

**TOWN OF GARFIELD  
PLANNING COMMISSION REGULAR MEETING MINUTES – Final  
February 24, 2014**

**CALL TO ORDER:** Tammy Howard called the Planning Commission meeting to order at 6:33 PM.

**ROLL CALL:** Tammy Howard, Kevin Pickron, Damon Vassar, Sharon Schnebly, Tami Southern. Absent:

**GUESTS:** Mayor McCown, Erin Olsen and Cher Curtis.

**APPROVAL OF MINUTES:** Kevin Pickron **MOVED** to approve the Planning Commission Public Hearing and Meeting Minutes of August 6<sup>th</sup>, 2012. Tami Southern seconded the motion and the motion carried unanimously.

**PROPOSED ZONING CODE CHANGES:**

Tammy Howard opened the meeting by asking what the thoughts were on the zoning concerning marijuana growing and retailing in Garfield. Sharon Schnebly said she initially voted against it, and is concerned as these towns start saying no we may find ourselves in a lawsuit. A better alternative is we might update code to commercial only zones and then look at what is then 1,000 feet from the school zone. Kevin Pickron said if we change the commercial zones then we should fall within the state requirements. Tammy called the elections department and asked them what the outcome of the voting numbers was for our area? 101 said yes and 123 said no, only a 22 person difference.

Damon Vassar asked, how does this affect the medical marijuana users. Kevin said as of today medical marijuana is separate but it will eventually be rolled into one bigger issue. The current person seeking approval to produce is in AG-1 so nothing in the current zoning prevents them from getting a license. Applicant is just over 1,000 feet from the park. Damon asked what the city has to gain by this. Tami said it will be taxed heavily, with 25% on the producer side, 25% on the processor side, and 25% on the retailer side. A portion of these taxes will go back to communities which don't say no to the operations. There is a bill right now that will punish any towns saying no and not allowing them access to a portion of the tax collected. Tami said if we zone differently then we could be cut out of the taxation. We will not be cut out if we allow marijuana production in certain areas. Kevin talked about not being sure there is anything we can do to stop the process.

Sharon mentioned there are a couple things the town needs to take into consideration if we have a grower in the area. There will be a smell to the neighbors from the growing and also we need to keep in mind the environmental impact. Tami's understanding is that the growers and retailers will be under the scrutiny of the liquor control board and wonders how they will regulate rules in the small Town of Garfield. Kevin said anyone that is not following the recommendations of the liquor control board will get a warning and then it will be up to the town to call in the nuisance issues. These farms will be different than the hydroponics people currently use, there will be fertilization run off and a need for composting as well.

Damon asked, would the majority of the growing take place inside or outside or both? The group thinks it will be primarily inside since all current language uses square footage. Can we limit the requirements on how it can be grown? Kevin said even if we pick the rules apart it is going to be hard to go up against the liquor control board. The Planning Commission thinks it is very appropriate to have community involvement on this issue to see what the feel is in the area. Sharon said the more time we take to get information then the more informed we are and we can see how things are shaking out in the state. Kevin said we can only wait and see for so long and then the applicants will become discouraged. Sharon agrees but feels that we should make changes as broad as we can and as narrow as we can at the same time, and doing it in such a way not to single anyone out.

Tammy states there are several zoning requirements within our community, should we have a process in place to have interested parties come to the Zoning Committee for approval? We have to be careful that we don't lump all gardeners and growers into this restriction, however again make sure that we don't single out a particular group. Tami asked can we legally say in order to grow marijuana you have to get a permit to do so in the Town of Garfield. Can we say that without getting in trouble? Will their claim be I am just gardening for a profit?

Mayor McCown asked does the 1,000 foot rule include bus stops. Tami read the language stating it can't be within a 1,000 feet from an elementary or secondary school, public transit, public library, or park. The restrictions do not include churches, only the daycare at the church. Sharon explains the federal government allowed these rules and won't come down on the state or its people if they follow these regulations. Kevin expressed if we do it by use permit then we must get the neighbors permission to allow it. Kevin said he would like Stephen Bishop to clarify the conditional use permit side of the law. Then we can be more concerned about pollution run off, smell, and keeping people out of their properties.

Sharon added our police force is small so we have to think about the impact on them. Sharon will talk about this at the next police committee forum. Will this require additional hours to their force? Kevin again states lets open this up to the public for comment and input. Tammy said she would like to review a little bit more of this information so that she can see if the zoning and conditional uses might work for us on this issue. Tami said we can't stop it, so we just need to define it. The Planning and Zoning Commission set a date for the next Public Forum meeting to occur 6:30 pm, March 17<sup>th</sup> at the community center to accommodate more people to come.

Tami said that these are not just fly by night operations applying, they have to submit business plans and be approved by the State of Washington. Some banks will not take money from marijuana sales, but there are some now that do deal with this type of business and approved through the Federal Government. Sharon explains Pullman has 10 retail applications pending at this time. Their Planning Commission will be presenting their zoning changes here soon, maybe we can take a look at those and see what changed and if it may benefit us.

Tammy asks how would you feel about making steps to create the 1,000 foot zone from these public places. Can we establish that so that we are not targeting any one person, just trying to follow the Federal and State regulations? Tami said if we want to have a commercial retail zone then it would have to be in our commercial zone. We don't currently know if the applicant has a commercial license or retail license application pending. As long as we are talking about it then we need to make sure we are addressing both. The group is not sure if interested parties can produce and sell at the same location. Kevin added at this point we do have regulations that say she has to come forward with a conditional use. Do we follow-up with conditional use violations with fines, cop enforcement or how do we mandate it? Sharon said the police department is going to be a very integral part of this process; we need to be talking with them on how they are going to enforce this.

In closing on this matter the definition of the AG-1 Zoning and allowable conditional uses is read.

Tammy reminds the group that they need a couple more committee members. Our job is to make some recommendations to the council so that they can select who to add to the committee. Erin Olsen is here to introduce herself and make the group aware that she is interested in being on the committee. Tami said another candidate would be Denise Hasenoehrl. A few other possible names are Tara Appel or Sonja Hathaway. Tammy also stated it may be beneficial to have someone join that owns a business in town.

**NEXT MEETING:** March 17<sup>th</sup>, 2014 6:30 PM at the Community Center.

**ADJOURNMENT:** Kevin Pickron **MOVED** to adjourn the meeting at 7:28 p.m. Damon Vassar seconded the motion and the motion carried unanimously.

**APPROVED:** \_\_\_\_\_ **Tammy Howard, Chairman**

**ATTEST:** \_\_\_\_\_ **Cody Lord, Clerk/Treasurer**