

## City of Buckley

### Planning Commission Minutes

June 1, 2015

Chairperson Helmer called meeting to order at 7:00 PM. The following members were present: Hall, Harris and Beatty. Also in attendance was City Planner Thompson.

Hall stated there is one correction and that is the date of the next meeting should be June 1, 2015. **Beatty moved to approve the minutes of the May 18, 2015 Commission meeting as corrected. Harris seconded the motion and the motion carried.**

#### **Marijuana ordinance discussion**

Thompson stated she had three handouts two from WSU one that talks about the new farm bill and the other regarding Industrial Hemp. The third handout was a National Geographic Article on how science seeks to unlock marijuana secrets.

Helmer stated he wanted to explain something that he has been doing for the last few meetings, and that is he has been asking for input starting with the junior member, the next junior member and then our senior member besides himself. This is something he learned that is a military technique and the intent is to let the more inexperienced person speak and not feel intimidated by the more experienced ones. Helmer also wanted to talk about how the Council approved marijuana retail and processing without any input or knowledge from the Planning Commission. The Council also approved, and Thompson can correct him if he is wrong, marijuana growing as something that can be done as an agricultural endeavor in a residential zone. Thompson stated they did not approve anything except the moratorium. The code allows for intensive agriculture in the R-20,000, R-8,000 and LI zones. It allow for specialty retail, whatever it is we use for liquor stores, in the HC, CC and GC zones. Helmer stated somewhere along the line marijuana got classified as agriculture. Discussion ensued.

The commission asked for clarification for the difference between medical and recreational marijuana. Thompson stated recreation is marijuana and medical is the gardens and cannabis is used for medical, and there is also hemp which is made from the same plant only at a lower dose so it is still a controlled substance. Helmer brought up the issue of a permit being issued to someone for a growing and processing facility at the old Buckley Nursery and because they filed for their building permit prior to the Council meeting they are grandfathered in. Discussion ensued. Hall stated he likes to keep things very simplified and would much rather have an ordinance that refers to the state law for definition. He would like to urge everyone to look at Tumwater's ordinance because it is very short and sweet and

to the point. Beatty stated she feels because we are treading with such new water, she really likes the idea of referring to the state law because things are changing and she doesn't want to have to keep revisiting this all the time. Harris stated at this point she feels we really need to go through this point by point and figure out what we have and don't have. Thompson explained the difference between the medical and recreation marijuana as well as the difference between cannabis, marijuana and hemp. Discussion ensued. Helmer stated he doesn't feel we even really need to mention hemp other than to define it so it will be exempt from the regulations because the ordinance should only address marijuana. Thompson state we do address a few things that have come up with this discussion. A commercial agricultural farm is common but do we want to distinguish between a growing operation or livestock operation where no one lives or a gentleman farm where people live and operate the farm like a home occupation. Do we need to differential between an agricultural operation and a farm? Thompson stated we need to get have a definition for agriculture. Helmer stated we need to get a reading from the attorney of whether marijuana can be considered to be agriculture and therefore fall under our rules of agriculture which then puts us into allowing it in any zone in the whole city. What we trying to do is determine what is best for the City of Buckley. Harris stated we should be going with what the State defines agriculture as. There was a lengthy discussion about not necessarily not allowing marijuana but with putting large industrial type building within the residential zones and what zones the retail, growing and processing should be allowed in. Thompson stated she took all the uses under the definitions; we don't have a definition of agriculture expect in the use table, she would like to fix that. Section 1, Definitions; the Commission then went through some of the definitions that we need to include. Section 2, Purpose; the only comment Beatty had was under C, she feels the wording should be "to ensure the presence of the marijuana industry in the city maintains the city character and small-town feel. Section 3, Applicability: ok. Section 4, Review process; Hall had a question about the language on (B) regarding the site plan and whether or not the wording should be may or shall need a site plan. After discussion the commission agreed for the language to be "new construction or reconstruction may need a site plan review." Section 5, General requirements; Hall stated under (G) signs, we need to make people make more professional signs instead of having someone holding a sign saying "legal weed". This was discussed at the last meeting and we can't do anything about it. Beatty stated on "H" she prefers the first description because it makes it clear. Section 5a, Medical marijuana; Harris stated this section is so new, so can we set this aside until the State makes up its mind. Helmer stated he agreed we could hold off on this. When we come back to this we will have medical marijuana and medical marijuana cooperatives.

Section 5b, Recreation retail; the biggest discussion was the distance. **Hall moved to have 1,000 feet from the perimeter of the building that the business is located in. Harris seconded the motion and the motion carried.** There was clarification for example where the current marijuana business is located in the Buckley Business Park, that is one building so you wouldn't be allowed to have another retail business within that complex. Discussion ensued. **Harris moved to clarify the former motion to read "the retail facilities shall be at least 1,000 feet apart measured from the perimeter of the individual state licensed marijuana retail store. Hall seconded the motion and the motion carried.**

Helmer stated we will continue with the remainder of this at the next meeting on June 15, 2015.

#### **New/Old Business**

Helmer asked if we have the public hearing scheduled for BMC 19.42. Thompson stated she hasn't received it back yet from the City Attorney so as soon as she does she will schedule the public hearing.

Thompson stated we received the Utilities Element of the Comprehensive Plan and will hopefully have a physical copy for you soon.

Helmer stated he sat through a site plan review process in front of the Hearing Examiner and it was very interesting and was very informative. He encourages any that can to attend one of these hearings if possible.

**The next meeting will be June 15, 2015 at 7:00 PM**

**Harris moved to adjourn the meeting. Beatty seconded the motion and the motion carried.**

With nothing further the meeting was adjourned at 8:32 PM.



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Chuck Helmer, Chairperson