

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, April 6, 2016

CALL TO ORDER: 7:08 pm by Commissioner Hoult

MEMBERS PRESENT: Janice Huxford, Linda Hoult, Gary Petershagen, Vicki Oslund and Tracey Trout

MEMBERS ABSENT: Chair Tom Matlack, Vice Chair Jennifer Davis

STAFF PRESENT: Interim Planning Director Russ Wright and Clerk Jill Meis

OTHERS PRESENT: Sally Jo Sebring, Jim Wilson, Jeff Greenhaw, Jack Micezi, Don Hartleben, Tom Wartinger, Mark Somers, and Sam Beers and Council Member Rauchel McDaniel

Excused Absence: Commissioner Huxford made a motion to excuse Commissioners Davis and Matlack, Commissioner Oslund 2nd. Motion carried 5-0-0-2. Commissioner Huxford made a motion to excuse Commissioner Trout from the meeting on March 2, 2016, Commissioner Oslund 2nd. Motion carried 5-0-0-2.

Guest business: None.

Action Items:

1. *Approve March 2, 2016 Meeting Minutes.* Commissioner Petershagen made a motion to approve March 2, 2016 minutes, Commissioner Huxford 2nd. Motion carried 5-0-0-2.

Public Hearing: 2016 Marijuana Code Amendment

PC Chair Opens Meeting - Commissioner Huxford opened the public hearing, Commissioner Trout 2nd. Motion carried 5-0-0-2.

Staff Presentation –Interim Planning Director Wright presented the proposed changes in Marijuana Code Amendment pursuant to changes in Washington State regulations and the need to capture some guidance moving forward. The summary of the changes are co-locations, cap on retail stores, sales of medical marijuana, square footage allotment for production and processing, and change the permitting process to require an administrative conditional use permit. Staff finds the code amendment to be in harmony with the comprehensive plan, local and state legislation.

Commissioner's questions for staff – Commissioners asked if the code amendment could be gone through step by step. Commissioner Huxford wanted to point out she disagrees with the restriction on the square footage cap requirement. Commissioners asked questions regarding the state changes and also what other cities are continuing. Interim Planning Director Wright also explained the difference in ban and moratoria and reminded the planning commission the moratoria cannot continue indefinitely. There were questions in regards to medical vs. recreational marijuana differences in how they reach the market.

Proponent's comments – Jim Wilson spoke in favor of the marijuana code amendment, he

would like to keep the square footage allotment at 100,000 or remove the cap entirely. Mr. Wilson owns Pacific Northwest Growers and doesn't want a disparity between land owners that have an increased property value due to the fact they got in before the cap was in place vs. a lower property value because they weren't able to get in before the cap.

Jeff Greenhaw spoke in favor of the increased cap to square footage. He stated the Hartford Industrial area has improved in crime, aesthetics, vacancies and caliber of business. He also is not in support of co-location of processing companies.

Jack Micezi is proposing a new processing company and he is adversely affected by the square footage cap. He is trying to open a business at this time.

Don Hartleben spoke in favor of opening a second retail location in Lake Stevens and gave numbers in support of tax dollars coming into the city and would like to stop the monopoly that is currently happening in Lake Stevens. He would like the second store allowed.

Tom Wartinger spoke in favor of having a second retail store to help eliminate the illegal sales of marijuana.

Mark Somers spoke in favor of forwarding the recommendation to council with a second retail store allotment because of the accessibility of medical marijuana, he feels the members of the community that are sick and need the product will not be able to get it. He feels the market should decide as well; citing if there is not a demand then the second location will not make it.

Sam Beers spoke in favor of the economic impact of having an open market of having two locations. "An increase in competition benefits us all."

Comments from the audience – None

Proponent rebuttal comments – None

Comments from the audience – None

Proponent rebuttal comments – None

Close public comments portion of hearing by motion- Commissioner Petershagen made motion to close public portion of the hearing, Commissioner Huxford 2nd. Motion carried 5-0-0-2.

Commissioner Huxford asked for clarification on the square footage allotment calculation used for determining the impact to the overall canopy. Commissioner Trout would like to find out if the existing retail store is planning to begin selling medical marijuana. Commissioner Hoult would like to know how many employees the average marijuana facility employs and Commissioner Petershagen would like to know the type of employment the industry provides.

Reopen public hearing- Commissioner Petershagen made a motion to reopen public comment portion, Commissioner Huxford 2nd. Motion carried 5-0-0-2.

The commission discussed medical vs. recreational sales and production with members of the growing community. The commission also asked how many jobs approximately have been and will be created by the industry. Jeff Greenhaw stated he will employ 30 people with an approximate hourly wage of \$22.00 plus. Mark Somers stated that there are differences in euphoria depending on what types of marijuana are propagated. Don Hartleben wanted to stress the positive economic impact of employment and tax revenue by opening a second retail outlet.

Close public comments portion of hearing by motion- Commissioner Huxford made a

motion to close the public portion of the hearing, Commissioner Trout 2nd. Motion carried 5-0-0-2.

Close public hearing- Commissioner Huxford made a motion to close public hearing, Commissioner Petershagen 2nd. Motion carried 5-0-0-2.

Commission Action by Motion – The commission decided to move forward item by item of the code amendment

- 1.) On the subject of co-location, Commissioner Huxford made a motion to forward the recommendation as written, Commissioner Petershagen 2nd. Motion carried 5-0-0-2.
- 2.) On the subject of modifying the definitions, Commissioner Petershagen made a motion to forward the recommendation as written, Commissioner Trout 2nd. Motion carried 5-0-0-2.
- 3.) On the subject of authorizing the sale of medical marijuana/cannabis at licensed retail locations with endorsements, Commissioner Trout made a motion to forward the recommendation as written, Commissioner Oslund 2nd. Motion carried 5-0-0-2.
- 4.) On the subject of establishing a local cap on number of allowed retail locations, Commissioner Petershagen made a motion to forward the recommendation as 1 retail location with a possible revisiting in 2 years, Commissioner Oslund 2nd. Motion carried 5-0-0-2.
- 5.) On the subject of revising the square footage cap for producers in the industrial area based on rapid market saturation, Commissioner Trout made a motion to forward the recommendation to establish the cap at 100,000 square footage, Commissioner Huxford 2nd. Motion carried 5-0-0-2.
- 6.) On the subject of changing the permitting process from outright permitted to requiring an administrative conditional use permit for production/processors, Commissioner Huxford made a motion to forward the recommendation as written, Commissioner Petershagen 2nd. Motion carried 5-0-0-2.

Discussion Items: Interim Planning Director Wright presented the administrative authority code amendment background and demonstrated the earlier input the commission gave in the structure of the provision being a tiered approach. Commissioners discussed the code amendment and gave a recommendation on percentage of change allowed with all tiers of the administrative authority.

Commissioner Reports: Commissioner Huxford gave an update on the Aquafest royalty pageant. Commissioner Trout voiced concern over the swim docks that are floating beyond the fixed dock line. Commissioner Oslund wanted to remind everyone that it is spring break and there is more foot traffic around the city. Commissioner Petershagen thanked staff for all the hard work. Commissioner Hoult thanked staff for their hard work as well.

Planning Director Report: Interim Planning Director Wright gave an update for the downtown subarea planning and citizen advisory committee. He also provided an update for the Grade Road embankment project. The visitor center is estimated to be open in a month. He gave a brief overview of the Citizen Connect module, the online permitting software. Interim Planning Director Wright also mentioned that the clerk Jill Meis has been promoted and may not continue attending the regular planning commission meetings in the clerk role.

Adjourn: Motion by Commissioner Petershagen to adjourn, Commissioner Huxford 2nd.
Motion carried 5-0-0-2. Meeting adjourned at 9:10 p.m.

Tom Matlack, Chair



Jill Meis, Clerk, Planning &
Community Development