



Pacific County PLANNING COMMISSION

PO Box 68, 1216 W. Robert Bush Dr., South Bend, WA 98586
360.875.9356 or 360.642.9356

MEETING AGENDA

Meeting: January 2nd, 2014 at 6:00 PM

Location: South County Administrative Facility, Long Beach, WA

1. **Call to order and introduction of Planning Commission members & County staff**
2. **Review of Minutes**
 - October 10th, 2013
3. **Correspondence**
4. **Public Hearing**
 - Findings of Fact for Ord. 172 - Recreational Marijuana Moratorium (I-502)
 - Amendment of Ord. 162 – Recreational Marijuana (see attached maps & staff report)
5. **Old Business**
 - Update on the Shoreline Master Program
6. **New Business**
 - 2014 Meeting Date Schedule
 - 2014 Chair/Vice Chair Elections
 - Amendment of By-Laws
7. **Adjournment**

*Next meeting date is scheduled for
February 6th, 2014 in South Bend*



Pacific County
PLANNING COMMISSION
January 2nd, 2014 Minutes
South County Administrative Facility
Long Beach, Washington

ATTENDANCE

Eric deMontigny, Chair
Ken Osborne, Vice Chair
Jim Sayce, Member
Mike Nichols, Member
Scott Turnbull, Member
Bill Kennedy, Member
David Burke, Prosecuting Attorney
Faith Taylor-Eldred, DCD Director
Tim Crose, DCD Assistant Director
Matt Reider, Planner
Tia Channell, Clerk

There were 14 members of the general public in attendance. *(Please refer to the recordings of the public workshop for more detailed discussion).*

Chairman Eric deMontigny called the meeting to order at 6:00 p.m. and introduced the Planning Commission (PC) members and staff.

The clerk administered the oath.

MINUTES

Ken Osborne moved to APPROVE the minutes of October 10th, 2013 as amended, Scott Turnbull seconded.

The Chairman called for a vote: 6 YAY, 0 NAY, 0 ABSTAIN.
Motion carried by majority voice vote.

CORRESPONDENCE

- There were three items of correspondence dispersed by the Clerk to the Planning Commission:
 - Email from Warren Cowell
 - Letter from Law Office of Charles Craig Holley
 - Letter from Eco Ventures LLC

PUBLIC HEARING

Ordinance No. 172 – Recreational Marijuana Moratorium Findings of Fact

- Tim Crose opened the discussion with information on the needed emergency moratorium and why it is necessary.

- David Burke stated that the Commissioners did not adopt Findings of Fact, and procedurally, in order to comply with the law, they have to adopt them to justify the moratorium by the end of the month.
- Bill Kennedy stated he does not want to sit and make a decision for the entire County regarding what and where in regards to dealing with Marijuana when we have no experts related to Marijuana here to testify for us.
- David Burke, Prosecuting Attorney, stated that whether or not we are experts, we still have to come up with something.
- Eric deMontigny, stated that he contacted the County Sheriff for his opinion, and he didn't have one as he wasn't aware of the current issue and that the County was going through Land Use changes related to it.
- Discussion was held amongst the Planning Commission regarding each suggested Finding of Fact.
- Frederick Cann, Seaview property owner, had some suggestions in wording changes within the suggested findings, such as, "uses" instead of the word "businesses".

The Chairman called for a vote: 7 YAY, 0 NAY, 0 ABSTAIN.
Motion carried by majority voice vote.

Jim Sayce moved to APPROVE and Mike Nichols seconded the following Findings of Fact for Ordinance No. 172, Recreational Marijuana Moratorium within Pacific County.

FINDINGS OF FACT

1. Initiative 502 (I-502) was passed by the voters of the State of Washington on November 6, 2012, and provided a regulatory framework under which marijuana producers, processors, and retailers can become licensed by the State of Washington.
2. I-502 licenses the production, processing, and retail sales of marijuana and directs the Washington State Liquor Control Board (WSLCB) to promulgate rules for the issuance of licenses by the WSLCB to such producers, processors, and retailers.
3. Under I-502, a "producer" is one who produces marijuana for sale at wholesale to processors, a "processor" is one who processes, packages, and labels usable marijuana and marijuana-infused products for sale at wholesale to marijuana retailers, and a "retailer" is one who sells usable marijuana, marijuana-infused products, and marijuana paraphernalia at a retail outlet to persons twenty-one years of age and older.
4. Chapter 314-55 of the Washington State Administrative Code (WAC) became effective on November 21, 2013, providing a framework for the WSLCB to regulate marijuana licenses, application process, requirements, and reporting.
5. The WSLCB has announced that it will receive applications for licenses for marijuana production, processing, and retail sale, from November 20, 2013 to December 19, 2013.
6. I-502 prohibits marijuana-related uses within 1,000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade where persons under twenty-one years old may enter.

7. Pacific County does not have zoning and other developmental regulations that address the land use, permitted uses, type and nature of the activity, and location of facilities/premises used for the production, processing, and retail sales of marijuana and marijuana-infused products.
8. On December 10, 2013, The Board of Pacific County Commissioners adopted interim Ordinance No. 172 which enacted a temporary emergency moratorium in Pacific County on the licensing and location of marijuana related business as regulated pursuant to I-502. The Board deemed it to be in the public interest to establish a zoning moratorium to give the County time to consider the adoption of land use regulations pertaining to such business entities.
9. The Board of Pacific County Commissioners referred the matter to the Planning Commission for further review, public comment, and development recommendations for consideration by the Board.
10. The public hearing, which was held on January 2, 2013 (did / did not) generate any information which would justify the rescission of Ordinance No. 172.
11. The emergency moratorium pertaining to the location of marijuana producers, processors, and retailers, which was enacted on December 10, 2013 (Pacific County Ordinance No. 172), needs to remain in effect so that the County can address the location of these uses in an orderly and thoughtful process. Leaving the moratorium in place will have little impact on the public and will allow the Planning Commission the necessary time to make appropriate recommendations to the Board of County Commissioners.
12. Under WAC 197-11-880 emergency actions are exempt from the requirements of the State Environmental Policy Act (SEPA) when there is not sufficient time to comply with SEPA.

Ordinance No. 162 – Recreational Marijuana Amendment

- Tim Crose opened the discussion briefing his staff report that was passed out. He provided maps that showed the buffers and the different districts and described each map.
- Vicki Larson, Tokeland property owner, stated that her and her husband have no intentions of smoking marijuana but her property is prime for production and she has an application in for a Tier III at their farmland on Kindred Island. They don't like the idea of the Conditional Use.
- Vicki stated that the Liquor Control Board rules are serious. Cameras, security, lighting, nothing can be missing or the permit is pulled. Every person within the industry has to have finger printing, background checks, financial checks and money traced, etc. It is a very serious business and they have a lot on the line. It is important to her and her husband that the County gets a move on making their decisions.
- Scott Raudonis, land owner in Ilwaco who has his application in with the State, states that the hoops and hurdles he has to jump through to go through this are huge. They know everything about him down to where the money in his bank accounts is going. He stated he has an attorney in Bellevue guiding him through this process. He stated that for him to open up a retail business, he has to go through all sorts of designs of his building, boundaries from areas and strict security. He stated he'd like to see us all get our ducks together and set another date for a presentation with a better understanding.
- Eric deMontigny asked David Burke if he suggests adding some language releasing the County from any liability. David agreed that some language would need to be written up.
- Marty Meaker stated that he would like to see the Planning Commission do another meeting and get some experts in here. He would also see the Commission look into the Liquor Control Site and

all their regulations that the applicants have to jump through. It would answer a lot of the questions asked.

Jim Sayce moved to continue the meeting on January 16th and Ken Osborne seconded.

The Chairman called for a vote: 7 YAY, 0 NAY, 0 ABSTAIN.

Motion carried by majority voice vote.

OLD BUSINESS

Shoreline Master Program Update

- Faith stated that 4 proposals were received and interviewed on December 12th. The Watershed Company was who was chosen. The BOCC approved the decision on Monday and we are now moving forward with contract negotiations.
- Eric asked when they should expect more involvement with the Core Group.
- Faith stated she planned on beginning with a conference call within 2-3 weeks.
- Scott suggested meeting prior to the next Planning Commission Meeting instead. All agreed to that.

NEW BUSINESS

- 2014 Meeting Date Schedule – Jim Sayce moves to approve, Mike Nichols seconded. Motion carried.
- 2014 Chair/Vice Chair Elections – Jim Sayce moves to appoint Eric deMontigny as Chair, Scott Turnbull seconded. Motion Carried.
- Bill Kennedy moves to appoint Jim Sayce as Vice Chair, Scott Turnbull seconds. Motion Carried.
- Kenneth Osborne announced he would be declining an additional term with the Planning Commission.
- Amendment of By-Laws – The motion failed to move forward.

The meeting adjourned at 9:00 p.m.

PACIFIC COUNTY

PLANNING COMMISSION

Eric deMontigny, Chair

Ken Osborne, Vice Chair

Jim Sayce, Member

MEMO

DATE: January 2, 2014
TO: Planning Commission
FROM: Tim Crose, Planning Director
RE: Recreational Marijuana (Initiative 502)

TASK 1. Emergency Moratorium

Chapter 314-55 of the Washington State Administrative Code came into effect on November 21, 2013. All jurisdictions within the State are assigned the duty of developing a regulatory framework to handle recreational marijuana in regards to land-use. One County, (Douglas) has chosen to treat recreational marijuana as an agricultural product and will allow the location of its industries in such areas that agricultural products are grown. Most counties, with the exception of several urban counties, have elected to place a moratorium on recreational marijuana related businesses until proper time is giving for code development and public input.

On December 9, 2013 the Pacific County Board of Commissioners (BOCC) adopted a temporary emergency moratorium (ORD. 167) on the establishment, location, and operation of marijuana, producers, processors, and retailers as regulated pursuant to Initiative 502. The moratorium refers the issue to the Pacific County Planning Commission for its review and recommendations. The (BOCC) has set a public hearing for January 28, 2014 to take additional action on this ordinance if necessary. The Planning Commission must review Ordinance 167 and report back to the BOCC with its recommendations.

Reference materials:

- Ordinance 167
- Example moratoriums from other jurisdictions
- Draft Findings

TASK 2. Zoning Amendment

The Planning Commission must consider options on how it wishes to regulate the location of marijuana related businesses within unincorporated Pacific County. If proper land use regulations are not enacted; marijuana producers, processors, and retailers may locate in unsuitable places, incompatible and inconsistent with surrounding land uses. I have put together a land-use summary to provide possible

zoning language and districts where marijuana establishments may plausibly locate. I have also included zoning maps that contain buffers around sensitive areas within each district to allow a visual reference.

Reference materials:

- Staff Report
- Zoning maps
- Draft zoning language
- Example Ordinances from other jurisdictions
- Suggested Findings of Fact

TASK 3. Planning Commission Bi-laws

The BOCC requested the Planning Commission to amend its Bi-laws to include an alternate position. I have provided a copy of the bi-laws containing draft language for the inclusion of an alternate position.

PACIFIC COUNTY
PLANNING COMMISSION

Rules of Procedure

WE, THE MEMBERS of the Planning Commission, Pacific County, State of Washington, do hereby adopt, publish, and declare the following rules of procedure:

1. Name and Membership.

The official name shall be "The Pacific County Planning Commission."
The Board shall consist of seven (7) regular members ~~and (1) alternate.~~

2. Purpose.

The Planning Commission shall hear applications for Preliminary Plats, Rezones, Shoreline Substantial Development Applications, Shoreline Substantial Development Variance Applications, and Open Space Applications in areas covered by a Comprehensive Plan. The Planning Commission also conducts public hearings on general issues such as comprehensive land use plan amendments and proposed ordinances involving land use. The Planning Commission makes their recommendation to the Board of County Commissioners who will conduct a hearing, but will not receive any additional testimony. The Board of County Commissioners will make a final decision based exclusively on the testimony received by the Planning Commission. The Board of County Commissioners review Shoreline applications only if an appeal is filed.

3. Meetings.

Regular meetings shall be held at 6:00 P.M. on the first Thursday of each month and shall be open to the public.

Special meetings may be called by the Chairman. Written notice shall be given to all members and the newspapers not less than twenty-four hours in advance.

If no matters over which the Planning Commission has authority are pending upon its calendar, a meeting shall be cancelled.

4. Election of Officers.

Officers of the Planning Commission shall consist of a Chairman and Vice Chairman from its members.

The election of officers shall take place once each year on the occasion of the first regular meeting of each calendar year. Terms of office of each officer shall run until the subsequent election. If an officer ceases to be a member of the Planning Commission, a new election shall take place for the unexpired term at the next regular meeting, provided that a quorum is present.

5. Chairman.

The Chairman shall preside over the meetings of the Planning Commission and may exercise all the powers usually incident to the office. The Chairman shall have his/her own vote recorded in all deliberations of the Planning Commission.

The Vice Chairman shall, in the absence of the Chairman, perform all the duties incumbent upon the Chairman. The Chairman and Vice Chairman, both being absent, the members present may elect for the meeting, a temporary Chairman who shall have full powers of the Chairman during the absence of the Chairman and Vice Chairman.

6. Clerk of the Board.

The Clerk of the Board shall be appointed by the Planning Commission. This appointment shall be subject to confirmation by the Board of County Commissioners. The Clerk of the Board shall keep a record of all meetings of the Planning Commission, and these records shall remain the property of the Planning Commission and be retained at such office or in such place as the Planning Commission may direct. In the absence of the Clerk of the Board from any meeting, a Clerk of the Board pro-tem shall be appointed by the Chairman.

7. Quorum.

Four (4) members of the Planning Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of Board members at any regular or special meeting of the Planning Commission, when those present constitute a quorum, shall be valid. However, any amendment(s) to these rules of procedure must be approved by three (3) regular Board members.

8. Removal of Members.

Any member of the Planning Commission may be removed by the Chairman of the Board of County Commissioners with the approval of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance in office.

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In the event a regular member is absent for three (3) consecutive meetings, without a valid and justifiable reason, the Chairman of the Planning Commission shall notify the Board of County Commissioners of the absences.

9. Alternate Members

One alternate member of the Planning Commission shall be appointed by the Board of County Commissioners to serve as a Planning Commission member when one or more regular members are unable to attend a meeting. An alternate shall not participate as a Board member unless a regular member notifies the Clerk of the Planning Commission at least one week in advance of a meeting that he/she will be unable to attend the scheduled meeting.

9.10. Agenda.

An agenda shall be prepared for each meeting and a copy delivered to each member at least four (4) days prior to the meeting and shall consist of the following order of business:

- a. Call to Order and Introduction of Board members and Staff
- b. Minutes of the previous meeting
- c. Correspondence
- d. Public Hearing(s)
- e. Old Business
- f. New Business
- g. Adjournment

10.11. Hearing Process.

Hearings will be conducted as follows: (1) a representative of the Department of Community Development will present a staff report, (2) testimony will then be taken from the applicant and other interested parties, and (3) the Planning Commission then will announce a decision or defer the decision. The Board will consider, and may grant or deny, any party's request to continue the hearing or to keep the record open for a period of time.

Testimony (whether written or oral) will be received only if it is relevant to the applicable approval criteria and development standards and is not unduly repetitious.

A testimonial oath will be taken from the applicant and all witnesses testifying before the Planning Commission on an application. Written documentation/correspondence does not need to be in the form of an affidavit nor does it need to contain a declaration of truthfulness under penalty of perjury. However, the weight which is accorded to such written evidence that is not notarized or otherwise declared to be true

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under penalty of perjury shall be solely determined by the Planning Commission. The Planning Commission shall give due regard to its necessity, availability, and trustworthiness.

If an applicant or his/her agent does not appear at a hearing on the application, the application shall be postponed or denied.

| ~~11.~~12. Amendment Process.

The rules of procedure may be amended at any regular or special meeting of the Planning Commission by a majority vote, provided that at least four regular members vote in favor support the amendment(s). Such new rules of procedure will take effect at the first meeting following the adoption of the new procedural rules.

| ~~12.~~13. Repeal of Old Procedures.

All prior rules of procedure adopted by the Planning Commission are hereby repealed.

| DATED this _____ day of _____, ~~2014~~.

PACIFIC COUNTY
PLANNING COMMISSION

PACIFIC COUNTY
PLANNING COMMISSION MEMBERS

Chairman

Member

Vice Chairman

Member

Member

ATTEST:

Member

Clerk of the Board

Staff Report

Date: January 2, 2014
To: Planning Commission
From: Tim Crose, Planning Director
RE: The production, processing, and retail sale of marijuana in Pacific County

Introduction

The Pacific County Planning Commission will review and make a recommendation on proposed amendments to Ordinance 162, Zoning for the production, processing, and sale of marijuana in Pacific County.

The passage of Initiative 502 instructed the State Liquor Control Board (SLCB) to develop a regulatory and licensing framework for the production, processing, and retailing of recreational marijuana in Washington State. Chapter 314-55 of the Washington State Administrative Code (WAC) became effective on November 21, 2013. The SLCB began receiving applications under an open enrollment period extending November 18, 2013 through December 19, 2013. The SLCB will allow counties and municipalities a twenty (20) day period to comment on approved applications. If no objectionable comments are received, the SLCB will issue operating licenses to successful applicants.

Pacific County is tasked with developing land use regulations to facilitate the location of these new businesses while protecting the general safety, health, and welfare of its citizens.

Definitions

- “Marijuana Retailer” means a retail outlet that sells useable marijuana, marijuana infused products, and marijuana-infused products and marijuana paraphernalia and is owned by a person or entity that holds a marijuana retailer license approved the Washington State Liquor Control Board under WAC 314-55-079.
- “Marijuana Production” means the indoor or outdoor growing and wholesaling of marijuana by a person or entity that holds a license approved the Washington State Liquor Control Board under WAC 314-55-075.
- “Marijuana processing” means converting marijuana into usable marijuana and marijuana-infused products and is owned by a person or entity that holds a marijuana processing license approved the Washington State Liquor Control Board under WAC 314-55-077.

Rules

The SLBC has adopted rules for the siting of marijuana businesses. The SLBC will not issue a license if the business proposes to locate within 1,000 feet of the perimeter of the grounds of the following entities. The distance will be measured along the most direct route.

- Elementary or secondary school
- Playground
- Recreational center or playground

- Child care center
- Public park
- Public Transit center
- Library or any game arcade (where admission is not restricted to person's age twenty-one years or older).

Note: these restrictions do not pertain to public walking or biking trails.

Zoning Ord. No. 162

To the best of our knowledge, marijuana production and processing is considered an agricultural product and practice. Marijuana retailing by Washington State law is regulated similarly to tobacco or liquor products. However, due to the intensive production and processing aspects of growing marijuana crops, it should be located in zoning districts that can safely allow its production without harmful effects to surrounding incompatible land uses. Incompatible zoning districts would include the residential districts R-1, R-2, R-3, and R-R. The appropriate districts would be those that would allow for more intensive agricultural practices and processes: AG, R-L, I, and M-U. Retailing would only be allowed in C-C.

AGRICULTURAL DISTRICT (AG)

The Agricultural District is established to promote the economic viability of the various agriculture lands of long term commercial significance by protecting such lands from development pressures and incompatible land uses, by preserving important open space areas and by protecting environmental conditions conducive to a healthy agricultural economy. Generally, the agricultural lands of long-term commercial significance include cranberry growing areas, aquacultural and shellfish areas, and some limited livestock grazing areas.

RURAL LANDS DISTRICT (RL)

The Rural Lands District is established to promote and protect the County's existing rural areas consisting of low-density residential neighborhoods, active farming practices, active forestry practices, and home based commercial activities that exist in harmony with each other and the natural environment. It is the intent of the District to continue promoting a flexible land use system in the rural areas which fosters a diverse, rural economy, while recognizing a rural lifestyle dependent upon the protection of both property rights and environmental values. The Rural Lands District encompasses lands labeled as General Rural on the Pacific County Comprehensive Plan Maps.

INDUSTRIAL DISTRICT (I)

The intent of the Industrial Land Use District is to group light industrial and heavy industrial uses and activities together in locations with convenient access to important public infrastructure. The distinction between light and heavy industrial uses is the degree to which the industrial use transforms bulk raw materials into a finished or semi-finished state. Heavy industrial uses typically involve the processing of raw materials into a more refined state, while light industrial uses typically involve the manufacturing

of parts or products from those refined materials for assembly into a finished product. This District recognizes that impacts from many industrial uses are inherently difficult to control or minimize, therefore, their locations shall be chosen to ensure impacts to residential areas are minimal. The District also recognizes that many types of industrial activities can be placed near agricultural, residential or commercial areas with little, if any, impact to those properties.

MIXED USE DISTRICT (MU)

The intent of the Mixed Use District is to provide for a broad range of residential, agricultural, commercial, and some limited industrial uses reflective of the existing and historical land use patterns found in many communities. The District boundaries shall allow for a variety of residential development commensurate with available public services, physical limitations, and neighborhood compatibility. A secondary purpose of this designation is to allow for the continuation of a flexible land use system recognizing the importance of both agricultural uses and small, home based, business/commercial uses.

MIXED USE DISTRICT – (MU-T) – TOKELAND

The intent of the Mixed Use District for the Tokeland Rural Activity Center is to provide for a broad range of residential, agricultural, commercial, recreational and limited industrial uses reflective of the existing and historical land use patterns found in the developed areas of Tokeland. The development patterns found within the District's boundaries are a mixture of uses that have co-existed for many decades. The purpose of this District is to provide for a variety of development commensurate with available public services, physical limitations, and neighborhood compatibility while continuing with a flexible land use system recognizing ease and simplicity of use.

2010 Pacific County Comprehensive Plan

- *Land Use and Rural Element.* This element addresses land uses in unincorporated Pacific County over the next 20 years and serves as both the Land Use and Rural Areas elements of the Comprehensive Plan. This element addresses land uses such as commercial, industrial, residential, rural and natural resources. It also establishes the general distribution, general location and extent of the different uses. This element also includes population densities, building intensities and estimates of future population growth through 2030.

Goals Land Use & Rural Areas

Goal LU-1: Rural areas should take into consideration both human uses and the natural

environment, and should maintain the existing rural character of the land. The County should protect the land and water environments required by natural resource-based economic activities, fish and wildlife habitats, rural lifestyles, outdoor recreation, and other open space.

Goal LU-2: Rural areas should generally be developed at low levels of intensity so that demands will not be created for high levels of public services and facilities. County requirements for housing in rural areas should encourage residential development that is compatible with farming, forestry, aquaculture, open space, outdoor recreation, rural service levels, and generally with the rural character. Existing areas of more intense development should be acknowledged and maintained.

Goal LU-8: The County should encourage the public health, safety, and general welfare without unduly jeopardizing the rights of the individual, through use of a system of coordinated plans that direct the County's physical development and provide the framework for a variety of implementing mechanisms.

Land Use Rural Element

2.1.1 MAJOR LAND USE CONSIDERATIONS

The simple allocation of available land among competing uses is rarely the sole factor in the land use decision making process. Even within the land use plan other variables significantly influence future land use patterns: population projections, wetlands and floodplains, agricultural and forest lands, large scale habitat preservation or enhancement projects, public acquisition and other ownership changes, etc. These factors all influence the type and intensity of the future development in unincorporated Pacific County. Planning for the type and intensity of development within unincorporated areas will make good use of public funds, maximize economic benefit, and protect the environment and quality of place that Pacific County residents treasure.

The challenge of the Comprehensive Plan is to set forth a course for Pacific County that will preserve its rural character while allowing for growth. This growth must be sensitive to the environment with provisions for protecting groundwater and surface waters, while providing the services and employment base necessary for Pacific County to continue to be a wonderful place to live.

2.6.2 Rural Area Designation

The purposes of rural areas are to:

- Support the rural aspects of Pacific County.
- Protect areas with environmental constraints and preserve and buffer natural resource areas of agriculture, forestry, aquaculture, mineral deposits and fish and wildlife habitats from encroachment by or irreversible conversion to more intense uses.
- Allow low intensity residential uses which do not require a high level of public services and facilities.
- Allow limited areas of more intensive rural development including the infill, development or redevelopment of existing areas; the intensification of existing or development of new small scale recreation or tourist uses; and the intensification of existing or development of new isolated non-residential development, cottage industries, and small-scale businesses. Public services may be provided to these areas.

Rural areas are characterized by low density residential dwellings, concentrated mixed use areas, isolated commercial and industrial uses, farms, forest, mining areas, outdoor recreation and other open space activities. Commercial uses are generally small in scale; however, they are important to the rural economy of Pacific County. They may provide convenience services to the rural neighborhood, but are not principally designed to serve the rural population. Industrial uses will generally be those that are related to or dependent on natural resources such as agriculture, aquaculture, aquifer supply, timber or minerals. Home-base occupations and industries are allowed throughout the rural area provided they do not adversely affect the surrounding residential uses.

Rural area residential densities will commonly average one dwelling unit per five acres. There are also areas with lower densities, one dwelling unit per ten or forty acres, and areas with higher densities, one or more dwelling units per acre. The latter are typically resort-residential areas adjacent to water bodies or urban growth areas. Areas of two or four units per acre are located only in those locations where this density already exists.

Zoning Options

1. Allow the establishment recreational marijuana industries and retail outlets with the provisions of I-502. This option would not require an amendment to current Land Use Ordinance No. 162. Marijuana production and processing industries would be considered intensive agricultural practices and allowed to locate within zoning districts that allow such uses. Retail outlets could locate in districts that allow retail sales of general goods and merchandise.
2. Allow the establishment of new industry consistent with the provisions of I-502 within specific zones subject to the granting of a conditional use permit.
3. Allow the establishment of new industry consistent with the provisions of I-502 within specific zones as a conditional permit and require additional citing criteria.

4. Allow the establishment of new industry consistent with the provisions of I-502 within specific zones as a conditional permit with adding citing criteria and requiring approval by the Federal Government.
5. Prohibit the establishment of marijuana industries because it is in violation of federal laws.

Additional Options and Considerations

- 1) Enclosure of production, processing & retail facilities.
 - a. What does “enclosure” mean? (i.e. fencing, structure)
 - b. Many counties have required that everything take place within an enclosed building.
 - i. Greenhouses (industrial occupancy)
- 2) Including production & processing together at one location.
 - a. A number of the counties that have allowed recreational marijuana use have allowed production & processing in the same location.
 - b. However, Thurston County has limited the zoning districts that can have both production and processing to the industrial districts.
- 3) Pacific County can choose to place additional setbacks from residential properties.
 - a. Requiring setbacks of at least 500 feet from property lines.
- 4) Controlled substance (21 U.S.C. sec 812(c).
 - a. Pierce County states *“no application for a marijuana-licensed business shall be approved by Pierce County until such time as marijuana is removed from the schedule of controlled substances at 21 U.S.C. sec 812(c) as evidenced by a slip law available from the Library of Congress.”*
- 5) Ventilation
 - a. Requiring ventilation requirements to eliminate odor.

Choices

Zoning Options	Support Option	Alternative Option
Production/ Processing Facilities		
Locate in the AG District (as a conditional use)		
Locate in R-L District (as a conditional use)		
Locate in I District (as a conditional use)		
Locate in M-U, M-U-T District (as a conditional use)		
Retail Outlet		
Locate in a C-C, M-U, M-U-T, District (as a permitted use)		

WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

Important Note Regarding the 1,000 foot Measurement: The LCB will file an emergency rule on October 16, 2013, that will revise the current language regarding the 1,000' buffer. The language in the emergency rule will state: "The distance shall be measured as the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older."

WILLAPA

BAY

Bay Center

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Pacific County
"Sensitive Entities"
1,000' Buffer Zones



Legend

- Shoalwater Reservation
- Pacific County Sensitive Entities
- Sensitive Entities 1000ft Buffer
- Agriculture
- Community Commerical
- Mixed Use
- Rural Lands
- Tokeland Mixed Use
- Sections
- Township

1 in = 2,000 feet

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Washington State
Vicinity Map

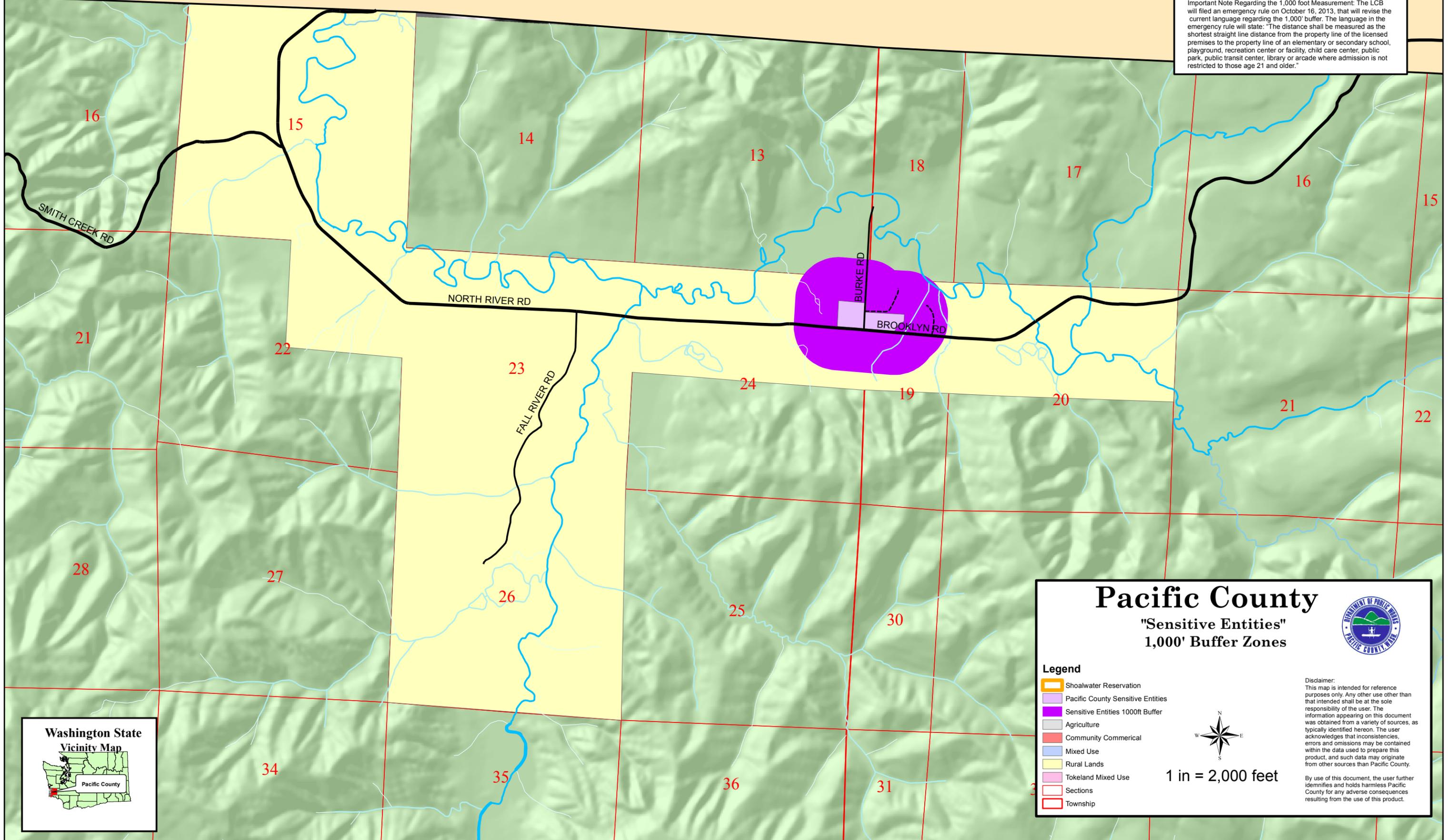


Pacific County

GRAYS HARBOR COUNTY

WA State Liquor Control Board - Initiative 502 Sensitive Entities List Adult Recreational Marijuana

Important Note Regarding the 1,000 foot Measurement: The LCB will file an emergency rule on October 16, 2013, that will revise the current language regarding the 1,000' buffer. The language in the emergency rule will state: "The distance shall be measured as the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older."



Pacific County "Sensitive Entities" 1,000' Buffer Zones



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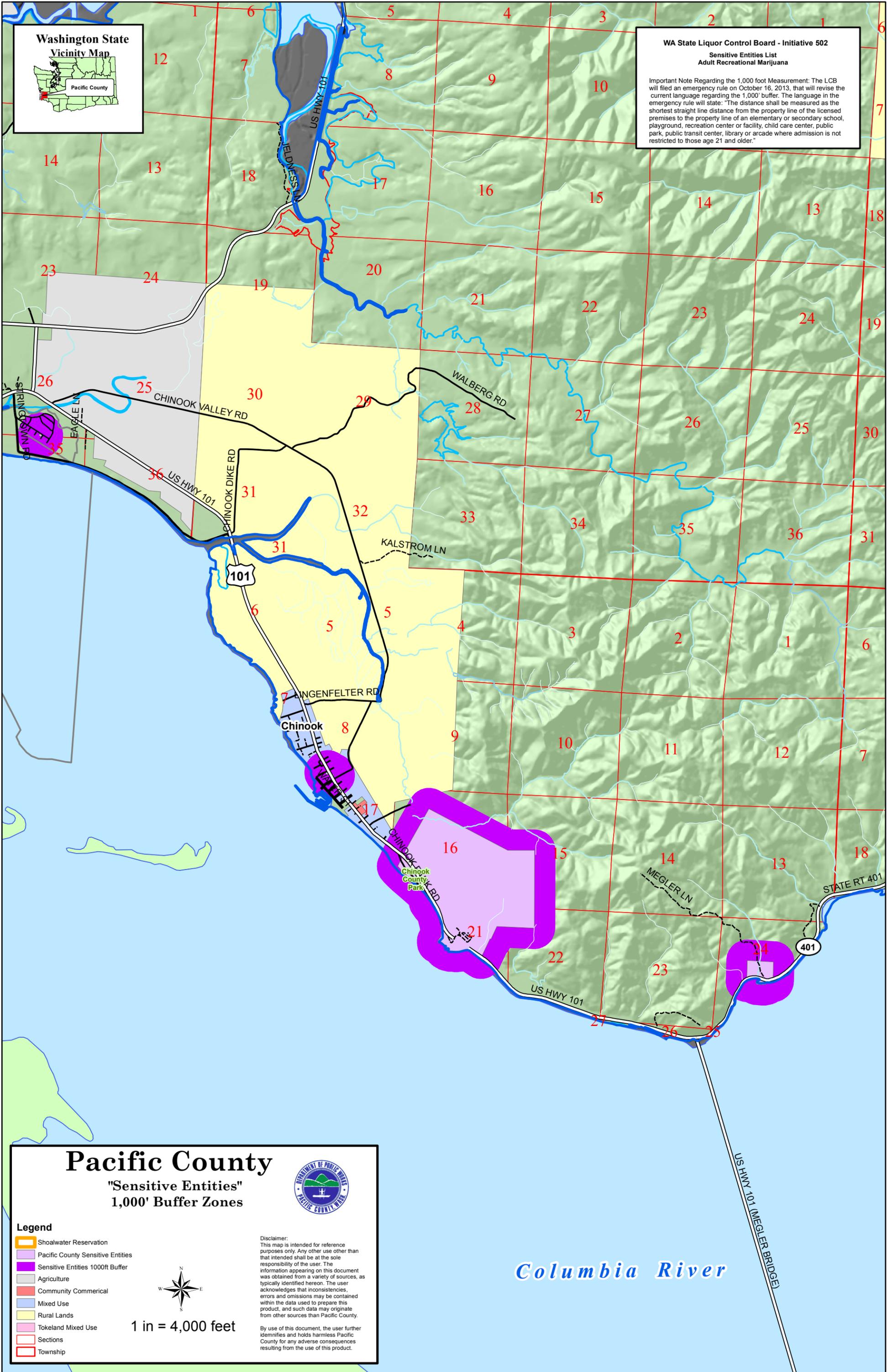
Washington State

Vicinity Map



WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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Pacific County

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Columbia River

WA State Liquor Control Board - Initiative 502

**Sensitive Entities List
Adult Recreational Marijuana**

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GRAYS HARBOR COUNTY

PACIFIC OCEAN

BAY

WILLAPA

Grayland Beach State Park

South Beach State Park

North Cove

Shoalwater Indian Reservation

Tokeland

**Washington State
Vicinity Map**



Pacific County

**"Sensitive Entities"
1,000' Buffer Zones**



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1 in = 4,000 feet

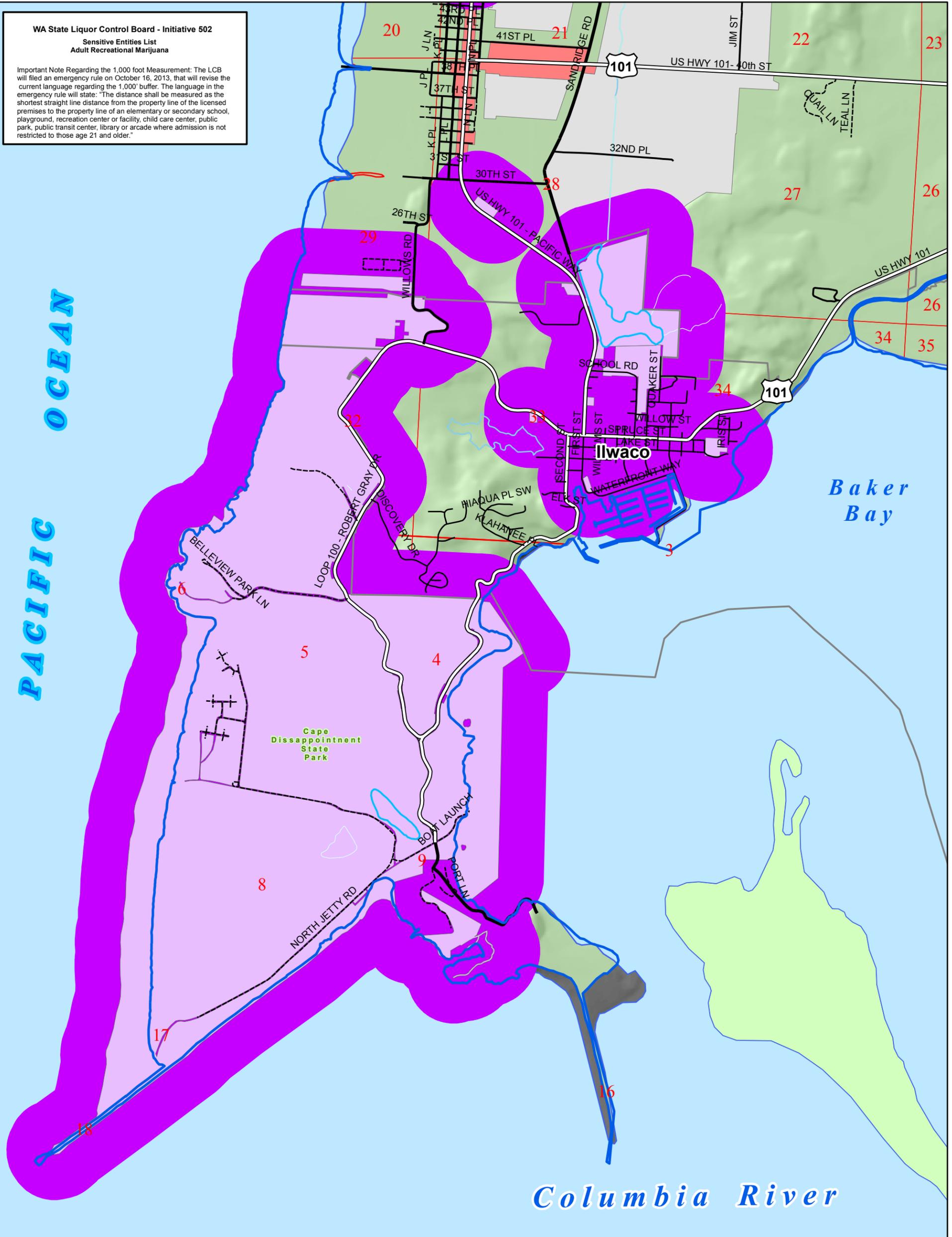
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WA State Liquor Control Board - Initiative 502

**Sensitive Entities List
Adult Recreational Marijuana**

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Pacific County

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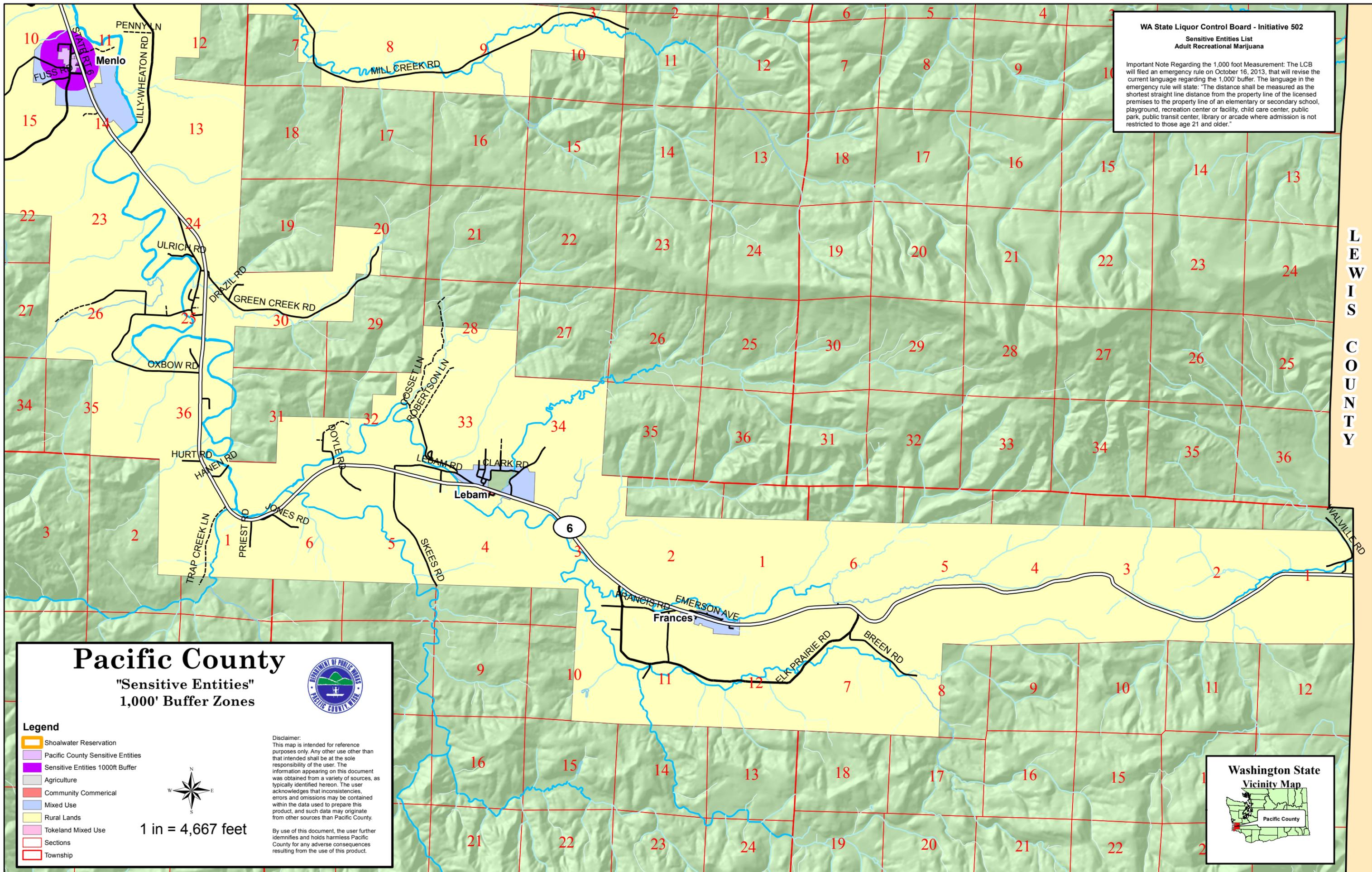
**Washington State
Vicinity Map**



WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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LEWIS COUNTY



Pacific County
"Sensitive Entities"
1,000' Buffer Zones



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1 in = 4,667 feet

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WA State Liquor Control Board - Initiative 502

**Sensitive Entities List
Adult Recreational Marijuana**

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Willapa Bay

PACIFIC OCEAN

PACIFIC OCEAN

**Washington State
Vicinity Map**



Pacific County

**"Sensitive Entities"
1,000' Buffer Zones**



Legend

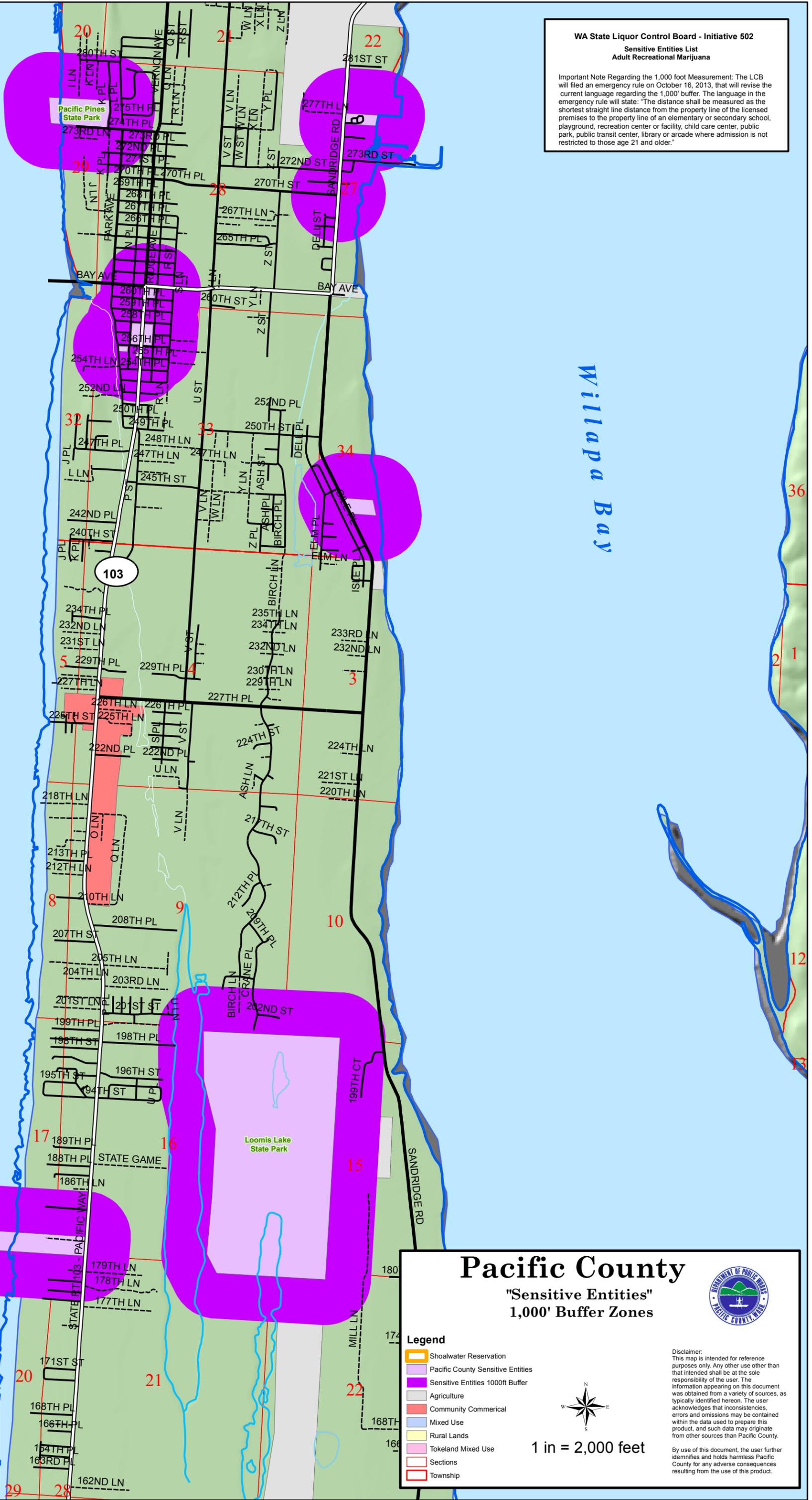
- Shoalwater Reservation
- Pacific County Sensitive Entities
- Sensitive Entities 1000ft Buffer
- Agriculture
- Community Commerical
- Mixed Use
- Rural Lands
- Tokeland Mixed Use
- Sections
- Township



1 in = 2,000 feet

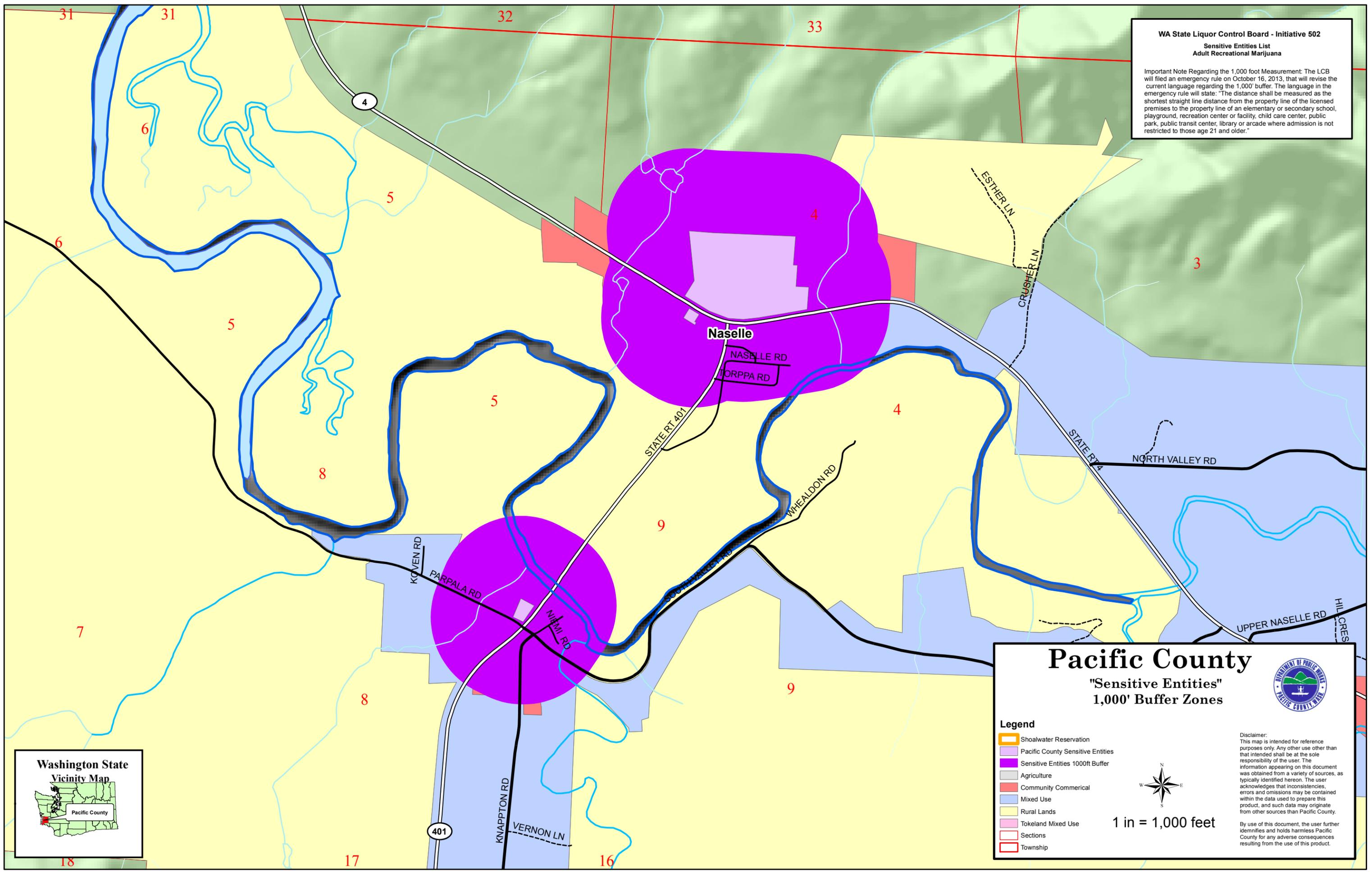
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WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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Pacific County

"Sensitive Entities" 1,000' Buffer Zones

Legend

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- Pacific County Sensitive Entities
- Sensitive Entities 1000ft Buffer
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- Rural Lands
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- Township

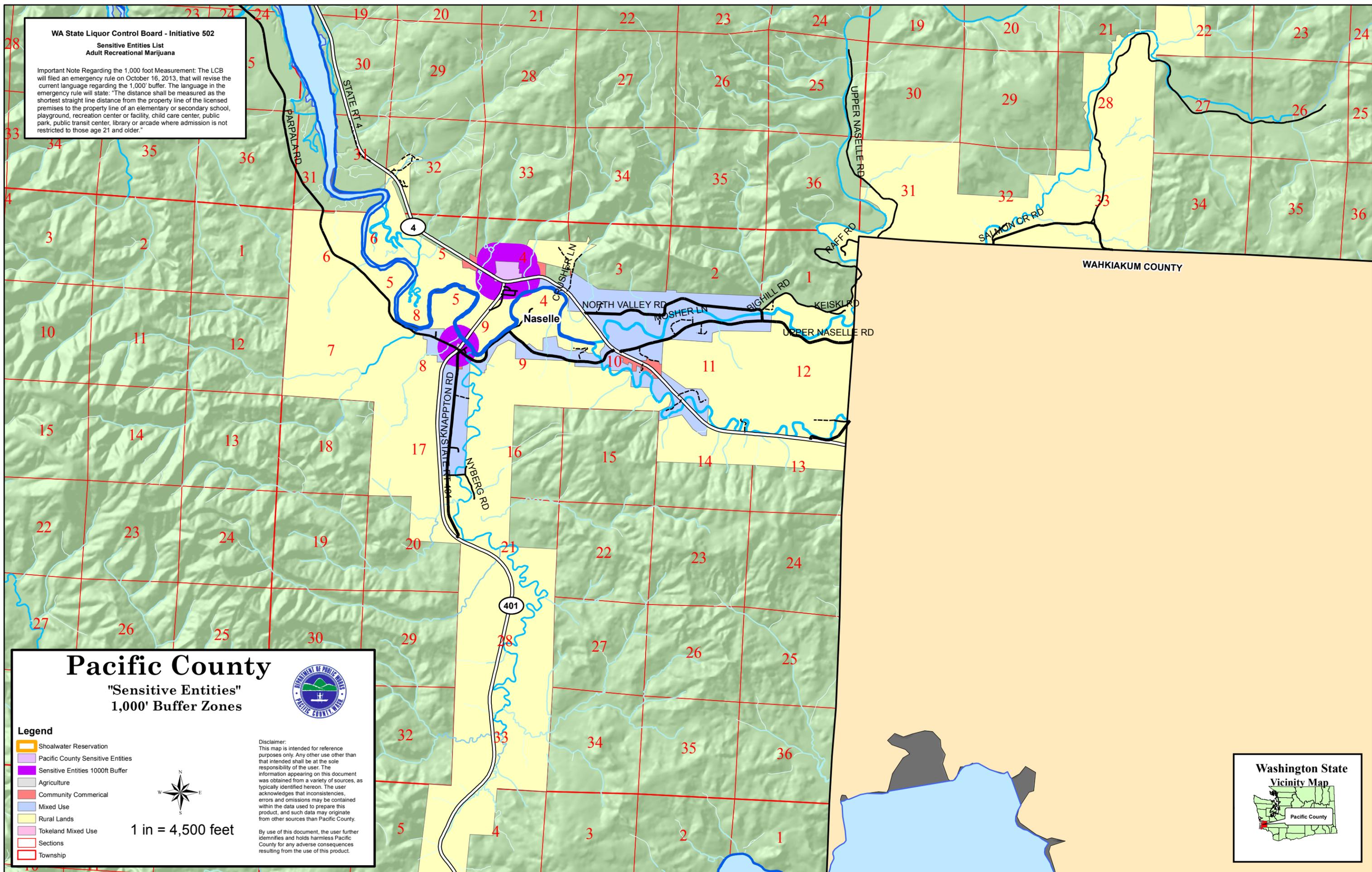
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WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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WAHKIAKUM COUNTY

Pacific County

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1 in = 4,500 feet

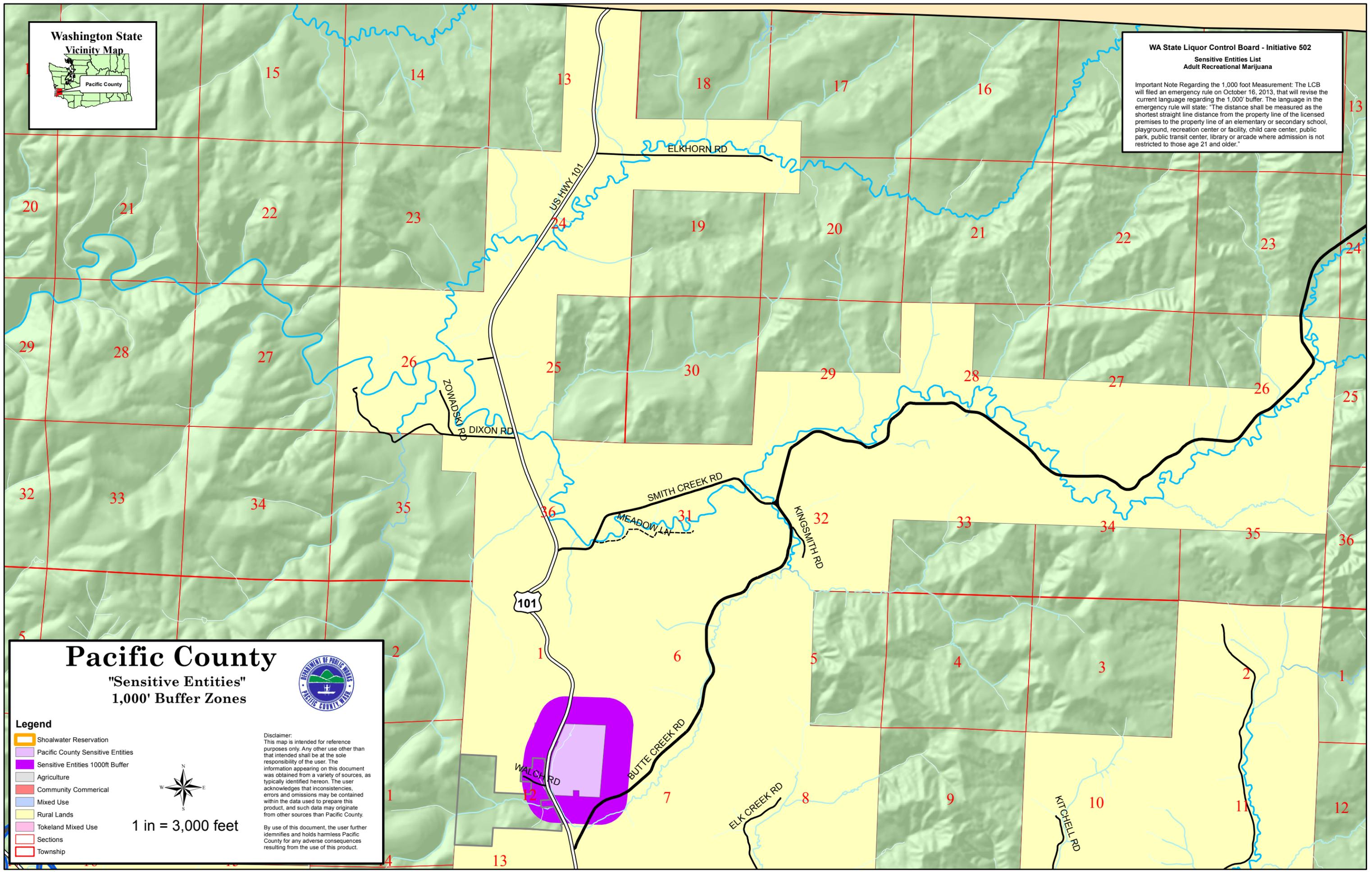
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WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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Pacific County

"Sensitive Entities" 1,000' Buffer Zones



Legend

-  Shoalwater Reservation
-  Pacific County Sensitive Entities
-  Sensitive Entities 1000ft Buffer
-  Agriculture
-  Community Commercial
-  Mixed Use
-  Rural Lands
-  Tokeland Mixed Use
-  Sections
-  Township

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 1 in = 3,000 feet

Pacific County

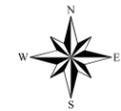
"Sensitive Entities" 1,000' Buffer Zones



Legend

- Shoalwater Reservation
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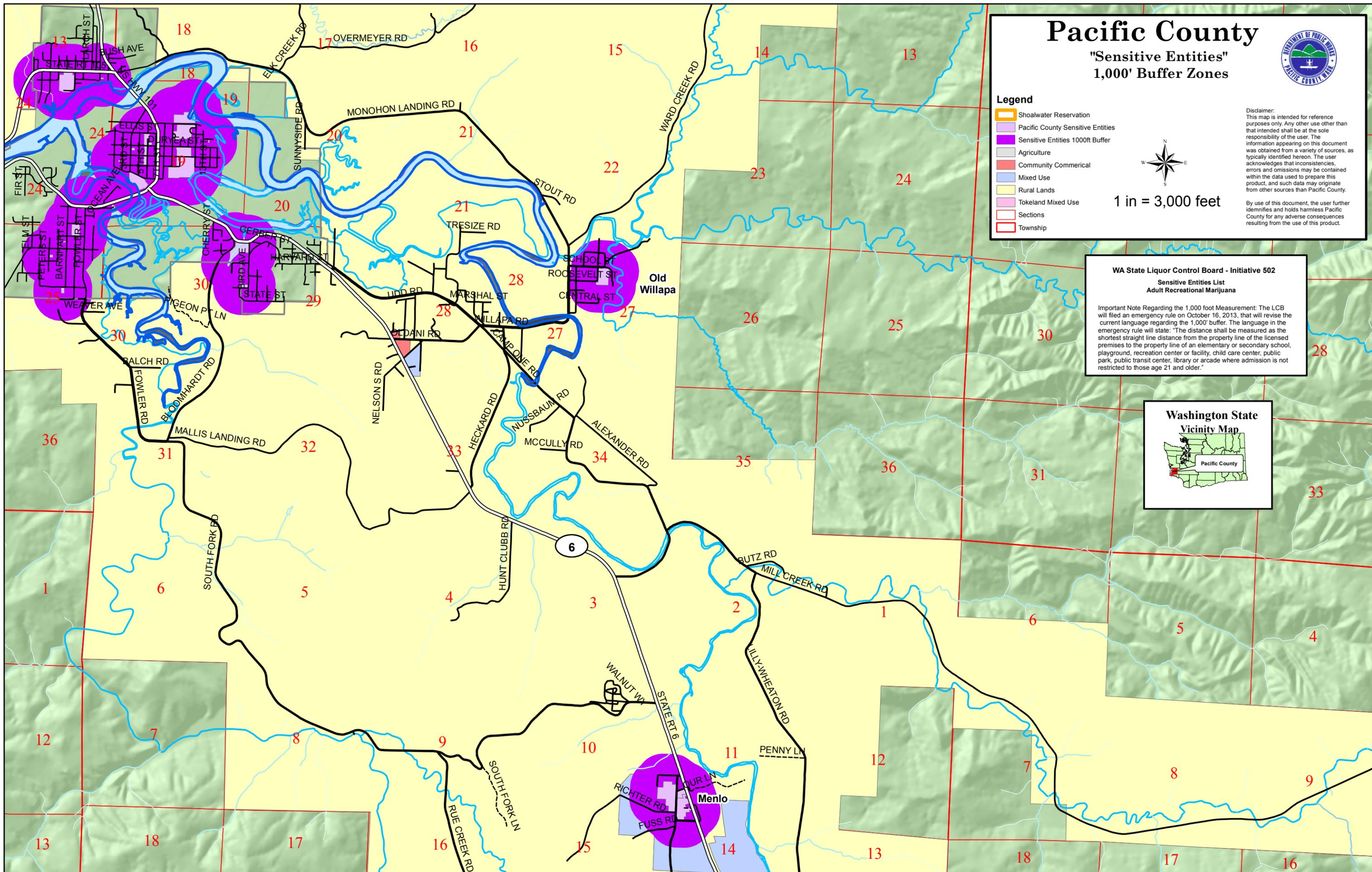
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WA State Liquor Control Board - Initiative 502 Sensitive Entities List Adult Recreational Marijuana

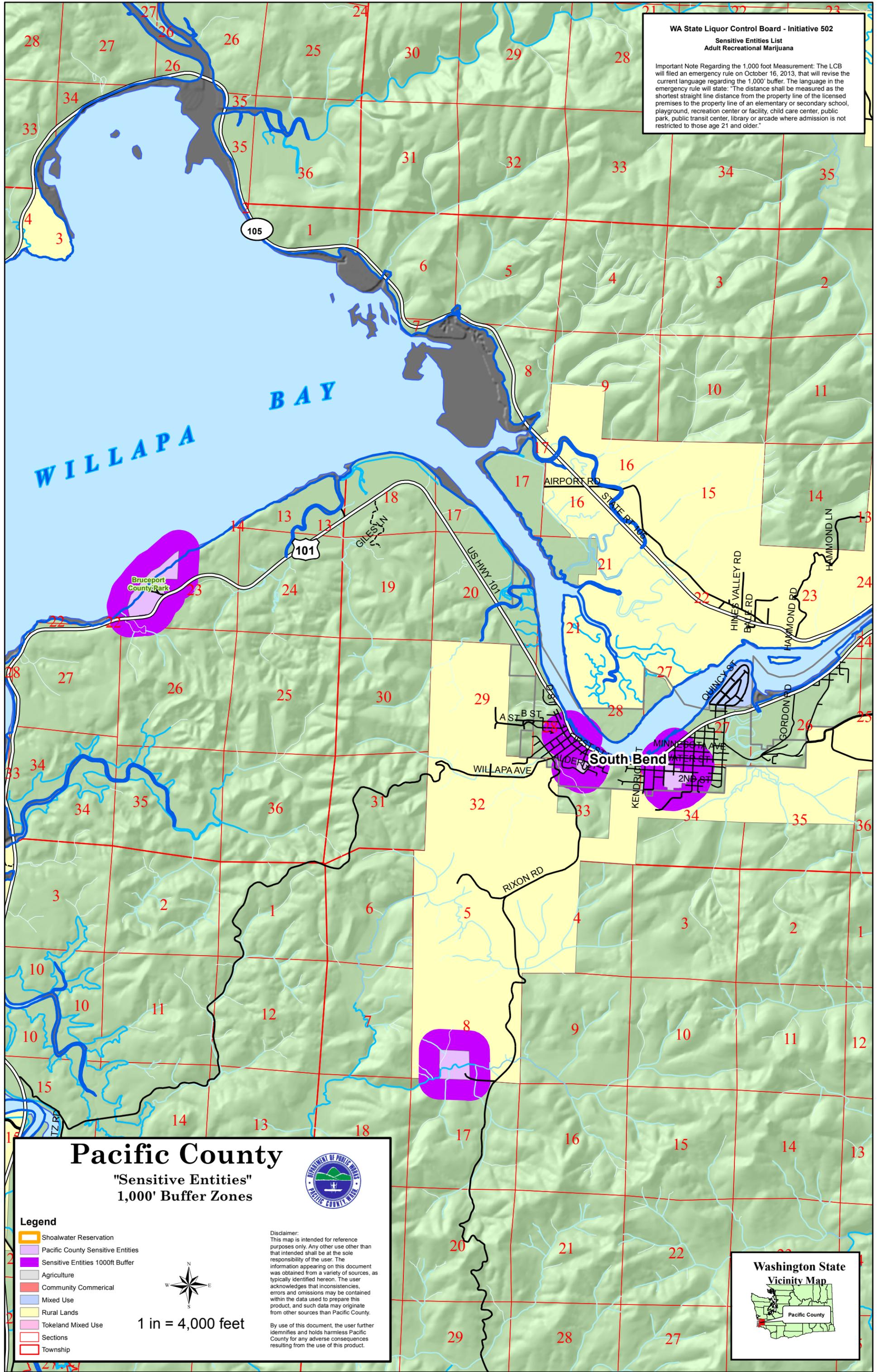
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Washington State Vicinity Map



WA State Liquor Control Board - Initiative 502
Sensitive Entities List
Adult Recreational Marijuana

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Pacific County
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1 in = 4,000 feet

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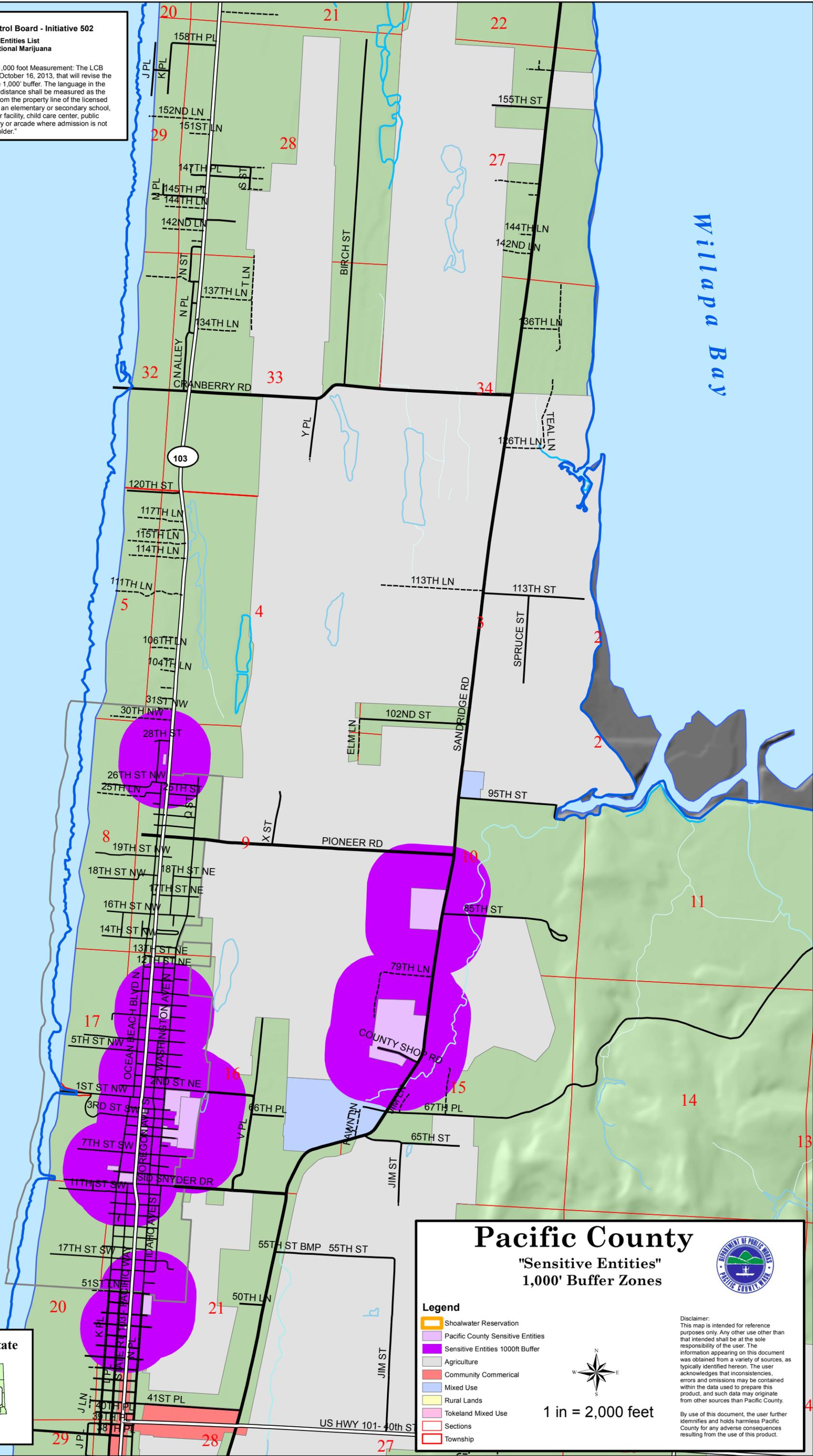
WA State Liquor Control Board - Initiative 502

**Sensitive Entities List
Adult Recreational Marijuana**

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PACIFIC OCEAN

Willapa Bay



Pacific County
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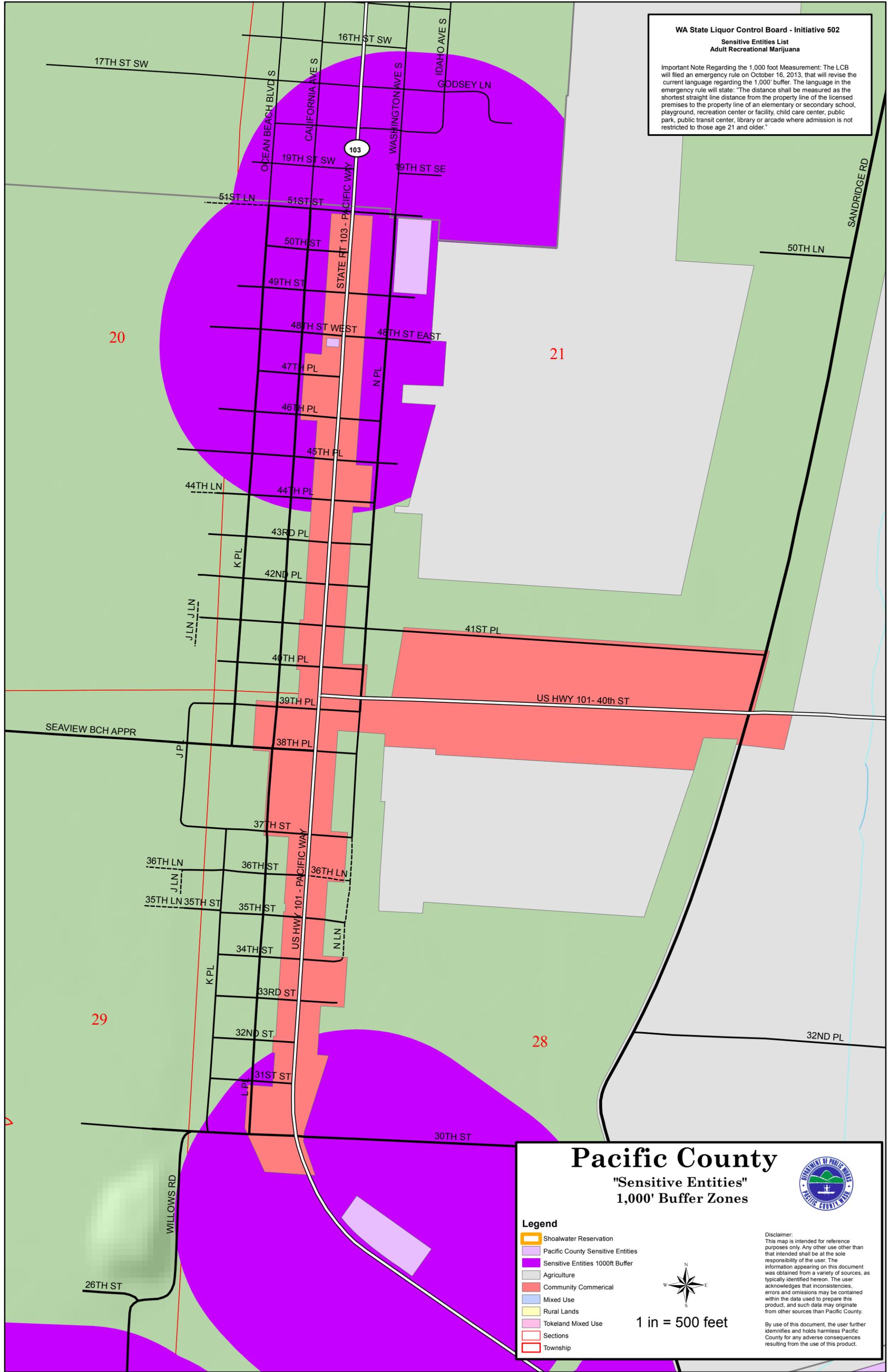


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1 in = 500 feet

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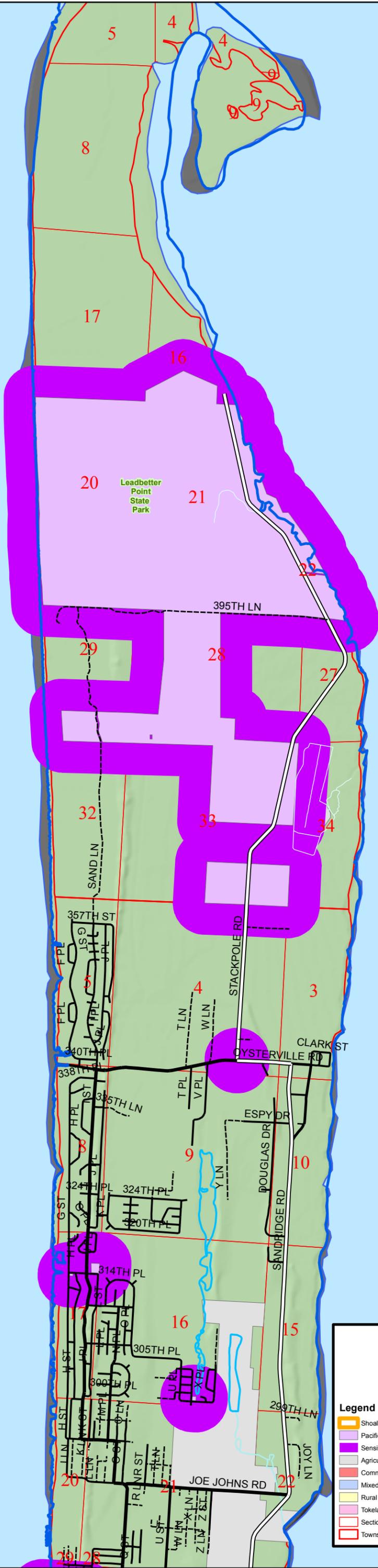
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PACIFIC OCEAN

Willapa Bay



Pacific County

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