CITY OF AUBURN WASHINGTON

PLANNING COMMISSION

August 6, 2014

MINUTES

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:01 p m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

II. ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were Chair Judi Roland, Vice-Chair Copple, Commissioner Couture, Commissioner Mason, Commissioner Baggett, and Commissioner Smith. Commissioner Pondelick is excused.

Staff present included: Planning and Design Services Manager Elizabeth Chamberlain, City Attorney Dan Heid, Senior Planner David Jones, and Community Development Secretary Tina Kriss.

Members of the public present: Suzanne Cheney, Darren and Melanie Capps, Doyle and Gina Beckley, Glenna Smith, D H. Woolf, Tim Edwards, Jeff Anderson, James Blankinship, Arne Nelson, and Eric Gaston.

III. APPROVAL OF MINUTES

A. July 8, 2014

Commissioner Copple moved and Commissioner Smith seconded to approve the minutes from the July 8, 2014 meeting as written.

Motion carried. 5-0

Commissioner Baggett did not vote due to his absence at the last meeting.

IV PUBLIC COMMENT

There were no public comments on any item not listed on the agenda for discussion or public hearing.

V. PLANNING DEPARTMENT REPORT

Planning and Design Services Manager Elizabeth Chamberlain reported that the Auburn School District will be seeking a Certificate of Occupancy on Phase 1 of the new Auburn high School building during the week of August 25, in order to obtain occupancy August 28, 2014, the demolition of the old building has begun.

Merrill Gardens, a senior housing facility with 127 units (the block south of the Trek Apartment project) has submitted their plans for design review and staff expects additional submittals to follow

At the City Council meeting Monday, August 4, 2014, staff brought forward Ordinance No 6526, a traffic impact fee extension for the downtown catalyst blocks. Council extended the exemption through December 31, 2016 by adopting Ordinance No 6526

In 2002 the State Legislature modified the definition of short subdivisions to allow City's planning under the State Growth Management Act to increase their threshold from 4 to 9 or fewer lots. The City would like to bring forward a proposed amendment to increase the City's threshold to 9 or fewer lots.

VI. PUBLIC HEARINGS

A. ZOA14-0003 – Proposed Amendment to Auburn City Code

Chair Roland opened the public hearing on the proposed amendments to Auburn City Code relating ZOA14-0003, Option 1 or Option 2, at 7:06 p.m.

City Attorney Dan Heid provided background information on the proposed amendments, ZOA14-0003 Option 1 is a prohibition of State licensed marijuana uses and Option 2 is a proposal that would not have the City as the permitting agency of any marijuana activities, but would put the City in the position of enforcing State licensed marijuana businesses.

City Attorney Heid explained the State law is currently opposite to the Federal law A discussion was held regarding various legal cases that have been and may be brought for those jurisdictions prohibiting the use of recreational marijuana The Commission and staff discussed the voters' choice to support the initiative, potential future legal issues, and the City not receiving any direct tax dollars from the State collection of taxes on I-502 sales.

Senior Planner David Jones asked the Commission if they had any questions regarding ZOA14-0003, a proposed code amendment to Auburn City Code (ACC) Option 1 (amending ACC 9 22 010) and Option 2 (amending ACC 1 04 060, 5 10 040, 9 22.010, 18.02.020 and 18.07 010) No questions were asked at this time.

Chair Roland invited anyone for or against the proposed options to come forward for testimony:

Eric Gaston, 4423 193rd Ave. SE, Issaquah
Mr Gaston explained that he and his partners are stakeholders who hold an I-502 retail license in Auburn. Mr Gaston emphasized that the citizens of the State voted in favor of recreational marijuana. Mr Gaston provided background information on his family, the I-502 industry, and his desire to bring marijuana "out of the shadows" He believes as businesses move forward to provide recreational marijuana through sales, cities will benefit from the taxes, and more jobs will be created. Mr Gaston emphasized that he is in favor of Option 2.

James Blankinship, 39307 Auburn-Enumclaw Road SE, Auburn
Mr Blankinship stated that he is an I-502 retail lottery winner to do business in Auburn. He emphasized that he believes the City will receive benefits through the 25% excise tax collected on marijuana sales. These benefits may come indirectly through the State Basic Health Plan, the Department of Social and Health Services Community Block Grant program, and the allocations to the State's general fund which provides funding to local schools. He is excited to provide employment opportunities to Auburn and feels extra property tax revenue will be generated by allowing I-502 growers and processors to operate within the City Mr Blankenship provided statistics on the reduction of Colorado crime due to the legalization of recreational marijuana. Mr Blankinship is in favor of Option 2.

Darren Capps, 35220 172nd Ave SE, Auburn
Mr Capps explained that he has been an aerospace business owner for 17 years in Auburn. He reminded the Commission that the State and City voters said "yes" to recreational marijuana and other states are approving the use of medical marijuana. He believes recreational marijuana is soon to follow Mr Capps emphasized that there will be a large amount of money generated for the State, City, and others He would like the City to approve Option 2 as the state holds struck regulations and would be carrying the majority of the burden.

Suzanne Cheney, 20914 SE 358th Street, Auburn
Ms Cheney told the Commission that she is a retired postal worker who lives on land zoned as agriculture She would like to take part in a marijuana growing operation since she has been unable to grow other types of agriculture on her property Her experience working with the State Liquor Control Board has been positive, she would like to begin a marijuana growing operation and would like the City to select Option 2.

Arnie Nelson, 4423 193rd Ave SE, Issaquah
Mr Nelson stated that he drew the second retail lottery license in the City of Auburn. Mr Nelson emphasized that prohibition has been a massive failure and asked the City to side with the voters and select Option 2 which will bring jobs, tourism, and more people into the community

Doyle Beekley, 16018 SE 267th Ct., Covington
Mr Beekley stated that he and Mr Capps are partners in a business called Hydro Empire Pharmaceuticals which focuses on the medical benefits He stated that approximately 30 states currently are allowing medical marijuana and that recreational marijuana should not be far behind He is in favor of Option 2.

Jeff Andersen, 1816 James Busis Rd. NW, Issaquah
Mr Andersen explained that the company he and his partners will operate will be providing good compliance and cooperation with the City Police Department. He states that they will be proving good paying jobs that are respectful which will benefit the City He would like the City to select Option 2.

Del Woolf, Bonney Lake
Mr Woolf is in favor of Option 2, and believes this issue is time sensitive for the stakeholders. He stated Option 2 would suite the stakeholders the best while being the safest route with the least liability for the City

Chair Roland invited the Commission to ask questions of staff, no additional questions were asked. The Commission and staff discussed indirect benefits the City may receive from the tax the State would receive on I-502. City Attorney Dan Heid emphasized that no direct tax dollars would be provided to the City under the current I-502 provisions the State would receive

With no further questions from the public, Chair Roland closed the public hearing at 7 54 p m. on ZOA14-0003 The Commission deliberated.

Commissioner Copple moved and Commissioner Mason seconded to recommend moving Option 2, Ordinance No 6525, forward to City Council for approval.

Vice-Chair Copple moved and Commissioner Mason seconded to recommend City Council adopt Option 2, to include the Proposed Planning Commission Findings and Conclusions and Recommendation – Option 2

Motion approved. 5-1

Staff confirmed that the next Planning Commission meeting will be held Wednesday, September 3, 2014

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 7 58 p.m.