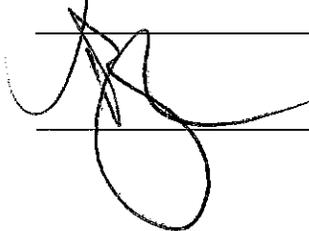
(17) "Public park" means an area of land for the enjoyment of the public, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a city, county, state, federal government, or metropolitan park district. Public park does not include trails. Although the Board adopted an emergency rule to add other definitions to WAC 314-55-010, changing the subparagraph number for this definition, the text of the definition of public park was not changed.

5.7 Manette Playfield meets the definition of both "Playground" and "Public Park" as defined in the Board's rules. Manette Playfield is managed by the City of Bremerton as part of its parks program. Manette Playfield is a playground and public park as contemplated by RCW 69.50.331(8), and WAC 314-55-010 and -050.

IT IS HEREBY FURTHER ORDERED that marijuana license application number 413832 for Better Buds LLC d/b/a Better Buds DENIED.

DATED at Olympia, Washington this 19<sup>th</sup> day of March, 2015.

WASHINGTON STATE LIQUOR CONTROL BOARD

  
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Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail.

RCW 34.05.010(19).

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

BETTER BUDS LLC  
d/b/a BETTER BUDS

1102 SCOTT AVE STE 102  
BREMERTON, WA 98310-4477

APPLICANT

LICENSE APPLICATION NO. 413833  
UBI: 603 354 008 0001 0002

LCB NO. M-25,219  
OAH NO. 2014-LCB-0094

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Licensing Division of the Liquor Control Board issued a Statement of Intent to Deny Marijuana License dated June 17, 2014, asserting that the Applicant's proposed location was within 850 feet of Manette Playfield located at 1136 Nipsic Avenue in Bremerton, Washington.
2. The Applicant submitted a request for a hearing.
3. On December 24, 2014, Administrative Law Judge Terry A. Schuh issued his Initial Order, affirming the decision to deny the Applicant's license application as expressed in the Statement of Intent to Deny Marijuana License.
4. No Petition for Review was received.
5. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Initial Order are AFFIRMED and adopted as the Findings of Fact, Conclusions of Law and Final Order of the Board with the following modifications:

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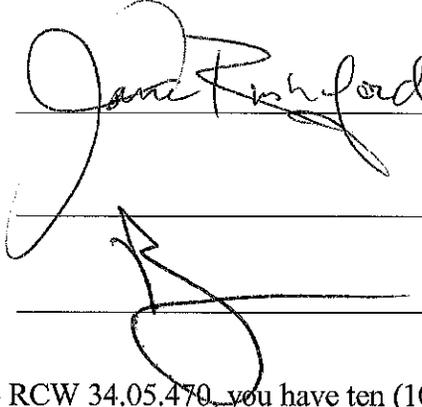
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IT IS HEREBY FURTHER ORDERED that marijuana license application number 413833 for Better Buds LLC d/b/a Better Buds DENIED.

DATED at Olympia, Washington this 19<sup>th</sup> day of MARCH, 2015.

WASHINGTON STATE LIQUOR CONTROL BOARD



A handwritten signature in cursive script, appearing to read "Jane R. Ford", is written over three horizontal lines. The signature is fluid and somewhat stylized, with a large loop at the beginning and a long tail that loops back under the second line.

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Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

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Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

BETTER BUDS LLC  
d/b/a BETTER BUDS

1102 SCOTT AVE STE 102  
BREMERTON, WA 98310-4477

APPLICANT

LICENSE APPLICATION NO. 413834  
UBI: 603 354 008 0001 0003

LCB NO. M-25,220  
OAH NO. 2014-LCB-0092

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

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IT IS HEREBY FURTHER ORDERED that marijuana license application number 413834 for Better Buds LLC d/b/a Better Buds DENIED.

DATED at Olympia, Washington this 19<sup>th</sup> day of MARCH, 2015.

WASHINGTON STATE LIQUOR CONTROL BOARD



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Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State  
Liquor Control Board

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March 20, 2015

Better Buds LLC  
d/b/a Better Buds  
7662 Buckthorn Dr  
Bremerton, WA 98311-9250

Kim O'Neal, AAG  
GCE Division, Office of Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

**RE: FINAL ORDER OF THE BOARD**

**APPLICANT: Better Buds LLC**

**TRADE NAME: Better Buds**

**LOCATION: 1102 Scott Ave, Ste 102, Bremerton, WA 98310-4477**

**LICENSE APPLICATION NO. 413832, 413833 & 413834**

**LCB HEARING NO. M-25,218, M-25,219 & M-25,220**

**OAH NO. 2014-LCB-0093, 2014-LCB-0094 & 2014-LCB-0092**

**UBI: 603 358 064 001 0001, 603 354 008 001 0002 & 603 354 008 001 0003**

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter.

If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll  
Adjudicative Proceedings Coordinator

KM:mg

Enclosures (2)

cc: Becky Smith, Licensing Director, WSLCB  
Frank O'Dell, Licensing Supervisor, WLSCB  
Mary Henley, Administrative Assistant, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

BETTER BUDS LLC  
d/b/a BETTER BUDS

Location Address:  
1102 SCOTT AVE, STE 102  
BREMERTON, WA 98310-4477

Mailing Address:  
7662 BUCKTHORN DR  
BREMERTON, WA 98311-8250

APPLICANT

LICENSE APPLICATION NOS.

413832  
413833  
413834

UBI: 6033540080010001  
6033540080010002  
6033540080010003

LCB NOS. M-25,218  
M-25,219  
M-25,220

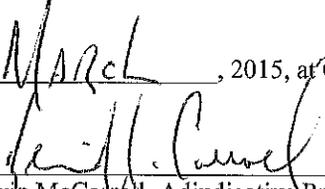
OAH NOS. 2014-LCB-0093  
2014-LCB-0094  
2014-LCB-0092

DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-referenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for applicants and licensees, by electronic mail for WSLCB offices, and Campus Mail via Consolidated Mail Services for state offices on the date below to:

BETTER BUDS LLC d/b/a BETTER BUDS 7662 BUCKTHORN DR BREMERTON, WA 98311-8250	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION KIM O'NEAL, ASSISTANT ATTORNEY GENERAL
BETTER BUDS LLC d/b/a BETTER BUDS 1102 SCOTT AVE, STE 102 BREMERTON, WA 98310-4477	BETTER BUDS LLC d/b/a BETTER BUDS 2125 GOLDENROD AVE BREMERTON, WA 98311-3966

DATED this 20<sup>th</sup> day of March, 2015, at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator