

League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: June 5, 2019

Observer Reporting: Shelley Chambers Fox

Length of Meeting: 1 hr 53 min

Members Present: Gary Moore, Robert Hill, Chad Whetzel, Dave Gibney, Ryan Davies, Russ

Jamison, Keith Paulson, Alan Thomson (county planner), Ginny Ruminder (note taker), Katrin Kunz (assistant county planner)

Absent: Matt Sutherland

Others Present (i.e., media, public): 20 members of the public, John Pederson, the Spokane County Planning Director

Content (What is being discussed):

- I. The main topic of the meeting was to **continue the discussion of a cannabis ordinance for the county**. The Commission had **invited John Pederson, the Spokane County Planning Director to talk about the development of the marijuana ordinance in Spokane County**. Mr. Pederson recounted that Washington's marijuana law passed in November of 2012. Licensing of the various marijuana businesses falls to the Liquor control board, and land use falls to the City and County. Spokane looked at what Colorado had done and then inquired about regulations in other Washington counties but there is no consensus around the state as to how to zone marijuana businesses. Some counties were hands off and others jumped in to regulate. The Washington Attorney General stated that counties may ban the marijuana industry. Initially Spokane issued a simple policy specifying where you can grow, process and have retail sales. They allowed growing in large tract agricultural zones, processing in light industrial or commercial zone and selling in commercial zones. They wanted the processing to occur where there were fire services. The policy was not well received by residents so they created setbacks for indoor or outdoor production facilities and a minimum lot size. The idea was to lessen impact on adjacent properties. While they have evolved with input from the public, presently the setbacks are 100 feet from the front, 50 feet from the side of other commercial buildings and a 300 ft setback from the side of residences. The minimum lot size is 5 acres. In Fall 2016, the board began to hear complaints about odors of outdoor production. They looked at other land uses that have odors like landfills and hog farms and how to mitigate. They didn't change things for the facilities that were already operating but they did make some specific requirements for new operations as to how they should mitigate the odors. These were based on what each producer would be doing and therefore what mitigation was required. The regulation is all achieved through the building permit process. Spokane County has not addressed the growing of hemp. They found that most of the complaints were directed at growers that were located close to residential areas. Most were outdoors growers who then moved indoors where they could mitigate odors more easily. Mr. Pederson perceives that the growth of MJ producers that they experienced initially has leveled off. They have not heard that there are problems with increased crime. He states that the production facilities have cameras that record activities around the grow facility 24/7. They have found if the production will happen in the middle of a 40 acre field, no one cares. If growing occurs in a place where it is surrounded by 10 acre residences, then there will be a lot of public interest. Spokane county has not banned outdoor grows but the industry is going to indoor grows for several reasons: odor, multiple crops in 1 year, security, and concern about cross pollination from hemp.
- II. This discussion was followed by **questions and discussion from the public**. The county regulates based on the impact a use will have on its neighbors. The 2018 farm bill has made hemp an agricultural commodity and so it can be grown without a license. Oregon has quite a few acres of hemp and there are complaints about odor. Gary Moore remarks that the odor is greatest at harvest. Brandon Woodland (grower): harvest occurs every 3 weeks. Bad odors travel more easily when the humidity is high. Legal MJ industry employs more people than the coal industry or steel and aluminum. They also pay a higher wage. What does the MJ industry do with their waste? All waste has to be weighed and accounted for and then composted. Waste water is collected and reused. Chemicals used are pH balancers and Miracle gro. Fire department has no concerns about the chemicals. Water use: allowed to withdraw 5000

gallons/day. Water use is under the state department of ecology so the county will not be able to respond to residents' concerns about water use. One citizen called all of the counties that have banned marijuana to find out if they were involved in any lawsuits. Most have not been.

Public Meetings of interest to League

- a. **Board of Adjustment forthcoming hearings** – Terry Eggers variance rear setback to railroad ROW. Hearing date yet to be set. The Board of Adjustment is having difficulty getting a quorum due to vacancies on this board.
- b. **Update on previous conditional use permits and variances** – Amanda Boyd horse boarding facility on O'Donnell Road, Motley and Motley inert landfill off of Old Moscow Road, and Betty Child viewshed variance for a residence all approved on May 9, 2019.
- c. **Shoreline of the State Substantial Development Permits** – Marty Frostad in the Port of Wilma expanding an existing building which would encroach into the 200 foot setback to the Snake River. Permit will be approved on June 10, 2019.

Process & Protocol (Observations about participants, conduct, and procedures of the meeting): The commissioners discussed what their next step will be. They would like to start writing the framework of the ordinance. Alan offers that the staff can write a draft that the commissioners can respond to. They propose the next meeting on June 26 because commissioners' schedules may prevent a quorum on July 3. Chair Whetzel is a firefighter who is usually fighting northwest forest fires by then.