

2/5/20

Whitman County Planning Commission,

February 5, 2020

On June 5, 2019 John Peterson from Spokane County Planning spoke to the Commission about Spokane County's struggle in producing a marijuana ordinance that met their needs. Mr. Peterson mentioned that the ordinance had to be rewritten 3 different times over several years because previous ordinances did not protect the residences in Spokane adequately. Mr. Peterson said, "a fairly small percentage of the growers caused 95% of the problem that led to new regulations. The rest of them were more rurally located away from residential enclaves if you will, and didn't cause any problems." (6/5/19 transcript p. 10)

There have been multiple requests for the marijuana draft to include a means to keep new marijuana operations away from existing residences. There was a discussion that asked for existing residential homes and lots to be added to the "sensitive uses" section. This seemed to be decided until there was a conversation that discussed a 1500 ft setback from all property lines that would require a marijuana parcel to be hundreds of acres, then dismissed it as too intrusive.

I noticed that the planning staff has added a suggestion to the draft to be discussed tonight to lower the distance from incorporated areas to 1000 ft by adding it to the "sensitive uses" area of the draft. **Since this opens the door for continued discussion, I would like the commission to again consider adding current residences and residential lots to the "sensitive uses" as well.**

I am grateful the draft has addressed the smell associated with marijuana production and processing, however there are other concerns that make locating them near residences problematic, as Spokane County discovered. The light pollution, security cameras, required fencing, and water use that is not being monitored that could affect nearby wells are all some of the additional reasons to locate these facilities away from residences. Some reasons may yet to be discovered.

I have recently learned of a woman who is from rural Whitman County that wanted to stay home with her young children after her divorce and was able to do so by opening up a state licensed home day care. If a marijuana facility had been allowed less than 1000 ft. from her home before opening her day care, I suspect the state would not have granted her a license.

A 1000 ft buffer from an existing residence or residential lot leaves many options for new operations and as Section 19.64.050 A, 12 states subsequent homes or other sensitive uses would "not render a valid conditional use permit non-conforming."

I hope we can learn from Spokane County's experience and not have to revisit writing an ordinance multiple times because marijuana operations were not kept at least 1000 ft. away from residences.

Please add current residences and residential lots to the "sensitive uses" sections (indoor and outdoor) of the marijuana draft.

Thank you,

Kathleen Lloyd
Rural Whitman County