



Planning Commission Meeting Minutes

1 A meeting of the Okanogan County Planning Commission was held April 11, 2016 at 6:00 PM.
2 The meeting was held in the Okanogan County Agriplex, 175 Rodeo Trail Road, Okanogan,
3 Washington.

4 **PLANNING COMMISSION MEMBERS** present included: Chair Albert Roberts, Vice Chair Phil
5 Dart, Commission Member Dave Schulz, Commission Member Mark Miller, Commission Member
6 Marlene Rawley, and Commission Member Tamara Porter.

7 **OKANOGAN COUNTY STAFF MEMBERS** present included: Director of Planning Perry Huston, ,
8 Natural Resources Planner Angie Hubbard, and Lauren Davidson Administrative Secretary.

9 **OTHERS IN ATTENDANCE:** Karen Schimopf, Michael Stewart, Katie Teachout, Sue Ogborn,
10 Jody Davisson, Patrick Davisson, Joe Booth, Jamie Curthis Smith, Alyson Barham, Tiffney
11 Petrozzi, Mike Berg, Theodore Bryant, Ron Motes, Candace Monnin, Don Gray, Aaron Alberts,
12 Linda Alberts, Ellie Alberts, Dominic Petrozzi, Billie Attwood, Kelly Denison, John Milet, Peter
13 Nansen, Bob Tollefson, Carol Graves, Pamela Vervalen, Bucky Sturgeon, Jim McMillian, Hang
14 McLaughlin, Patrick Plumb, Kim Harriman, Kurt Boeih, Dawn Webber, Jim McFarland, Max Samp,
15 Mari Samp, Jon Wyss, Brandon Stevens, Tracy Stevens, Mich Oliver, Steven Ortof, John Herzog,
16 Phyllis Laurie, Phil Millam, Lorah Super, Steve Kern, Jack Denison, Barbora Greene, Barb
17 Warfield, Brad Warfield, Joyce Herzog, Angela Bolich, Jennifer Clark, Jason Swensrund

18 **Approval of April 11, 2016 meeting agenda: Schulz moved Dart seconded**

19 **Old Business**

- 20 • Discussion on Zone Code amendment process
21 o "Zoning OCC Title 17A" Code Amendment 2015-1
22 • Public Hearing: Revised Zone Code / DEIS

23 Director Huston informed that the commission members have almost all of the comments that had
24 come in to the office until the point of staff leaving for the meeting.

25 Alternative code amendments have been made available one written by legal staff, also a memo
26 being handed out that had been written by Senior Planner Rough and a memo written by Director
27 Huston himself regarding water.

28 Commission Chair Albert Roberts explained that that there will be 3 minutes to speak with the
29 names of those giving testimony being called off of the sign in sheet.

30 Chair Roberts called John Wyss to speak.

31 Mr. Wyss stepped forward and explained that he had been working on the zone code for at least
32 the last eight years, he also stated that he thinks that there are some minor tweaks that should be
33 made such as the Chiliwist valley and the water issues. One of the biggest issues was the
34 marijuana operations and some of the language suggestions the definition of agriculture would
35 propose striking agricultural hemp and marijuana and replacing it with the state statutes that gives
36 clear definition of agricultural.

37 Chair Roberts called Brandon Stevens to speak.

38 Mr. Stevens of Tonasket WA stepped forward one of the owners of the Green Company in
39 Tonasket WA. He stated that marijuana operations bring a huge amount of money to the
40 community. He explained that one of his employees was able to buy a house with the income from
41 his company.

42 Chair Roberts called Steven Ortolfo to speak.

43 Mr. Ortolfo of Brewster WA stepped forward. He stated that as a processor he would only employ
44 another five to ten employees. He stated that as a processor there are no lights and limited traffic
45 and wishes that something like this would not need a Conditional Use Permit. He also explained
46 that anyone who owns a cow or a pig would cause more of a smell than a marijuana processor
47 would.

48 Chair Roberts called John Herzog to speak.

49 Mr. Herzog stepped forward, and handed out a comment to the Planning Commission. He read his
50 comment aloud. He explained that the marijuana operations has taken away any of the country
51 charm that was there originally. He also explained that most of the marijuana operations owners
52 have addresses in the city and none of them are local residents.

53 Chair Roberts called Phyllis Laurie to speak.

54 Mrs. Laurie stepped forward to speak, she explained that she has worked in the marijuana
55 operations business for the last forty years in Humboldt County. She also recommended a book
56 called the Emperor Wears No Clothes, which could be applied to the issues at hand.

57 Chair Roberts called Phil Millam to speak.

58 Mr. Millam of Winthrop WA stepped forward. He stated that he is a representative of the MVCC.
59 He stated that the MVCC had to sue the Okanogan County over the Comp Plan because of water
60 quality and water quantity. He believes that the Zone Code makes things worse instead of better,
61 many land owners will find themselves unable to develop their land because of water quantity. He
62 suggested that multifamily homes and high density RV parks not be allowed on less than two acre
63 minimums.

64 Chair Roberts called Lorah Super to speak.

65 Mrs. Super of Methow WA stepped forward to read the testimony of Allen Comstock due to the fact
66 that he was unable to attend the meeting. There are concerns that the new zone code will

67 contribute to fire hazards. One way to fix this is to implement the International Fire Code and to
68 limit development on small lots. WOOIE Code needs to be adopted.

69 Chair Roberts called Steve Kern to speak.

70 Mr. Kern of Twisp WA stepped forward. Current zone code has prohibition of residential structures
71 of human habitation in the flood zone; the Health Department has been left in charge of building
72 sewage facilities in the 100 year flood plain. The Methow Watershed Council found that the water
73 in the watershed is all allocated and there is no sense in allowing lots to be created that legally
74 have no access to the water supply. Farmers and large land owners will be hurt with the over
75 allocation of the water supplies.

76 Chair Roberts called Jack Denison to speak.

77 Mr. Denison of Tonasket stepped forward. He stated that he has concerns that the employment
78 that is created by Marijuana operations. He also stated that he feels that you should have to be a
79 resident and legally able to vote in the county to be able to have a say in how this county looks. He
80 thinks that the marijuana farms should be kept away from family homes because it decreases the
81 land values. He stated that everyone who grew up here knowing that the orchards are going to
82 stink and that the cows will stink but that he was not prepared for the marijuana operations and the
83 smell that accompanies that. He also stated that as a fire fighter he is concerned that his fellow fire
84 fighters would not be prepared to fight a fire in a marijuana operation.

85 Chair Roberts called Angela Bolich to speak.

86 Mrs. Bolich of Tonasket stated that the quality of life has been depleted and live close to a
87 marijuana operation. She stated that she doesn't believe that the marijuana operations do not care
88 about the community or the local families. She also stated that her family tried to sell their home as
89 soon as the marijuana operation was built, but contrary to what has been said, not a single person
90 came to view the home and they were unable to sell the home. She also stated that her children
91 have informed her that the drug usage in the school among peers has increased since the
92 legalization of marijuana.

93 Chair Roberts called Jennifer Clark to speak.

94 Mrs. Clark from Tonasket, stated that they had bought their home and shortly after that the
95 marijuana farm had been built. She stated that she has two children who both stated that they hate
96 that they live next to a marijuana farm and since the farm had been built they haven't felt like they
97 have a home anymore. She also stated that due to the smell her children have stopped wanting to
98 go outside and play due to the smell. She also explained that her family would cool their home
99 down by opening up the windows at night but they can no longer do that due to the smells that
100 come from the marijuana farm. She also has some concerns over where the permits are issued.

101 Chair Roberts called up Candice Monahan to speak.

102 Mrs. Monahan of Riverside, read aloud testimony that stated that during 2015 she had three
103 different facilities come into her neighborhood. She stated that the facility across the road has
104 caused her the most concern due to the fact that it is below the road the fence does nothing to
105 obscure the view and the surrounding neighbors can hear and see the employees working and

106 swearing. She also voiced concerns regarding the smell that is always present during growing
107 season. She also stated that the operation across the road now appears to be empty, the fence is
108 shredded and the gate stands open. She also explained that her neighbor that had a home for
109 sale, lost out on a sale because the potential buyer realized that the home was situated next to a
110 marijuana operation.

111 Chair Roberts called Don Gray to speak.

112 Mr. Gray of Tonasket stepped forward. He explained that since he has lived there, there had
113 been an orchard come in, as well as a cattle ranch. He stated that the cattle ranch stinks, that the
114 orchard makes noise, and the railroad company has light pollution. He also explained that even
115 though these neighbors all have their problems they have become good neighbors. Trying to earn
116 a living in agriculture is difficult and earning a living with marijuana is the same. He also stated that
117 he thinks marijuana will become very good for this county.

118 Chair Roberts called John Willett to speak.

119 Mr. Willett of Mazama stepped forward. Mr. Willett stated that although he supported the language
120 in the draft he wished to address the Nightly Rentals and have a level playing field with nightly
121 rentals and all other lodging. He stated that he thinks we need a subcommittee of the planning
122 commission where there are marijuana operation owners as well as neighbors so they can all get
123 together and discuss what will work to make both parties happy.

124 Chair Roberts called Peter Nansen up to speak.

125 Mr. Nansen of Omak WA stepped forward and stated that there is a huge issue with gentrification
126 between the people who want to live here and enjoy the land and the people who move in here to
127 work in an agricultural field. He also explained his view on the clash between the cultural issues
128 between the older generation and the younger generation.

129 Chair Roberts called Bob Tollefson to speak.

130 Mr. Tollefson of Omak WA stepped forward. He stated that he is about half a mile south of the
131 farms on Greenacres Rd. He explained that the smell of the marijuana operations is a concern, as
132 well as the lights being very bright and that the flood lights should shine downwards and not up
133 toward the sky. He also stated that traffic has increased since the marijuana operations have come
134 through. He stated that he wishes there was some uniformity in the fencing, because there are
135 some fences that look very nice, but then there are fences that are not appealing to look at. He
136 also stated that he wishes there were a way to spread out the operations so they are not all
137 congregated with each other. He also expressed concerns regarding the influence on the
138 economy, as well as the deflation of the property values.

139 Chair Roberts called Michael Stewart to speak.

140 Mr. Stewart of Tonasket WA stepped forward to express his view on the lack of forethought of the
141 Board of County Commissioners when they applied the moratorium. He is invested in this property
142 by paying taxes and wages. Mr. Stewart also stated that the thought that marijuana did not have a
143 smell.

144 Chair Roberts called Patrick Davisson to speak.

145 Mr. Davisson of Ellisforde, stepped forward. He stated that he grew up in an orchard in Oroville
146 and has always worked hard and was able to buy a home. He also explained that he has a
147 marijuana farm next to his property, and he has no personal issue with marijuana or marijuana
148 farms, however he feels like he should have had his voice heard before a farm was built close to
149 his home. He also explained that he feels that marijuana should be treated as the exact same as
150 beer, wine, and alcohol.

151 Chair Roberts called Joe Booth to speak.

152 Mr. Booth of Riverside, stepped forward, he explained that he bought his property in the 1980's up
153 on Greenacres. He stated that the odor that comes off of a marijuana grow is pretty bad, and that
154 the marijuana grow should be placed away from residential neighborhoods. He stated that the odor
155 is bad enough that he and his wife have discussed selling the property. He also stated that he
156 believed that anything dealing with marijuana operations should be a public process.

157 Chair Roberts called Jamie Curtis Smith to speak.

158 Jamie Curtis Smith of Everett and Omak WA she explained that she is a member of the Sun
159 Growers LLC. She explained that marijuana should be zoned and defined as agriculture, and
160 should be backed by the right to farm ordinance. Mrs. Curtis Smith also stated that she believes
161 the Planning Commission should go with Sungrowers Proposal.

162 Chair Roberts called Allison Barnham to speak.

163 Mrs. Barnham of Tonasket WA stepped forward to speak. She explained that she moved to the
164 Okanogan Valley to farm specifically. She stated that they own 60 acres and own a marijuana
165 farm; however she doesn't have lights or 24 hour employment. She stated that she doesn't think it
166 is fair to drive out a legally licensed business out of the county.

167 Chair Roberts called Bucky Sturgeon up to speak.

168 Bucky Sturgeon of Spokane WA stepped forward. He stated that he had bought 40 acres up in the
169 Limebelt but was unable to find employment so he moved to Spokane. He stated that a good
170 friend of his started a marijuana operation and hired him on, and he is making more money
171 working at a marijuana farm than he did as a mechanic in Spokane. He explained that it is a
172 parents job to educate their child that using marijuana or drinking before the age of twenty-one is
173 not okay. He also explained that the marijuana operations have cameras everywhere and it is
174 more highly regulated than a liquor store.

175 Chair Roberts called forward anyone who wishes to speak that hasn't already spoke.

176 Kim Harriman of Tonasket Wa stepped forward to address the property value issue that has been
177 brought up. He gave an example of a local woman who did in fact sell her property at full property
178 value even though there was a pot farm within a quarter of a mile from the property. He also
179 wanted to address the question of wage and stated that his company starts out pay at 12.00 an
180 hour. He also wished to address Greenacres Rd and how growing up he used to go fishing on

181 Duck Lake and would go hunting in the area, that has changed since then, his point being that
182 things do change.

183 Kurt Bale of both Tonasket and Seattle stepped forward to speak. He stated that he helped in the
184 draft of I502 and he believes that the law that had passed really protects the community due to the
185 regulations and security systems. There are alarms on every door and window, and cameras that
186 cover every inch of an I-502 regulated business. He also stated that he believes that marijuana
187 should be treated no different than a cherry harvest. He does not believe that a Conditional Use
188 Permit is the answer to the issues at hand.

189 Jeff Newton of Okanogan WA stepped forward to speak. He stated that he runs an I-502 operation
190 on Greenacres. He stated that he had overheard Commissioner Detro stating that things were
191 going to get difficult for the marijuana farmers.

192 Larry James of Sammamish WA stepped forward to speak. He stated that he came to Okanogan
193 County for the sole reason that Okanogan County is so supportive of the I-502 industry. He stated
194 that the county embraced the economic impact of I-502 business. The I-502 business has already
195 landed in between Wheat and Apples after only being here for a year. He also stated that his
196 company always outsources their needs to local businesses.

197 Rick Staggs of Omak WA stepped forward to speak. He stated that he works for Cannasol Farms
198 on Greenacres Rd. He stated that he knows for a fact that the farm is bringing in a large amount of
199 money. He also explained that Marijuana has always been easily accessible long before it became
200 legal.

201 James Olson of Tonasket stepped forward to speak. He explained that when he graduated from
202 Tonasket High school he was faced with the problem where he had no job opportunities here and
203 was unable to go to college. Since being employed at the marijuana farm he is finally able to pay
204 his way through college. He also expressed that he believes marijuana should be treated as
205 agriculture.

206 Matthew Bernhart of Twisp, owner of Lazy Bee's garden. He stated that after he built his business
207 his next door neighbor did in fact sell his home. He also explained that with Medical Marijuana
208 regulations changing in January the Okanogan County would be the leader in the Medical
209 Marijuana industry. He also stated that we should not regulate business after they have started
210 operation.

211 Morgan Davis of Tonasket WA stepped forward to speak. He lives near a marijuana operation and
212 is concerned that the amount of traffic on the road that leads to his house will be increased by
213 roughly twenty cars a day. He is also concerned about the light pollution, and feels as if the I-502
214 operations should be compassionate about their neighbors.

215 Trampis Stucker of Tonasket came forward to speak. He stated that he believes that since he
216 bought his property he should be able to do what he wants with his property without governmental
217 interference.

218 Patrick Plumb of Tonasket WA stepped forward to speak. He said that the Spokane Media just
219 recently released a statement that said that marijuana sales brought in more money than Milk and

220 Wine. He also stated that we as a county should protect private property, and protect the job
221 opportunities.

222 Ginger Heath of Tonasket WA stepped forward to speak. She stated that she has been living in
223 Tonasket for the last 40 years. One of her children developed Leukemia, and he is prescribed
224 Medical Marijuana due to the medication that is keeping him alive will not stay down without
225 Medical Marijuana.

226 Mr. Buchanan of Omak stepped forward. He stated that he lives on a farm and grows marijuana
227 and that he feels that this is a gift for Okanogan County. There have always been smells
228 associated with other industries in Okanogan County and that marijuana is low impact compared
229 to some of the other industries.

230 Chair Roberts closed public testimony at 7:55.

231 Director Huston stated that the record will remain open to comments until the BOCC closes the
232 comment period. However we need to get them prior to April 15th, to be taken into consideration
233 for the April 25th meeting.

234 Director Huston was asked by Chair Roberts of the difference between the two 17A. Director
235 Huston explained that the Memo that was dated December 3rd has issues that need to be
236 discussed for the zone code. He stated that there are two comments that were not given out
237 tonight, but that we will print those off and mail them to the commission members within the next
238 couple of days. Albert Lin suggested delaying any deliberations until they have received all of the
239 comments regarding the marijuana operations.

240 Commission Member Miller asked about the provision regarding water and where he could find
241 that. Director Huston stated it was in the Memo dated April 11, 2016.

242 Vice Chair Dart would like clarification in regards to which option would be option one and which
243 would be option two. The four page document would be option one and the single page would be
244 considered option two. Commission Member Miller would like to clarify that if you have a public
245 water system that is adjacent to the property and one acre that gets approved by the Health
246 Department to have sewer system, they would still be able to get water. Vice Chair Dart voiced
247 concern regarding the label of Rural 1 Zone.

248 Commission Member Rawley emphasized that they have been told to look at the maps and that is
249 the part that they are responsible for making recommendations. She also stated that the water
250 rights and the maps are one of the most important things that the Planning Commission will
251 address.

252 Chair Roberts asked for clarification on if the county has the legal authority and has to provide
253 water. Director Huston explained that what is physically and functionally related and what can you
254 put on a 5000 gal exempt well.

255 The Methow has a number of basins that are closed to any additional draws.

256 Director Huston also offered up that the zone code is written from the perspective that the permit
257 review process will sort out most of the issues that may come up.

258 Commission Member Porter stated that the water usage is already heavily regulated. Commission
259 Member Schulz stated that he believes we need a cluster ordinance in the rest of the county other
260 than the Methow Valley.

261 Chair Roberts asked what is the legal responsibility if they approve something and then they have
262 no water rights. Albert Lin explained that that is one of the issues that they are facing right now,
263 and that the Planning Commission will have to figure that out.

264 Commission Porter asked if staff could remind them of where the Map regarding Urban growth
265 areas. Director Huston stated that that specific part of the Comp plan has been removed.

266 Commission Member Rawley stated that she wishes to read through all the comments before she
267 goes much further into deliberation.

268 Dart asked for one or two full large county maps that can be drawn on.

269 Porter stated that she thinks the marijuana grows should be their first discussion. Rawley stated
270 that after marijuana next should be nightly rentals followed by the maps.

271 Schulz asked that any amendment or corrects that are made are put in bold so that they are easier
272 to find and that those issues have already been addressed.

273 Chair Roberts announced that the next Planning Commission Meeting would be held April 25th
274 7pm in the Commissioner's Hearing Room.

275 Chair Roberts adjourned the meeting at 9:02

276 **Adjourn**

277 **SUMMARY OF MOTIONS**

278 Approval of April 11, 2016 meeting agenda: Schulz moved Dart seconded

279

280 Prepared by Lauren Davidson
281 Administrative Secretary