

**City of Gig Harbor Planning Commission
Work Study Session
Planning and Building Conference Room
April 5, 2012
5:00 pm**

PRESENT: Harris Atkins, Craig Baldwin, Reid Ekberg, Jim Pasin, Bill Coughlin and Rick Gagliano. Michael Fisher was absent.

STAFF PRESENT: Staff: Tom Dolan

CALL TO ORDER: at 5:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of March 15th, 2012 as written. Pasin/Gagliano – Motion carried.

GENERAL BUSINESS

1. Downtown Vision Committee Questionnaire – Jill Guernsey

Ms. Guernsey distributed the questionnaire that the committee has been using to gather information from the community on what their definition and vision is for the downtown. She asked that the commissioners fill out the questionnaire and mark on the map what they see as the downtown and return them to the Planning Director Tom Dolan. Mr. Pasin asked what some of the surprises they've learned so far. Ms. Guernsey said they have interviewed close to 30 people so far and most people emphasize that they don't want to lose the character. She noted that some people felt that the residences along Harborview should be converted to commercial and that the downtown is all along the harbor. Mr. Coughlin asked about the process and what will happen once they've gathered all this information. Ms. Guernsey explained that the process is not set in concrete but it is to build a coalition of people and groups in order to move forward with our community vision. She further stated that it is to define our "must haves" and "must keeps".

Mr. Gagliano stated that Darrin Filand, the Chair of the Design Review Board has suggested that they recruit some interested high school students to build a scale model of the view basin in order to help facilitate the vision discussion.

Mr. Pasin said he hasn't heard much about this endeavor and wondered how the word was going to get out. Mr. Dolan explained how the public outreach would occur emphasizing that there will be lots of public meetings and advertising.

Mr. Atkins talked about some of the "low hanging fruit" that the council had discussed. He noted that at the first meeting of the Downtown Vision Committee Ms. Guernsey and

Mr. Kadzik were supportive of the commission getting started on these items as soon as possible and we are hoping to get started in June.

2. **Medical Cannabis Collective Gardens** – On March 26, 2012, the City Council extended an interim ordinance regarding development regulations on medical cannabis collective gardens. The interim ordinance directs the Planning Commission to review the interim regulations, to consider recommendations of the city attorney in response to changes in law, and to make a recommendation on whether the regulations or some modification thereof should be permanently adopted. The Planning Commission public hearing and recommendation to City Council is due by the end of September 2012.

Mr. Dolan got City Attorney Angela Belbeck on speaker phone to participate in the discussion on Medical Cannabis Collective Gardens. Ms. Belbeck asked if everyone had read the memo she had submitted and everyone had. She went over the interim regulations that are in effect until September. She then explained what a collective garden was according to the state statute and the impact of unregulated gardens. Mr. Dolan stated that there are no authorized collective gardens within the city limits at this time. Mr. Pasin asked about how the site is defined. Ms. Belbeck said it is actually the portion of a lot. Mr. Pasin questioned the logic in located these gardens in the Employment District. Mr. Dolan stated that this was the only zone where you have 500' of separation between sensitive uses and plots that could have a collective garden. He explained that we are required to provide somewhere for these uses to locate. Ms. Belbeck clarified that some cities have challenged the supposed requirement.

Discussion was held on how the structures housing the collective gardens would be regulated through the Design Manual. Mr. Ekberg asked about how the requirement for them to register would be handled. Ms. Belbeck went over the requirements for a Conditional Use Permit and the laws surrounding authorizing the growth of a controlled substance. She further explained that they would be required to get something similar to a business license. Mr. Atkins asked about who would handle enforcement. Ms. Belbeck stated that unfortunately the local law enforcement would handle it. She then went over other aspects of state law and how it is being handled currently.

Mr. Gagliano asked about what is considered a sensitive area. Ms. Belbeck referred them to the ordinance and explained that it addresses uses where children would be present without their parents. Discussion followed on the possible locations and alternative distancing. Mr. Atkins talked about the issues that were within the Planning Commissions discretion. Mr. Dolan talked about the requirements in the interim ordinance for a building permit. He stated that the Planning Commission will need to hold a public hearing and went over the hearings conducted by the City Council. The commission asked Ms. Belbeck on her opinion on an outright ban and she stated that she would support that and went over the risks and benefits of that approach. She stated that Toppensish and Woodinville have banned collective gardens. She stated that she would research how they had implemented the ban.

Discussion was held on Initiative 502 and its relationship to collective gardens.

Mr. Dolan went over the properties in the Employment District zone and how the permitting process would work. He also explained the difference between collective gardens and dispensaries. Mr. Coughlin wondered if by allowing collective gardens they were somehow creating a law enforcement problem if they turn into dispensaries.

The commission decided that they would take the current interim ordinance to a public hearing.

Mr. Dolan said that he would research the requirement to hook up to water and sewer when applying for a building permit for a collective garden. Discussion followed on the cost of construction of a building to house a collective garden. Mr. Dolan also stated that he would provide information on both 500' separation and 1000' separation from sensitive uses. Mr. Atkins said he would like to further discuss the permitting process and Mr. Dolan said he would provide information on what other jurisdictions are doing for a registration process. He stated that the soonest we could hold a public hearing would be May 3rd. Mr. Dolan updated the commission on what was coming up on their agenda for the next meeting.

ADJOURNMENT

MOTION: Move to adjourn Pasin/Coughlin – Motion carried.