

**City of Puyallup
Planning Commission
Puyallup City Hall – Council Chambers
January 29, 2014
7:00 PM**

(These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of six years from the date of the meeting and are available upon request.)

PLANNING COMMISSIONERS PRESENT: Chair Steve Hastings, Vice-Chair Chris McNutt, Clay Ciolek, Curt Gimmestad, Nancy Johnson, Shelley Krashowetz, Leon Leonard

PLANNING COMMISSIONERS ABSENT:

STAFF PRESENT: Development Services Director – Tom Utterback; Deputy City Attorney – Steve Kirkelie; Senior Planner – Katie Baker; Administrative Secretary – Michelle Ochs

The meeting was called to order at 7:09 p.m. A quorum was established.

Ms. Baker introduced Leon Leonard as a new Planning Commissioner.

APPROVAL OF THE AGENDA

Ms. Johnson moved to approve the Agenda. Ms. Krashowetz seconded the motion. The commissioners unanimously approved the agenda.

PUBLIC HEARING

I-502 Implementation Draft Code

The Planning Commission held a public hearing on code amendments related to I-502, legalizing the use of recreational marijuana and establishing regulations for marijuana producers, processors and retailers.

Ms. Baker submitted a map to the Commissioners and explained that they would be going over it later during the public hearing, along with a comment letter from a citizen. Ms. Baker introduced Mr. Kirkelie, Deputy City Attorney, to give an overview of the initiative and proposed code amendment.

Mr. Kirkelie gave a brief PowerPoint presentation on the draft code, informing the Commissioners of the regulations for retail outlets, the proposed allowed zoning, and the differences between a producer and a processor.

Ms. Baker addressed questions that arose at the Planning Commission's previous meeting. There was a question of how the odor from the production of the marijuana would be handled. Related to air quality concerns, Ms. Baker explained that once the City received a business license application, they would be contacting the Puget Sound Clean Air Agency, who has their own process for dealing with odor that is released with the production of marijuana. This referral process would be referenced in the business license code. She explained the buffer regulations in regards to commercial uses next to residential areas, and that Planning Commission could decide to regulate the distance between retail locations and other defined uses. Ms. Baker pointed out that the map that was handed out prior to the meeting showing the 1000 foot buffer regulations, with the potential zones where retailers or producer/processors would be allowed.

The public hearing opened for public comments at 7:26 p.m. Ms. Baker reminded the Commissioners that staff has to find that the code amendments are consistent with the Comprehensive Plan and that their findings are consistent, as related in the staff report. There was no public testimony offered, so Mr. Hastings closed the public hearing at 7:28 p.m.

Mr. Leonard asked for clarification on which areas of the map are allowed for retail/processing/production, Ms. Baker verified each area on the map. Mr. Ciolek commented that the updated 1000 foot buffer rule is indicated on the map, but not in the written language of Option A or B for the code amendments, Mr. Kirkelie replied that they would include that in the recommendation to City Council. Mr. Ciolek asked how many applications the City has received, Mr. Kirkelie responded that one producer/processor application has been submitted.

Mr. Hastings asked what Pierce County has done in regards to code; Council Member Tom Swanson explained that Pierce County has adopted underlying base code in the zoning code that says Pierce County won't be issuing building permits unless federal law changes allowing the recreational use of marijuana.

Mr. Hastings voiced his concern over other possible educational areas where the 1000 foot buffer might be enforced, such as a tutoring center, or kid's play place. He also commented that there are probably several students under the age of 21 that attend Pierce College. There was some discussion about Pierce College and it was pointed out that there is a daycare located on campus. Mr. McNutt asked if the buffer would be enforced around just the daycare building or if it would encompass Pierce College entirely. Mr. Kirkelie responded that the buffer would apply to the daycare building.

There was continued, extensive discussion regarding concerns over other zones where retail sales or production/processing should possibly not be allowed. Mr. Hastings suggested that language be included in the code to apply the buffer in places of education for those under the age of 21, Mr. Kirkelie responded that the buffer is set by the state, and the City is trying not to restrict it outside of what the state allows, so individuals would be less likely to challenge the regulations.

Ms. Krashowetz made a motion to send a recommendation of Option A (with amended language) which restricts marijuana related businesses from locating on parcels that abut residentially zoned parcels, to the City Council. Ms. Johnson seconded the motion. The motion passed 7-0.

CITIZEN COMMENTS (Recording start time 56:12)

Roger Mayer – Mr. Mayer had questions concerning whether vacant parcels adjacent to and owned by a use that is buffered per state law would also be buffered.

Bud Metzger – District 3 - Mr. Metzger asked if staff had reached out to receive feedback from the Puyallup School District regarding the new code implementation.

Mr. McNutt asked if churches are included in the 1000 foot buffer, Mr. Kirkelie responded that Pierce County is currently working on having them included in their code.

OTHER COMMISSION BUSINESS (Recording start time 01:03:11)

Mr. Utterback informed the Commissioners of the upcoming West Hills Neighborhood Open House on February 5th, and the Sound Transit Open House on February 6th. He reminded the Commissioners that their next meeting will be on February 19th, and that the discussion will involve the Shaw-Pioneer overlays.

ADJOURNMENT

The meeting was adjourned at 8:18 p.m.