

**KITTITAS COUNTY PLANNING COMMISSION MEETING MINUTES
October 7th, 2014**

Kittitas County Armory

- I. **Chairman Grant Clark** called the meeting to order at 6:02 p.m.
Those present: Chairman Grant Clark, Vice Chairman Rob Fraser, Bob Hickey, Leslie Walker, and Margie Sullivan
Those absent: Brandon Huber and Gary Starkovich
Also present: Planning Official- Doc Hansen, Staff Planner Jeff Watson, Staff Planner Lindsey Ozbolt, Staff Planner Kaycee Hathaway, Staff member Christina Wollman, Staff Member, Erin Moore, Staff member Holly Myers, Staff member Robin Read, Public Health Officer Dr. Mark Larsen, CDS permit technician/clerk- Rose Shriner and approximately 100 members of the public
- I. **Correspondence:** None
- II. **Minutes**
 - a. Vice Chairman Rob Fraser stated that 8-12-14 minutes he requested to add to his original motion from August 12th, 2014, that the Shoreline Master Program draft from July 2014 with the minimum jurisdiction, Exhibit B, from the Shoreline Program Act be approved. Margie Sullivan seconded the motion. **The motion passed with 5-0 vote.**
- III. **New Business:** Comprehensive Plan and Regulation Amendments

a. Docket Item 14-09

Planning Official, Doc Hansen, presented Docket Item 14-09 and read it into the record. The Kittitas County Farm Bureau requests an amendment to Kittitas County Code 16.09 to permit platting providing larger lots for cluster platting in the Agriculture 20 and Commercial Agriculture zones. The amendment was submitted prior to the June 30, 2014 deadline for consideration and has been placed upon the docket. Staff has no recommendation.

Chairman Clark opened the public hearing to comment.

Jeff Slothower, representing the Kittitas County Farm Bureau, comments were made to the 2014 compliance and how they impacted agriculture, that prompted meetings with Futurewise and Kittitas County Coalition (KCC), and worked out compromises, which were accepted by the growth board. The conservation and cluster plat, has very little flexibility and many in the ag communities at some point they need to create lots, and they need flexibility to create those lots. This is a third tool if you will. They provided changes, after they provided to the county, a series of discussions with Futurewise and KCC and modifications to the original proposal, Exhibit B and C. I reserve to come back with some written comments. 16.09.040 defined when ag plats can occur, reasons to come forward with the idea to do the plat, and some restrictions, where dwellings go, lot size and greater flexibility where you can put the lots. The goal is to create portions of the farm that are less productive, and if the reasons are specifically laid out. There are some safe guard built in to farm from from interference from the lots that may be sold.

Discussion was made between staff and planning commission members regarding Agricultural Platting.

Lila Hansen, 1302 Swauk Prairie Rd, 98922, read her written comment that was submitted to the Planning Commission Clerk prior to testifying, into the record. I hope you approve this amendment.

Chairman Clark closed public testimony for Docket item 14-09

b. Docket Item 14-11

Staff Planner, Lindsey Ozbolt, presented Docket Item 14-11 and read it into the record. Anderson Hay & Grain Rezone RZ-14-00002 and CP-14-00001 was submitted to Community Development Services on June 19th, 2014. It is a non-project rezone request on 6 parcels, assessor map numbers: 17-18-11020-0006,-0010,-0017,-0024,-0025,&,-0026, to change the County's zoning map from Urbain Residential (U-R) to General Industrial (I-G). These parcels are within the Ellensburg UGA, located off Anderson Road and Umptanum Road. The proposed amendments were docketed with CDS prior to the June 30th docketing deadline. Based upon staff review, staff also recommends that the following five parcels also be rezoned the General Industrial: 17-18-11055-001, 17-18-11055-0002, 17-18-11055-0003, 17-18-11020-0020 and the parcel directly adjacent to the north of 17-18-11020-0025 that has been determined by the City of Ellensburg that it is part of the County jurisdiction and not within the City Limits of Ellensburg. Staff recommends approval.

Chairman Grant Clark opened public testimony for Docket Item 14-11

Cassandra Moore, Grette Associates, planner representing Anderson Hay & Gray, requests the zoning made to be consistent with the use of this property.

Chairman Grant Clark closed public testimony for Docket Item 14-11

Discussion was made between staff and planning commission regarding Docket item 14-11

c. Docket Item 14-12

Planning Official, Doc Hansen, requested that Docket Item 14-12 be postponed until Docket 2017 and wish this be withheld.

d. Docket Item 14-04

Planning Official, Doc Hansen, presented Docket Item 14-04, and read it into the record. The small house movement is a return to houses less than 1,000 square feet, some as small as 80 square feet. Small houses may emphasize design over size, utilize dual purpose features and multi-functional furniture, and incorporate technological advances of space saving equipment and appliances. Vertical space optimization is also a common feature of small houses and apartments. Small houses have become attractive as second homes. Regulations are needed to insure safety of construction since current building codes are applicable only to structures of square footage sizes well above the size of small homes. A number of such structures have been built in Kittitas County without permits and staff recommends that these structures be required to have permits when used as secondary or primary living units. Staff recommends approval of Docket item 14-04. Discussion was made between planning commission members and staff regarding Docket item 14-04.

Chairman Grant Clark opened public testimony for Docket Item 14-04

Chairman Grant Clark closed public testimony for Docket Item 14-04.

e. Docket Item 14-03

Staff member, Erin Moore, presented Docket item 14-03 and read it into the record. Kittitas County Public Health Department (KCPHD) is proposing an amendment to KCC Section 13.20.040, Well Location and Access. KCPHD proposes to amend existing language in KCC Sections 17A.08.020 and that KCC Chapter 13.20 for the language existing in 17A.08.025. KCPHD proposes to correction KCC Section 13.35.050(3), Individual Water System from "two gallons per minute (2GPM)." KC Ordinance 14-0005 and other pertinent sections of Chapter 13.35 were previously amended in 2014 to reflect this correction, but Section 13.35.050(3) was not updated. Staff recommends to approve Docket item 14-03.

Chairman Grant Clark opened public testimony for Docket Item 14-03

Mary Burke, 1351 Smithson Rd, representing family and herself, recognize these items that deal with water. Ordinance 14-0005 does not limit or regulate stock water and stock water is exempt from this. Be aware of this when reviewing this water ordinance in conjunction with the other matters in front of you.

Jack Field, Executive Vice President of Washington Cattleman's Association in Ellensburg, and echo comments of the previous speaker, and stock water is not incorporated into this or regards to be permitted or volumetric limitations. I have grave concerns about mitigation on stock water.

Chairman Grant Clark closed public testimony for Docket Item 14-03.

Discussion was made between planning commission members and staff regarding Docket item 14-03

f. Docket Item 14-10D

Staff planner, Kaycee Hathaway, presented Docket Item 14-10D, and read it into the record. Kittitas County Community Development Services proposes replacing the existing sign ordinance is to accommodate and promote signs by providing minimum standards to safeguard life, health and visual quality. The existing sign code does not present sign standards in a user-friendly way that can easily be understood by the public and staff. Proposed revisions would add definitions of various sign types. Present clear direction on allowable sign height, size, and number, and provide a list of exempt or prohibited signs. The revised sign ordinance does not change how sign permits are processed. All the same procedures in Title 15A.03 Project Permit Application Review still apply. Staff recommends approval of Docket item 14-10D. Discussion was made between planning commission members and staff regarding Docket item 14-10D.

Chairman Grant Clark opened public testimony for Docket Item 14-10D.

Chairman Grant Clark closed public testimony for Docket Item 14-10D.

g. Docket Item 14-05

Staff member, Christina Wollman, presented Docket item 14-05, and read it into the record. The changes proposed in KCC 14.08 are primarily to correct minor grammatical errors, clarify requirements and update the administrator of the regulations. Staff recommends approval of Docket item 14-05.

Chairman Grant Clark opened public testimony for Docket Item 14-05

Chairman Grant Clark closed public testimony for Docket Item 14-05

h. Docket Item 14-06

Staff Planner, Lindsey Ozbolt, presented Docket item 14-06, and read it into the record. Kittitas County Community Development Services proposes amending portions of KCC Title 15.04 to allow for consistency, clarity and compliance with the updated WAC Rule amendments (WAC 197-11) effective 5/10/2014. Additionally, staff proposes integrating language from KCC 15A.04.020 and KCC 15A.04.030 into KCC 15.04.160 and KCC 15.04.210 as it is more appropriate in this title.

Chairman Grant Clark opened public testimony for Docket Item 14-06

Chairman Grant Clark closed public testimony for Docket Item 14-06

i. Docket Item 14-07

Staff Planner, Lindsey Ozbolt, presented Docket item 14-07 and read it into the record. Kittitas County Community Development Services proposes amending portions of KCC Title 15A to allow for consistency and clarity for permit review efficiency. Staff is recommending language changes to the project review section (KCC 15A.04) to allow for processing efficiency and clarification. One of the changes includes requiring binding site plans to allow for the same type of noticing schedule as short plats. As part of this change Section 16.05.020.2 in Docket Item 14-8 was deleted for consistency with this proposal. Additionally staff has proposed to add timeframe language to Table 15A for the Shoreline Master Program to be consistent with WAC 173-27-110(e) making the public comment period 30 days.

Additionally, KCC 15A.04.020 and KCC 15A.04.030 are proposed to be repealed from this title and added to KCC 15.04.160 and KCC 15.04.210. Staff recommends Docket item 14-07 for approval.

Chairman Grant Clark opened public testimony for Docket Item 14-07

Chairman Grant Clark closed public testimony for Docket Item 14-07

j. Docket Item 14-10B

Planning official, Doc Hansen, presented docket item 14-10B and read it into the record. Kittitas County Community Development Services proposes amending portions of KCC Chapter 17.13 for consistency with Title 17 amendments adopted as part of the GMA compliance amendments in 2013 and other clarity amendments. Staff recommends Docket item 14-10B for approval.

Chairman Grant Clark opened public testimony for Docket Item 14-10B

Chairman Grant Clark closed public testimony for Docket Item 14-10B

k. Docket item 14-08

Planning Official, Doc Hansen, presented Docket item 14-08 and read it into the record. The proposed amendments to Title 16 of the Kittitas County Code are designed to address four specific elements of the subdivision code; Split Zoned Parcels, Adequate Water Supply Determinations, Boundary Line Adjustments, and Administrative Segregations. KCC Section 16.04.025 addresses the prohibition of split-zoned parcels in any subdivision process and KCC Section 16.10.010(4) prohibits them specific to boundary line adjustments (BLAs). Adequate water supply determination requirement language was added to all forms of subdivision (Binding Site Plan, Plat, Short Plat, and Large Lot). In addition to outlining and explaining the BLA process in a manner that is consistent with other elements of the subdivision code, KCC Chapter 16.10 was created to require a title report and recorded survey for review as well as language to sunset an approved BLA if it is not recorded within a two year time frame. Finally the entire section related to Administrative Segregations was repealed. Staff recommends Docket item 14-08 for approval

Chairman Grant Clark opened public testimony for Docket Item 14-08

Chairman Grant Clark closed public testimony for Docket Item 14-08

l. Docket Item 14-10A

Staff planner, Jeff Watson, presented Docket Item 14-10A and read it into the record. Discussion was made between planning commission members and staff regarding Docket item 14-10A.

Chairman Grant Clark opened public testimony for Docket Item 14-10A

Chairman Grant Clark closed public testimony for Docket Item 14-10A

m. Docket Item 14-01

Staff Planner, Jeff Watson, presented Docket Item 14-01 and read it into the record. The Open Space Taxation Act, enacted in 1970, allows property owners to have their open space, farm and agricultural, and timber lands valued at their current use rather than at their highest and best use. The Act states that it is in the best interest of the state to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. The criteria in declaring land in open space has been broad and subjective in interpretation on whether a particular property qualifies as "open space" and in the assessed value of property for taxing purposes as a result of placing land in "Open Space." The Public Benefit Rating System" (PBRs) was approved as procedure for evaluating the benefit of having land designated in open space to reduce the subjectivity and provide a measuring technique to evaluate the value of the public

benefit of that open space being reserved. Every county within the State has legislative authority to establish a public benefit rating system for the open space classification, the criteria contained within the rating system governs the eligibility and valuation of the land subject to the application. When a county creates or amends a PBRS, all classified open space land will be rated under the new PBRS. Land that no longer qualifies for open space classification will not be removed from classification, but will be rated according to the PBRS. Within 30 days of receiving notification of the new assessed value established by the PBRS, the owner may request removal of classification of the land without imposition of additional tax, interest, and penalty. The following language is proposed to be added into the Kittitas County Code to establish a PBRS for the County and require current use properties in open space to be valued through this system. Discussion was made between planning commission members and staff regarding Docket item 14-01.

Chairman Grant Clark opened public testimony for Docket Item 14-01

Del Knudson, 771 Watt Canyon Rd, made discussion with staff regarding 14-01. People have bought property based on open space tax, and recommend people who bought property under open space be able to continue that. Any sales from here on should be reevaluated.

Mary Morgan, Ellensburg, WA, has concerns about this and the 30 days' notice to the land owner. No categories support or protect the shrub steppe and made discussion with staff regarding 14-01. There needs to be a longer notice to landowners than thirty days and there should be some better considerations prohibit development of property and the shrub steppe and needs to be protected.

Jack Fields, appreciate the clarification between ag and timber lands. Work on messaging would be a great value, and if you look at the Ag then work with the Farm Bureau. Appreciate the clarification.

Pam Fields, No 6 Rd, it is a great idea to be more specific and less nebulous. The public should be involved in the priorities, particularly people that it affects, and it is important people who have purchased property and zoned that way should not have to jump another hoop. For the people that already have it, it would be unfair.

Ryan Williams, made discussion between staff regarding conservation easements and process. A discussion with a Daily Record reporter would have cleared a hundred people out of this room.

Chairman Grant Clark closed public testimony for Docket Item 14-01

n. Docket item 14-02

Staff member, Christina Wollman, presented Docket item 14-02 and read it into the record. Excavation of ground over the past few decades as a result of increased development has resulted in a number of jurisdictions adopting "Grade and Fill" ordinances which allow the continued development of private lands while avoiding the environmental impacts of such activity. Such ordinances are designed to limit erosion, protect ground and surface water resources, protect wildlife areas, and ensure proper restoration and replanting of graded areas, while allowing for development within the jurisdictions. Kittitas County staff has drafted language similar to State and other jurisdictional grade and fill ordinances. The regulations proposed below will require this excavating or more filling more than one hundred cubic yards to obtain a grade and fill permit. Concrete or Cement materials will be considered fill material. The permit will require provision of site plans and plans for providing erosion control methods during any grading and/or filling activity upon a site. Any grade or fill activity involving more than five hundred (500) cubic yards of material or when conducted within a designated Critical Area would require and accompanying engineering plan for grading operation. Grade and fill activity would also be subject to County SEPA regulations under proposed Code amendment. The County Engineer or Public Works designee will have the authority to review the grade and fill plan, the erosion control design and grant a "grade and fill" permit. Staff recommended Docket item 14-02 for approval. Discussion was made between planning commission members and staff regarding Docket item 14-02.

Chairman Grant Clark opened public testimony for Docket Item 14-02

Del Knudson, 771 Watt Canyon Rd, I understand what you are trying to do, but where do you draw the line between the bureaucratic bs. The only way to claim an exemption is if you are immune to it. You have to draw a line somewhere and total bureaucracy. Private people need to do what they need to do on their own property.

Chairman Grant Clark closed public testimony for Docket Item 14-02

o. Docket Item 14-10C

Planning Official, Doc Hansen stated that they would be addressing 14-08 and matrix 17.15 which outlines permitted uses in the zones. Doc Hansen stated that he will be proposing certain types of Recreational- Tourism that is not addressed in code. Staff Planner Lindsey Ozbolt will be addressing the items of 14-10C matrix, and Staff Planner, Jeff Watson, will be addressing Marijuana related items. Planning Official, Doc Hansen stated Kittitas County Community Development Services proposes amending portions of KCC Title 17 to allow agriculture and recreational tourism uses in Resource and Rural Working zones. Changes will be made to the allowed uses table (KCC 17.15) and to Definitions (KCC 17.08). The following new uses are proposed: Farm Visit, Agricultural sales-enhanced and U-Pick/U-Cut operation. Additionally, "Guest Ranch" will be expanded to "Guest Ranch and Guest Farm" and "Produce Stand" will be renamed "Farm Stand." The intent of the proposed revisions is to promote interest in the County's agricultural products and recreation industry by expanding the zones in which tourism-oriented uses are allowed. The new "enhanced agricultural sales" use will enable local goods such as wine, cheese, and prepared foods to be sold at approved ag-related uses in most rural zones, whether permitted outright or with an administrative conditional use. Likewise, the sale of fresh agricultural products at a Farm Stand would be possible in all Rural Non-LAMIRD zones, in some cases requiring an administrative conditional or condition use permit. The proposed Farm Visit and U-Pick/U-Cut uses will provide opportunities for agricultural education and learning facilities, and seasonal recreational harvesting activities such as picking fruit and berries or cutting Christmas trees.

Staff Planner, Lindsey Ozbolt, read further changes of the allowed use tables (KCC.15) into the record, including public facilities, rock crushing, asphalt/concrete plants, parks and playgrounds and impound/towing yards. Staff recommends approval of Docket item 14-10C with regard to public facilities, rock crushing, and asphalt/concrete plants, parks and playgrounds and impound/towing yards.

Staff Planner, Jeff Watson, read Docket item 14-10C, with regard to Marijuana Production and Processing into the record. Staff made no recommendation for Docket item 14-10C with regards to Marijuana Production and Processing.

Chairman Grant Clark opened public testimony for Docket Item 14-10C

Greg McElroy, 6900 E Green Lake Way N., #123, Seattle WA 98115, representing Ellensburg Cement Products, Hutchinson Properties LLC, and JH Properties LLC stated that I am not talking about marijuana and would be speaking about rock crushing. The opposition to rock crushing, is a classical conditional use, in that its nuisance prone, dust, vibration and noise. The way its been solved is that extraction locations in Ag-20 or Commercial Ag zones we don't know what is driving the proposed changes. In Ag-20 zones conditional use permits are required, but a crusher can be placed without a permit. They are objecting to the expansion of crushing outside of the historical zones, there isn't a need to expand it. The other objecting is the idea of a crusher in a Ag-20 zone should be a permitted outright use when it's been outright prohibited use. A conditional use permit is the only way to regulate this and mitigate. If they are permitted outright there is no mitigation. Temporary Batch plant, an administrative CUP means you have no hearing, and you shouldn't have one unless there is clear criteria that the administer is

going to apply. There is no definition of temporary. These changes have not been thought out. No members or industries participants supporting it.

Jade Stefano, 500 Rocky River Rd, stated that they have used local contractors and businesses and plan on both indoor and outdoor. We took some time meeting with the BOCC which would ban soft sided green houses and believe this is not the intent and there is some misunderstanding. These are the industry standard and for the harsh climate. Review of the language, of what Jeff mentioned earlier, of what greenhouses are allowed. Banning outdoor growing basically limit mom and pop businesses, farmers whereas indoor greenhouses or very expensive. Most local citizens would have a harder time with that investment. I also wanted to mention that the plant will not impact the hay crop. Each plant is monitored to a high degree. I urge you to not base it on hypothetical and base it off science. Urge you to give current zoning a chance, and the right to farm mentality here in the county and the basic use of soft sided greenhouses and outdoor growing.

Carla Igower, Ellensburg Washington, stated personally that it shouldn't be allowed anywhere in the county. I think it should be within 2 miles of a proposed facility to notify property owners. Five hundred feet is nothing. I feel that the five hundred feet is inadequate and should be much larger area, so that the neighbors are notified not adjacent property owners and property owners of Kittitas County should have two votes for every Marijuana persons' one vote.

Heather Hjorth, member of Kittitas County Alliance, stated to encourage you to keep marijuana regulations as they are and not change the rules at this point in the game. Legal Marijuana entrepreneurs have made significant investments and real estate in Kittitas County. Specifically, we ask you to allow outdoor grow, with the minimum twenty acres, and allow soft sided greenhouses. We are trying to address concerns of farmers here in the valley, and respect the concerns. I spoke with the Specialist in Amsterdam, to find the science behind the concerns. We are here an open with a sense of transparency, and establish ourselves of family farmers. We will do our best to be good neighbors. We appreciate the opportunity and jobs that it can bring to Kittitas County will bring opportunities. We are doing our best to be good neighbors, and hopefully be a valuable part of Kittitas County.

John Ufkes, 361 Boston Rd, I submitted yesterday of 594 persons that are requesting the marijuana growing factory be taken out of the agricultural areas. Essentially, you'll note the current zone is allowed use in light industrial, and no applications have been in the liquor control board for property to be utilized in light industrial for these purposes. Primarily LI is more expensive. And in my opinion that is exactly where it belongs. The current zoning code is horribly inadequate and there is no notice to any neighboring properties where it is outright permitted. The ACUP process is dismissive of the public input, all you have to do is look at NMF. All public comments of NMF were ignored. Under the proposal, the standard before the HE and granted CUP would be the same as the ACUP. There needs to be additional criteria when it's a marijuana facility for ACUP. And at my opinion it's at the very least, what is used by the LAMIRD CUP under footnote 18 of 17.15.070.02, there is a required finding of compatibility with neighboring uses that is a bare minimum essentially. But again, I don't believe that marijuana production and processing should be allowed anywhere but the industrial zone. Today we are very appropriately considering and Planning Commission is empowered to do something more significantly rigid because under the DR article July 5th 2014 it was made clear that the county may tighten pot growing regulations and all options are on the table. They are not agriculture. The three page water resource rules and laws publication is attached to material. In addition from my experience of agriculture, this isn't close to agriculture, there is a black market that has been in place for decades, that allows for any illegal produce to be made, and cash be made outside of the LCB and the facilities and this is an obvious temptation in this industry. And from my personal experience of interacting with LCB and not impressed with their enthusiasm in regards to this industry. The value of marijuana would have to be drastically reduced to be compared to any type of agriculture. The highest net per acre of an agricultural product, in California, which is where I moved eight years ago is strawberries. In addition the

history and documentation in regards to marijuana facilities very much increase of criminal activities, especially robberies and burglaries, because of the value of this product. For instance, I've attached Exhibit D, from NBC news, since the legalization of MJ in Denver, annual rob and burg rate increase of 50%. Crimes that characterize MJ are not limited to CO. Exhibit D, was an armed robbery in EBurg in July, Oct 1st armed confrontation in Selah. Exhibit E, in Toler County, high security fence as providing so much security, was pushed over by a car, and attempted to rob a grove of 50 MJ plants and suspect was shot dead, and another 16 year old injured. Like the one on Carroll Rd, is far from law enforcement, and a security fence is similar to required in Washington. And it is gang type gun battle that is brought, and that is why it can't be allowed in ag or rural areas of this county at all. Included Example of complaint against Centralia, that I502 protects access to retail MJ facilities that production or processing. The I502 is not clearly banning that is why you have all this litigation. Anything that we are doing to facilitate production in those type of areas, endangers the neighbors and gives them a cheap way to make millions of dollars of produce and product, and they don't deserve it and don't need it.

Julie Ufkes, 361 Boston Rd, SOARS, presented a power point presentation and it was played into the record.

Kathy Lindsey, 1021 4th Parellel Rd, addressing my comments to PC members. As the spokesman CKC request attach comments and petitions be made part of Public Record. The petition reads as follows asks for the ban of production and processing of Marijuana in Kittitas County and concerned the export of timothy hay will, property values will go down and criminal activity will be up. The 51 pages of signatures, one long weekend with people eager to sign and seeking us out so they too could sign. Three counties in WA State have ban have been placed and it has been upheld. In Colorado, 87% of the counties and most cities have prohibited Marijuana production and processing and increased criminal activity. The Daily Record article July 5th, 2014 article the commissioners, Paul Jewell and Obie O'Brien, stated that the entire May ordinance growing ops have been reopened and all options are open for consideration. The ban should be considered a viable option.

Rich Wilkins, 3800 Carroll Rd, representing himself, submitted three pictures for the record, first one a hay operation in progress taken in September 2005. That said that hay field looked pretty good and the reason that this is in here that is where the 50 acre proposed pot facility. What is going on with that I don't know. Page 2 is a State of Washington Department of Revenue, sales exemption, MJ cannot use this certificate. MJ is not a MJ not an Ag product. This revision was made May 29, 2014 that is after a lot of this started. 3rd page is just what it looks like that indicates gross sales and employment by each county within the state, it's all agriculture. Don't let these production facilities make them an agricultural commodity.

TJ Mcdonald, 1006 Emerson Rd, representing Old McDonald Farm, stated reference chapter KC 17.14.010 is a right to farm. I live on a 15 acre farm. I want to preserve that. It is important to the county. 17.08.033 defines an agricultural product, marijuana is a plant, marijuana is a crop. USDA regulates the pesticides, just like other crops. The fact that our agricultural product is greater value than most is because no one can produce it at scale legally. As soon as I502 gets going, the points of I502 is to meet and beat the black market, which can be done if it is in an outdoor or greenhouse setting. If we do get in zoning and outdoor banning, that is zoned with farming and ranching as a priority. Hard walled structures will not require 8' fence, however, a hard walled greenhouse is still required by Washington State Law. Last point, the county has changed rules many times; I want transparency and open as I can be, and the county to be the same.

Mike Graham, 5810 Naneum Rd, representing NMF Enterprises, I am a fully state licensed and county permitted and have been in operation and doing farming. I don't understand the farming I do isn't agricultural. All the practices of that are identical of a farmer of tomatoes or organic vegetables. All this talk is contrite and ridiculous. A couple points I wanted to make I am a legal producer in this county, there are several others, now I spoke here six months ago as an applicant, the sky is not falling here in

Kittitas county. Lots of anti-marijuana rhetoric and doomsday scenarios is proved to be false. A common misconception of people that are pro 502 that means you are pro marijuana, and that's absolutely not the case. We want more intelligent solution to thirty years of failed policy. Do you have a better policy than pursuit over these years, probably not, but so being pro 502 is not pro marijuana. Arguments with hay production, ban 502 because of hay production this argument has been repeated again and again, and repeated in the same thing over, without facts does not make it true. Marijuana is an annual plant with very controlled pollination there is almost zero chance that marijuana can cross pollinate with hay. **Mark Jones, 6300 Robbins Rd**, representing himself, we all have a fear of marijuana. We have a choice to take the tax revenue, or you can sit back and lose it. I watched the corn farmers turn to hay farmers, the hay farmers turn to sudan. This is a new life generation. This is a medical marijuana industry too. We have cancer, we have leukemia, seizures, and the medical is different the recreation. You are gonna sit here and program yourselves that its bad. Get your fact. I am here as a cancer survivor, I have lived here all my life. I watched Boise Cascade collapse, I watched Twin Cities Foods, the biggest growers are Ward Rugh and Anderson, a couple others and that's it. We can wrap it and grab it with our hands and go. And I thank you for having this meeting, and I urge you to get your facts straight because it's all about the money. Open your hearts, and souls and minds, don't be so closed.

Stephanie McKendrick, Sorenson Rd, I just have a couple of facts. One fact is a grow operation in production in Badger Pocket, in a three week period I have copies of sheriff's reports of the alarms going off 5 times. That is five times at night that our 2-4 deputies were out in badger pocket taking care of alarms for marijuana. Not only we are losing law enforcements those alarms are darn loud and its not pleasant. Listen to the residents, because if go online, that have now applied for marijuana are Seattle, are Vancouver. Who are you here to serve? The people from the west side or the people who live here. I moved here and I wake up every morning to the green and the hay. I took my life savings to move here because I love this community. Listen to the residents not the owners. The same property owner has not paid their property taxes from April. This same building as has an agricultural building has not had any permitting. Another building has no permits, no permitted well, or septic and hasn't paid their taxes. IS that who you want to have operating a cash business? I urge you to listen to the residents of Kittitas County.

Rollie Bernth, 650 N Willow St, representing Kittitas County Timothy Hay Growers Association and others, I have lived in Ellensburg most of my life and difficult time even discussion this topic. What's the benefit of all this? I just don't see this. Our friend their doesn't think there isn't risk involve, and right now we are trying to ship hay to China their hay that was shipped over there wasn't even close to a GMO alfalfa field. The potential for contamination is there. If it happens this country will be in real financial trouble and the farmers will be out of business because our markets won't accept that. I don't understand why the County Commissioners didn't place a moratorium. Why are we letting three people decide our future? We should have a say in this. Again, what's the benefit? I don't know but this could turn out like Obama care cause we won't find out till it happens.

Sandy Linder, 4961 Nanuem Rd, I too agree that marijuana is not a normal agricultural crop. If you watched the news from the tri-cities you would see people climbing over fences and stealing the crop. Other growers are sleeping in tents to protect their product; I haven't seen a timothy hay farmer sleep in a tent to protect his hay bales. Why would you want to put that in our neighborhood? I don't think law enforcement is strong enough to handle this. When you call someone and you live in a rural community it takes a while to get there. I urge you to ban it outright, but if you are not going to do that move it to an area where our law enforcement can take care of it.

Kaz Murata, 7180 Sorenson Rd, one thing that puzzles me the most is the definition of agricultural. But if you apply the same principle heroin and opium is a poppy and a plant, and cocoa is a plant that produces cocaine, but it's an agricultural plant. Marijuana seems to me comes at a price, sold by gram, and goes to the straight to the brain. It does not provide any nourishment to the body. Marijuana only

reason to pay outrageous price is to alter the mind therefore, it is a pharmaceutical product it is not agricultural product. The first time in history that the zoning code does not say anything about this and must redefine it. Another thing the people who came up here in support of Marijuana industry dress different than us look like Miami vice, type, and we don't appreciate that kind of culture. We are rural farmers. We have to think about these things not just the zoning code, not just our culture. I propose moratorium at least for here.

Bob Burke, Lower Green Canyon Rd, there is a moral component to this that has been overlooked. We need to give a lot of consideration to our children and grandchildren. I would like to see Kittitas County ban the growing and processing of the drug and if there is a medical component that makes sense then we have had a lot of drugs that have been handled by pharmacists and doctors and they seem to be just fine.

Edwin Doern, 235 Big Sky Vista Dr, Cle Elum, we have CCRs in our community and I think they are fairly common that are rural twenty acre parcels that are in these forest communities. We have specific clauses or covenants that restrict commercial activities on these lots. I think it's in there, and I appreciate if the county looks at CCRs when they vet those applications that are related to that kind of activities.

Alex Cooley, 2125 Dexter Ave, Seattle, WA, the reason I am in front of you, and honestly surprising because its been adopted. When this conservation began a year ago, was keeping it out of residential areas. We are now back at the table considering changing this after persons have applied, granted licenses and life savings in these establishments and facilities. As an industrial grower myself, this is not where the plant belongs. I do agree that this could be potentially a bad thing, but not allowing it is impatient and reactionary. You can call it agriculture or can choose not to, but at the end of the day it is a plant. There are many pharmaceuticals that are plants it is grown under the sun. The point of I-502 taking out of the hands of the black market, out of the hands of the children, and removing entire the criminal element by removing the costs to municipalities by incarceration and prosecution. Cannabis is here, and in this state, and this county and you can have a conversation about cannabis and have a reasonable conversation about facts. The people that have put the money in these facilities are here to stay, it has begun. This is what democracy is. I have a right just as you have a right. I encourage you to have conversation. I encourage you not to change the rules at this time at minimum go one year, so we can place policy that is not reactionary.

Phil Kenison, Carroll Rd, I live out on Carroll Rd where they want to build the monstrosity of a building. It will have quite an effect on me, and there will be a lot of employees. We have enough trouble with gravel trucks. Property value will go down, because you tell somebody that there is a marijuana growere up there. I am a farmer. I am in it for the rural lifestyle. The people who clap agree to keep the county how it's been. And you can talk about all these changes, one of the commissioners last spring there were only twelve people. Nobody knew about it. A public meeting where we are lal here and expressing our opinions, keep it out of our county. The people who buy our hay, commented that any marijuana in the hay they will drop it, they may not be perception for it to be a safe facility that is an excuse to drop the hay prices.

Susan Watelay, 908 E Tacoma, I am concerned about the environmental impact that these grows will have on this county and what our county can abstain in terms of law enforcement and water. I wish I understood more about indoor grows, I wonder if there could be another type of zone, and couldn't there be a creation that defines industrial agricultural? Why couldn't the grows be contained outdoors and manageable? I support the law but I am concerned about a county moving forward cautiously and putting something in effect and changing in a couple years and learning from it. The taxes collected don't go to our county as much as they go to the state.

Keith McGowan, 10 Larsen Rd, I appreciate all the consideration given to this issue and applaud that you have moved, or proposed for considering from a permitted use to something more restrictive. You are going in the right direction, but they aren't just restrictive enough. Most people say that it is an industrial use. The idea that it is a conditional use it does not fit the criteria under a conditional use permit. The proposed use is desirable and not detrimental to peace, healthy or safe to the public. Its hard to imagine, where you can get passed the first criteria. The state's SEPA identify will increase to increase homicides and crime of all types and specifically identifies homicide. It's not good planning practice. It will better serve growers in an industrial area. I have been a planner for over thirty years. If you do continue with the Conditional Use to add a requirement that follow federal law with employee safety, public safety, public health, water and wetlands. I encourage you to add this If you don't.

Del Knutson, 771 Watt Canyon Rd, stated that he was born and raised here. He watched what the county has done. On the other hand, changes are coming to make something happen with this county. The facts speak for themselves; I tried to make myself aware. This county has had marijuana in this county for a long time. Some of the people growing marijuana now are already vested. The restrictions are in good order and will make a tax benefit to this county. Any properties in open space will have to be removed if growing from marijuana. I will benefit from this, I am a real estate. The jobs that will come in will be substantial, the security will be substantial I am not saying I like, I don't use it. Look at Yakima County, maybe they should ban hops? Maybe marijuana can be good for us. Illegal grows are more susceptible to contaminating the hay fields. CCR's can be put on property, and it can be put on any property stating that they cannot grow marijuana.

Jerry Sandelo, 1510 Hamilton Rd, I am surrounded. I have lived here for 16 years, I moved here because I grew up in a farming community. Most people if they had a chance to voice their opinion they would vote not to have it here and the way I was raised its not always about the money. Yakima County didn't authorize it, and this meeting tonight is the first time, I didn't realize what is going on. I am one of those people that is upset that felt there is a lack of wisdom on the planning process, and thru the process and hadn't really exposed the issue to the community. I think if it was exposed as all this was coming to light Kittitas County would not be hosting marijuana production and it is advisable to bring a moratorium.

Chairman Grant Clark opened public testimony for Docket Item 14-02

Chairman Grant Clark stated that they will not deliberate tonight. Grant Clarke made a motion to deliberate Thursday, October 9th, 2014 at 6:00 PM at the Kittitas County Armory. Bob Hickey seconded the motion. **The motion passed 4-0.**

Rob Fraser made a motion to continue the meeting for deliberation until October 9, 2014 at 6:00 p.m. at the same location in the Armory. Bob Hickey seconded the motion. The meeting was approved to continue at 10:16 PM.

