



**DRAFT
PLANNING COMMISSION**

**March 4, 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 Pondelick, Commissioner Baggett, and Commissioner Smith. After the Approval of Minutes, Commissioner Pondelick voluntarily recused himself on the matter of Recreational Marijuana and abstained from participation, he excused himself from the meeting.

Staff present included: City Attorney Dan Heid, Senior Planner David Jones, and Community Development Secretary Tina Kriss.

III. APPROVAL OF MINUTES

A. February 4, 2014

Commissioner Copple asked that the word "hear", used in the sentence under Public Hearing, page 1, be changed to "hearing"

Commissioner Copple moved and Commissioner Baggett seconded to approve the minutes from the February 4, 2013 meeting as corrected.

Motion carried unanimously 7-0

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

Senior Planner David Jones reported that the Trek Apartment project continues to move forward, they are currently working on concrete and framing construction.

Within the next couple months, staff anticipates that Teutsch Partners, LLC will be submitting their building application to move forward with the development of the two downtown SE blocks. O'Reilly Auto Parts has begun construction of their new store off A Street SE.

Staff distributed a neighborhood workshop schedule to update the public on creating a new Comprehensive Plan to guide the City's future "Imagine Auburn" first phase process.

Saars Market has submitted a permit application for improvements to occupy the recently vacated Top Food & Drug store off Auburn Way North.

VI. OTHER BUSINESS

A. Recreational Marijuana

Commissioner Pondelick voluntarily recused himself on the matter of Recreational Marijuana, stating that he has been asked to be a potential business partner, or investor in a recreational marijuana business. He abstained from participation on the topic and excused himself from the meeting.

Senior Planner David Jones reported that on January 22, 2014, City Planning and Legal staff presented additional review and analysis materials for the Planning Commission regarding State Initiative 502 (I-502) which allows the State to license and regulate cannabis productions, processing, distribution, and possession for persons over 21. At the conclusion of the meeting, the Planning Commission identified several areas they would like additional information and materials regarding the initiative.

Staff reviewed additional information regarding the disposal of solid and liquid cannabis waste covered in WAC Section 314-55-097. After discussing the additional information on disposal, the Commission asked if staff could provide an example of what the disposal regulations might look like if the City was to adopt regulations. Staff explained that if the Commission determines that they want to go forward on to develop proposed regulations on Option 3, at that time staff could assist the Commission in working through potential regulations.

A discussion was held regarding the current zoning as it relates to cannabis licensed uses, and discussed the potential for any future changes in the zoning code relating to I-502. In answer to the question if the related zoning code uses could be changed, staff explained that if the Commission were to select Option 3, the potential for an amendment or change to the existing zoning code uses exists. Staff also reviewed the City of Auburn Police Department total number of cannabis related arrests for the past three years.

The Planning Commission and Staff discussed the application review process for Option 1, Prohibition of Cannabis Uses, Option 2, Comply with State Requirements Only; and, Option 3, Adopt Additional City Zoning Requirements to state Requirements.

A discussion was held regarding the potential distribution of taxable revenue by the State, staff explained that at this time there is no direct money coming to any jurisdiction based off of taxable revenue. The Commission and staff discussed the ability to charge a tax for the retail sales; City Attorney Heid stated that the City does not have any legal authority to impose a tax on a retailer.

Staff pointed out that the main difference between Option 2 and Option 3 is that while both would result in cannabis uses/businesses being able to operate, under Option 2 the City is not granting any permits or approving any activity that is illegal under

federal law Under Option 3, the City would be granting approvals that would conflict with current federal law The Commission and staff discussed various liability issues on a Federal and State level if the City were to adopt Option 1

A discussion was held regarding the three options and the next steps moving forward. The Planning Commission expressed their desire to obtain input from the public on recreational marijuana uses licensed in the City of Auburn.

Staff explained that they will be meeting with other City staff to determine if there are other facts related to the recreational marijuana to report to the Commission, as they continue to work through their recommendations.

The Commission asked if staff could provide the regulations the State of Colorado adopted regarding the disposal of solid and liquid cannabis waste

At the April 8, 2014 meeting staff intends to bring back additional information that will assist the Commission in further understanding various aspects of I-502 and the State of Colorado's solid and liquid disposal regulations on cannabis.

There will be a Planning Commission and Planning and Community Development Committee Joint Session on March 18, 2014 Staff will provide an update confirming the time.

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:31 p.m.