

**PLANNING COMMISSION PUBLIC HEARING MINUTES**

Community Center  
1808 Main Street, Lake Stevens  
Wednesday, June 5, 2013

CALL TO ORDER: 7:00 pm by Chair Huxford

MEMBERS PRESENT: Chair Janice Huxford, Vice-Chair Gary Petershagen, Linda Hoult, Pam Barnet, Jennifer Davis, Tom Matlack and Sammie Thurber

MEMBERS ABSENT: None

STAFF PRESENT: Planning Director Rebecca Ableman, Senior Planner Russ Wright, and Planning/Public Works Coordinator Georgine Rosson

OTHERS PRESENT: Chair Huxford welcomed the following members of the public:  
Mirza Avdic

---

**Excused Absence:** None

**Guest Business:** None

**Action Items:**

*Approval of Minutes from April 3, 2013:* Commissioner Barnet motioned to approve minutes, Commissioner Davis second, motion passed 6-0-1-0. Commissioner Hoult abstained.

**Public Hearing:**

*Staff Presentation: Medical Cannabis Regulations – Senior Planner Russ Wright:*

Senior Planner Wright presented a brief history of medical marijuana (cannabis) starting with the passage of initiative 692 in 1998 and subsequent modifications to state regulations codified in Chapter 69.51A RCW, which allows qualified patients and designated providers to participate in collective gardens to produce medical cannabis. Staff has been monitoring legal and jurisdictional issues related to medical cannabis over the last few months, specifically the effects of Initiative 502, which legalized limited recreational marijuana use.

The City's approach to regulating medical cannabis has been through moratoria on collective gardens; the current moratorium expires June 15, 2013. At previous meetings, staff introduced a zoning framework to regulate collective gardens, which would have limited collective gardens to the city's industrial zones. Staff has found that approximately five acres would be eligible for locating a facility in these zones. Recently, staff has coordinated with planning and police department staff from

neighboring jurisdictions to discuss a regional approach to regulate medical cannabis. The majority opinion was to prohibit the establishment of medical cannabis facilities because of the potential impacts to neighborhoods, the environment, public health and potential criminal issues. A proposed zoning prohibition would not restrict individuals from producing medical cannabis for their own consumption. City Council expressed its support for this regional approach at its May 13, 2013 meeting. Council directed staff to prepare an ordinance prohibiting the establishment of medical cannabis collective gardens and medical cannabis dispensaries.

Vice-Chair Petershagen asked how Snohomish County regulates collective gardens. Mr. Wright responded that the County allows them. Commissioner Davis asked about how the council will be handling recreational marijuana. Mr. Wright responded Council has not asked staff to review recreational marijuana yet. Chair Huxford mentioned she owns property on Hartford Road, which is in the Light and General Industrial zone and would have been the prime area for collective gardens, if allowed. She asked how the Centennial Trail near Hartford Road would affect collective gardens; Mr. Wright responded the Trail would have necessitated a separation under the previous zoning framework. Commissioner Matlack asked how the city would handle collective gardens that may be incorporated into the city at a future date. Mr. Wright responded that facilities permitted in the county could continue as legal, non-conforming uses.

*Close Public Comment portion of hearing for Medical Cannabis Regulations:* Commissioner Hoult motioned to close the public comment portion of the meeting, Commissioner Thurber second, motion passed 7-0-0-0.

*Close Public Hearing for Medical Cannabis Regulations:* Vice-Chair Petershagen motioned to close the public hearing portion of the meeting, Commissioner Hoult second, motion passed 7-0-0-0.

*Commission Action on Medical Cannabis Regulations:* Commissioner Hoult made a motion recommending City Council adopt Ord. 894 amending Lake Stevens Municipal Code sections 14.08.010, which adds definitions for cannabis, medical cannabis (marijuana) collective garden, and medical cannabis dispensary and 14.40.040, which prohibits the establishment of medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries. Commissioner Barnet seconded the motion. The motion passed 7-0-0-0.

*Staff Presentation: 2013 Comprehensive Plan Amendments – Ratification of 2013 Docket – Planning Director Rebecca Ableman*

Director Ableman introduced the amendments proposed for inclusion as part of the 2013 Comprehensive Plan Docket. This year there are no private applications for comprehensive plan amendments. Staff is proposing two minor map amendments with related rezones and eight text amendments. There are 21 proposed code housekeeping amendments. Director Ableman began the presentation by explaining that the Commissioners will determine whether a proposal merits consideration and will make a recommendation to the City Council on which proposals should be included for further analysis on the 2013 Docket. Director Ableman described each amendment individually.

- RM-1 is a placeholder to be included if Council land use action occurs before final docket review.

- RM-2 is a placeholder to be included if Council approves Downtown Framework Plan before final docket review.
- RT-1 is text amendments to Chapter 1, Introduction.
- RT-2 is text amendments to chapter 4 Land Use Element, related to the Downtown Framework Plan.
- RT-3 is text amendments to Chapter 5, Parks and Recreation Element, for major revisions to the Parks and Recreation code.
- RT-4 is text amendments to Chapter 6, Transportation Element updating table 6-1.
- RT-5 is text amendments to Chapter 7, Utilities & Public Services Facilities Element, updating for Snohomish School District boundaries and changes to underground utilities code.
- RT-6 is text amendments to Appendices, adding Appendix M – SEPA addendum No. 6.
- RT-7 is text amendments to update Dates and Table of Contents.
- RT-8 is a placeholder for any additional amendments Council may want to add.
- Director Ableman covered the twenty-one code housekeeping amendments, highlighting the minor changes proposed for Title 5 and Title 14.

At the conclusion of the presentation, Director Ableman mentioned that staff is preparing for a major comprehensive plan update in 2015. Staff has already begun assessing the comprehensive plan and city code for consistency with the countywide planning policies, and with the Puget Sound Regional Council Vision 2040 plan. Commissioner Matlack asked about the code housekeeping changes to Chapter 14.40 Permissible Uses related to Sewage/septic sludge recycling. He asked if this was specifically related to the Tenelco site. Director Ableman responded this was not related to Tenelco, but rather proposed code changes to give Council more decision-making authority over these types of uses. Commissioner Matlack asked about code housekeeping procedures and if minor code changes have to go through the same process as the docket. Director Ableman responded that code changes could occur at any time during the year. In this instance, staff has proposed to combine them with the docket as minor changes.

*Close Public Comment portion of hearing for 2013 Docket Ratification:* Commissioner Hoult motioned to close the public comment portion of the meeting, Commissioner Thurber second, motion passed 7-0-0-0.

*Close Public Hearing for 2013 Docket Ratification:* Commissioner Hoult motioned to close the public hearing portion of the meeting, Commissioner Davis second, motion passed 7-0-0-0.

*Commission Action on the 2013 Docket Ratification:* Commissioner Hoult motioned to move forward the 2013 Docket Ratification as a recommendation to Council for the ratification of map amendments 1 and 2, ratification text 1 through 8, and the 21 code housekeeping amendments for the docket. Commissioner Thurber second, motion passed 7-0-0-0.

**Discussion Items:**

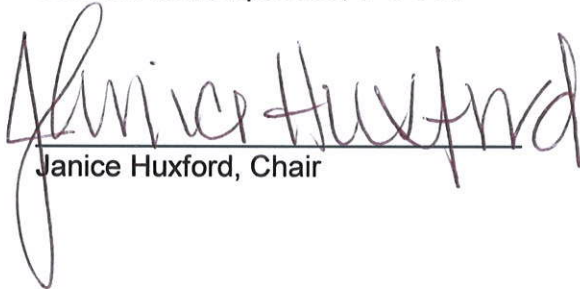
*Economic Development Activities Update:*

The business recruitment consultant, Natalie Quick has been hired. The city is getting ready to host an "Introduction to Lake Stevens" event in July that will target retailers, real estate developers and potential employers. Some staff and elected officials will attend. In September, the plan is to do some driving tours of the major commercial areas around the city, and follow up with potential businesses after the tour. Vice-Chair Petershagen asked about the length of the contract with the consultant. Director Ableman responded the contract with Natalie Quick Consulting is through the end of 2013. Vice-Chair Petershagen also asked about the outcomes that the city would like to see from this contract. Director Ableman responded the city is looking for interest and progress with retailers and employers the city has reached out to, and increased employment in the city. Chair Huxford asked if Ms. Quick has worked with certain employers in the past and if these employers would be interested in Lake Stevens, Director Ableman responded that Ms. Quick is in the process of finalizing a list of potential employers that may have interest in the city.

**Commissioner Reports:** Commissioner Matlack mentioned the alum treatment on the Lake has started, and something of personal interest, the Lake Stevens School district has signed a three-year agreement with the Granite Falls School district to house the alternative school program.

**Planning Director's Report:** Department of Ecology (DOE) has approved the Shoreline Master Program (SMP) including the two alternative language pieces recently sent to them. The new regulations will go into effect on June 14<sup>th</sup>. Upcoming Planning Commission meeting dates were covered, our next meeting will be July 17<sup>th</sup>, and the August meeting may be cancelled, in September we will resume our regular meeting schedule.

**Adjourn.** Commissioner Barnet motioned to adjourn at 7:45 p.m., Commissioner Hoult second, motion passed, 7-0-0-0.

  
Janice Huxford, Chair

  
Georgine Rosson, Planning/Public  
Works Coordinator