

**TESTIMONY AND WRITTEN PUBLIC COMMENTS:
PERMANENT REGULATIONS FOR MARIJUANA FACILITIES
COMMENTS/TESTIMONY RECEIVED MAY 21 – JUNE 18, 2015**

Name	Organization	Method
Afdem, Gail		Letter (6/15/15)
Alcorn, Erik		Email (6/18/15)
Anders, Alvin		Email (6/16/15)
Bambrick, Mary K.		Letter (6/18/15)
Baughn, Delinda		Testimony + letter (6/16/15)
Baughn, Steven		Letter (6/16/15)
Boisen, Kathryn D.		Letter (6/16/15)
Boisen, John		Testimony + letter (6/16/15)
Bonnette, Shannon		Letter (6/15/15)
Bynum, Ellen	FOSC	Email (6/18/15)
Cave, Ashley		Letter (6/16/15)
Champeaux, Tina		Letter (6/16/15)
Chase, Ben		Letter (6/16/15)
Chase, Chris		Letter (6/16/15)
Cleave, Richard L. and Ruby		Letter (6/15/15)
Cooksey, Benjamin and Elizabeth		Letter (6/15/15)
Couvion, Barbara J.		Letter (6/16/15)
Date, Troy and Andrea		Letter (6/15/15)
Dempsey, Edwin L.		Letter (6/16/15)
Deyo, Amanda		Letter (6/18/15)
Dilley, James P.		Letter (6/16/15)
Dilley, Marla L.		Letter (6/16/15)
Donovan, Jim and Robin		Letter (6/18/15)
Doornenbel, Constance		Letter (6/17/15)
Duncan, Ken and Sarah		Letter (6/18/15)
Dundas, Robert and Reid, Hannah		Letter (6/16/15)
Eastham, Marianne and Douglas, Clark		Letter (6/15/15)
Edson, Nancy		Letter (6/16/15)
Ehlers, Carol		Testimony
Ellis, Lisa		Letter (6/18/15)
Faigh-Bruno, Anthony		Email (6/18/15)
Fisher, Rick		Letter (6/16/15)
Freeman, Robert and Mary		Letter (6/16/15)
Funderburg, Dennis M.		Letter (6/16/15)
Funderburg, Rosemarie		Letter (6/16/15)
Gonzalez, Veronica		Letter (6/16/15)
Good, Randy and Aileen		Email (6/16/15)
Gorr, Gilda		Letter (6/16/15)
Gorr, William R.		Letter (6/16/15)
Greenwood, Keith		Email/letter (6/14/15)
Harrison, Andrea	Brigid Collins Public Policy Education Committee	Testimony + email (6/16/15)
Harrison, Carol		Letter (6/16/15)

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Haveman, Jeffrey K.		Letter (6/16/15)
Haveman, Lani		Letter (6/16/15)
Hendrickson, Barb		Testimony
Hill, Michele M.		Letter (6/16/15)
Hodgson, Rachael		Letter (6/16/15)
Humes, Joella		Letter (6/16/15)
Hurlimann, Cambria		Email/letter (6/17/15)
Hurlimann, Larry		Testimony + email/letter (6/17/15)
Ibarra, Janta A.		Letter (6/16/15)
Jacobs, Laurel		Letter (6/15/15)
Jacobson, Bill		Letter (6/16/15)
Keim, Nancy E.		Letter (6/17/15)
Killorin, Rebecca S.		Letter (6/17/15)
Kooiman, Marianne		Email (6/10/15)
Lewis, Ray		Email (6/18/15)
Lohman, Annie		Testimony + emails (6/16 & 6/17/15)
Lomsdalen, Kammie and Michael		Letter (6/18/15)
Marlow, Claudia		Letter (6/16/15)
Marlow, Ronald		Letter (6/16/15)
Martin, Joel	221	Testimony + email (6/18/15)
Martin, Jon		Letter (6/16/15)
McDaniel, Jodi		Letter (6/16/15)
McMurtry, Herbert C.		Letter (6/16/15)
McMurtry, Nichola C.		Letter (6/16/15)
McNaughton, Pamela		Letter (6/16/15)
Mitchell, Kathy		Testimony + email (6/15/15)
Mitchell, Roger		Testimony + letter (6/16/15) + email (6/18/15)
Mohr, Armin		Testimony
Mohr, Bev		Testimony
Moore, Larry		Letter (6/16/15)
Moran, Bryanne S.		Letter (6/16/15)
Moyer, Jennifer		Letter (6/16/15)
Munsey, Connie		Testimony
Munsey, Connie and Malcolm		Email (6/15/15)
Palmer, Erin		Email (6/16/15)
Reichlin, Arthur J.		Letter (6/15/15)
Sager, Julie		Letter (6/18/15)
Sager, Kelsey		Letter (6/18/15)
Schleh, Joan		Testimony
Schleh, Joan and Steve		Email (6/14/15)
Schwer, Nancy M.		Letter (6/16/15)
Schwer, William G.		Letter (6/16/15)
Scott, John R.		Letter (6/16/15)

**TESTIMONY AND WRITTEN PUBLIC COMMENTS:
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Scott, Jon and Linda		Letter (6/15/15)
Scott, Lori		Testimony + email (6/16/15)
Senatore, Pat		Letter (6/18/15)
Serles, Scott	221	Testimony
Slaatthaug, Kory		Letter (6/18/15)
Smith, Danielle		Letter (6/15/15)
Snow, Angela		Letter (6/16/15)
Snow, Nicholas		Letter (6/16/15)
Solver, Michelle		Letter (6/16/15)
Solver, Scott		Letter (6/16/15)
Sowell, Russell		Testimony + letter (6/16/15)
Sowell, Sharyn		Testimony + letter (6/16/15)
Springer, Nancy		Letter (6/16/15)
Stevens, Cassandra and Justin		Letter (6/18/15)
Stewart, Richard E.		Letter (6/15/15)
Sundberg, Sandy		Letter (6/16/15)
Sundberg, Scott N.		Letter (6/16/15)
Swartz, Koenrad		Letter (6/16/15)
Swedelius, Claudia		Letter (6/15/15)
Sweger, Crystal		Email (6/16/15)
Thomas, Teresa		Letter (6/16/15)
Twitchell, Jarom		Letter (6/16/15)
Van Wyck, Nikko		Email (6/17/15)
Wolf, Heather (Brownlie Evans Wolf & Lee, LLP)	Bernard Finney, Cedardale LLC	Testimony + email (6/12/15)
Wolner, George		Letter (6/16/15)
Workman, Matthew		Letter (6/16/15)
Workman, Tina		Letter (6/16/15)
Yerger, Russell		Letter (6/16/15)

From: [Erik Alcorn](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Thursday, June 18, 2015 8:50:02 AM

My Name is Erik Alcorn and I am a medical marijuana patient and I also volunteer at a medical dispensary. I help patients who are suffering from cancer and crohns disease. Or severe constant pain like myself. Cannabis has helped all of us. When I volunteer at the dispensary I check every patient's ID EVERY time. I check to see that they are over the age of 21, that their ID is valid and that their medical marijuana authorization is valid as well. All my medicine is labeled to keep out of reach of children. We ensure that all of our patients are educated on the medicine they're using and are using it safely. The current regulations in place have been working great. There is no need for change.

Erik Alcorn
5695 Meadow View ct
Ferndale, WA 98248

From: [Al Anders](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Tuesday, June 16, 2015 6:37:06 PM

Please allow medical marijuana coops to continue in Skagit County. We need to create a free market in the marijuana business and to allow more choices and competition.

Alvin Anders
120 Maple AV
La Conner WA 98257
360-391-7720

La Conner GOP precinct committeeman.

From: [Ellen Bynum](#)
To: [PDS comments](#)
Cc: [FOSC Office](#); [Diane Freethy](#); [Andrea Xaver](#); [Gene Derig](#); [Marilyn Derig](#)
Subject: Permanent Marijuana Ordinance Comments
Date: Thursday, June 18, 2015 2:56:05 PM

Dear Commissioners:

After many months of work, we think the Planning Commission, PD&S and legal staff have clarified most of the issues with regard to growing and processing marijuana in Skagit County.

We understand that the aim of the ordinance is to create certainty for citizens as well as marijuana producers and to site these activities appropriately.

Removing production and processing from all but industrial zones should help prevent loss of property value and/or controversies (perceived or anticipated). The Ordinance should create more consistency in the code and regulations as well.

We support the prohibition of marijuana production and processing on Natural Resource lands as complying with the Comprehensive Plan, Countywide Planning Policies and current codes requiring protection and conservation of these lands.

A few issues may still need stronger language and an assessment as to whether the requirements actually produce the intended outcome. These include:

Clarification of setback requirements and other additional requirements for marijuana production and processing to assure these requirements reflect current state law;

Water useage in other parts of the county, not just Guemes Island, and consideration of changes which may occur to water availability as a result of siting of these facilities. A cumulative effects analysis of water availability, use and impacts on other water users should be completed to determine if any additional facilities should be allowed; and

Notification to all parcel owners within 1/4 mile range of the proposed facility is not unreasonable, given the restriction to industrial zones. There are residential zones near some industrial zones who may have the same concerns raised by neighbors adjacent to resource lands (before resource lands were removed as eligible sites). The cost of notification to additional parcel owners is small compared to the costs of a subsequent legal challenge and the owners do appreciate notification by mailing.

Thank you for continuing to work toward land use decisions that preserve the rural character of Skagit County.

Ellen Bynum, Executive Director
Friends of Skagit County
110 N. First St. #C
P.O. Box 2632 (mailing)
Mount Vernon, WA 98273-2632
360-419-0988
friends@fidalgo.net

From: [Anthony Faigh-Bruno](#)
To: [PDS comments](#)
Subject: Permanent regulations for Marijuana facilities
Date: Thursday, June 18, 2015 6:18:20 AM

My name is Anthony Faigh-Bruno. 12579 c. St mount vernon.

Banning these facilities will hurt a lot of people who need them. We worked so hard for so long to get them, banning them will only take us backwards. We rely on the ease of those facilities. They are friendly, knowledgeable, and non-judgmental-which is a huge thing for us because of the age old taboo on the plant. Hundreds of people are killed by drunk drivers every year, yet alcohol is legal, can be purchased in grocery stores, and we have bars every few blocks. There is no reason to ban these facilities.

From: [Randy Good](#)
To: [PDS comments](#)
Subject: Fw: RE: Comments on Permanent regulations for marijuana facilities
Date: Tuesday, June 16, 2015 12:51:35 PM

Comments on Permanent Regulations for Marijuana Facilities;

The permitting of marijuana growth and processing should be limited to only industrial zones, with the requirement of Special Use Permits.

Neighbors within 1,000 feet should be notified. Special Use Permits need to address impacts on surrounding properties and residences, controlling noises, security and water usage concerns.

Please consider a funding source requirement for code enforcement. These marijuana facilities will likely require additional county law and code enforcement personnel that should be addressed through the Special Use Permit process. Funding should be budgeted adequately.

Thank you for opportunity to comment.

Randy and Aileen Good
35482 SR 20
Sedro Woolley Wa. 98284
360-856-1199

From: [Caryl Greenwood](#)
To: [PDS comments](#)
Subject: Permanent regulations for marijuana facilities
Date: Sunday, June 14, 2015 7:52:23 PM

June 14, 2015

Ken Dahlstedt
Skagit County Commissioner
1800 Continental Place, Suite 100
Mount Vernon, WA 98273

Dear Ken,

Unfortunately, we have been faced with the challenge of trying to put a Genie back in the bottle. Perhaps we were unsure just how much discretion would be permitted to local jurisdictions, but by allowing existing zoning regulations to frame 502 marijuana implementation, we permitted several land use conflicts. Fortunately, court decisions have supported varied strategies of regulation by local jurisdictions, up to prohibition. Recognizing the responsibility of government to "protect the innocent" we should now consider a more confining approach to implementation. The Planning Commission said, on more than one occasion, that it would be easier to loosen restrictions than tighten them later, and their recommendations reflect such a sentiment.

Although the Staff recommendations have improved over time, as written, protection for neighboring properties remains uncertain. Without a firm, and conservative, setback, the administrative decision would not give standing to a landowner's desire to not have marijuana grown, processed, or sold in their backyard. I realize this can be a poor precedent, however, this is a controlled substances with questionable value and uncertain societal consequences. The Liquor Control Board made clear its concern by establishing 1000 foot setbacks from several sensitive activity centers, perhaps residences are needing protection as well, thus 400 feet seems like a compromise (Cowlitz County, WA; Lincoln County, OR; Ontario, Canada have setbacks in place, for example). To say that there is no justification for such an "arbitrary" setback distance calls into question the 1000 feet from schools, arcades, etc. which appear reasonable and accepted.

Notification surfaced as a key concern to residences currently experiencing conflicts with marijuana operations. A 1000 foot perimeter seems excessive for most projects, but marijuana operations raise significant and unique concerns. Just the arrangement of intermixed land uses, due to our agricultural history, places Skagit residences alongside farms and associated structures, be they commercial in nature or simply supportive outbuildings.

Remembering that some jurisdictions have outright prohibited the growing, processing, and selling of marijuana, hopefully, this notification distance (along with setbacks) can focus these activities to a less sensitive location.

It is unfortunate that the Planning Commission and Planning Staff are not on the same page, however, as you might have expected, I prefer the Commission's more conservative approach.

Sincerely,

Keith L. Greenwood

Sent from my iPad

From: [Andrea Harrison](#)
To: [PDS comments](#)
Subject: Andrea Harrison, 224 Alderson Place, Burlington, WA 98233 - Permanent Regulations for Marijuana Facilities
Date: Tuesday, June 16, 2015 11:54:21 AM

Hello, my name is Andrea Harrison. I am a volunteer for the Brigid Collins, a social service agency whose mission is to support the healthy development of children and families in our community. I am also part of their Public Policy Education Committee whose purpose is to improve the safety and well-being of children by educating policy makers on issues pertinent to children and families and best practices for serving them.

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That is why I'm here today. As you all know, the Board of County Commissioners adopted a new interim ordinance and prepared a final proposal for permanent regulations governing recreational marijuana facilities in Skagit County. Although the interim ordinance echoes many state regulations, we don't believe it fully protects children and teens, as it does not contain language prohibiting marijuana retail establishments from advertising to children and youth. Brigid Collins Public Policy Education Committee would like to encourage you to routinely ask yourself, "How does this ordinance improve the lives of Skagit County children?" and respectfully asks you to consider three things:

1. What do children think about the issues being addressed?
2. Does this proposal keep children safe?
3. What opportunities does this proposal create for children?

Our committee is especially concerned about this issue, because research shows many kids in Skagit County already think marijuana use is safe and easy to get.

What do kids in our community say/think about marijuana?

- "Marijuana is a plant, which means it's natural. How harmful could it be?"
- "Would you rather I drink alcohol? Weed is so much safer."
- "My parents smoked weed back in the day, so I don't see what the big deal is."
- Last year, almost 40% of 10th graders in Skagit County thought there was little or no risk of using marijuana regularly, compared to:
 - 26% of 8th graders
 - 23% of 6th graders
- 58% of 8th graders in Skagit County believed marijuana was easy or very easy to get.

Research also shows everyone is influenced by advertising – even unwittingly. Oftentimes, the most sought after group is kids, because they are more easily influenced and brand loyalty can be established at an earlier age. This leaves the potential for significant childhood exposure to marketing of an alluring, newly legal drug that contains the net communication that it's O.K. to use marijuana. Researchers also argue the future pool of customers for the legal marijuana industry will be kids and teens since current marijuana use among U.S. high school students – particularly heavy use – has increased steadily since 1991 (14.7% - 23.4%).

What we know about Washington State Initiative 502 regulations

Washington State law (WA 314-55-155) is very specific about the location of recreational marijuana

retail outlets and their distance relative to sensitive entities like schools and public parks. Permanent regulations proposed by the Skagit County Board of Commissioners mirrors these exact statutes.

Washington State law (WA 314-55-155) also prohibits all marijuana advertising and labels sold in the State of Washington containing any statement, or illustration that depicts a minor, toys or cartoon characters or any other depiction especially appealing to children or minors. Although regulations proposed by the Board of Commissioners limit the number and size of signage, there is no regulation as to what the signs contain or illustrate. As a result, this gives recreational marijuana retail establishments in Skagit County the option to gear their advertisements to children and minors even though Washington State law includes statutes prohibiting such.

What can we do to help keep Skagit County children safe?

Washington State law prohibits the use and possession of marijuana for those under age 21 and recreational marijuana retailers are allowed to advertise to the general public. Therefore, it is important kids and teens are not drawn to these establishments. As such, the Brigid Collins Public Policy Education Committee has a recommendation for your consideration. **We suggest Skagit County include the same language enacted by the state that prohibits recreational marijuana retailers advertising towards youth and encourage you to adopt the following language into permanent regulations:**

- **All marijuana advertising and labels of useable marijuana and marijuana-infused products may not contain any statement or illustration depicting a child or person under legal age to consume marijuana or includes:**
 - **Objects, such as toys, characters, or cartoon characters suggesting the presence of a child, or;**
 - **Any other depiction designed in any manner to be especially appealing to children or other persons under twenty-one years of age. (WA 314-55-155)**

Tobacco and alcohol advertising have been heavily regulated for years. Recreational marijuana advertisements should abide by the same standard. Targeting only consenting adults will help protect the safety of our children and future leaders in our community. Thank you for listening. Please feel free to contact me for additional information or questions.

Sources

Pernula, D. and Moore, J. (2015, May 21). Staff report. *Skagit County Planning & Development Services*. Retrieved from <http://www.skagitcounty.net/PlanningAndPermit/Documents/502/Staff-Report-Final-Proposal-2015-05-21.pdf>

Tremoglie, M. (2014, April 17). These roadblocks are killing marijuana advertising's vibes. *Business Insider*. Retrieved from <http://www.businessinsider.com/roadblocks-to-marijuana-advertising-2014-4>

Kann, L., Kinchen, S., Shanklin, S.L., Flint, K.H., Hawkins, J., Harris, W.A., Lowry, R., Olsen, E., McMaus, T., Chyen, D., Whittle, L., Taylor, E., Demissie, Z., Brener, N., Thornton, J., Moore, J., and Zaza, S.

(2014, June 13). Youth Risk Behavior Surveillance – United States, 2013. *Morbidity and Mortality Weekly Report, Center for Disease Control and Prevention, 63, 4*. Retrieved from <http://www.cdc.gov/mmwr/pdf/ss/ss6304.pdf>

Marijuana Licenses, Application Process, Requirements, and Reporting. RCW [69.50.325](#), 69.50.331, 69.50.342, 69.50.345. WSR 13-21-104, § 314-55-540, filed 10/21/13, effective 11/21/13. Retrieved from <http://apps.leg.wa.gov/wac/default.aspx?cite=314-55&full=true#314-55-125>

Marijuana Use for Skagit County. (2014) Healthy Youth Survey. Retrieved from <http://www.askhys.net/FactSheets>

Andrea Harrison

MSW Intern, University of Houston

Brigid Collins Family Support Center

Nurturing children, ending abuse

Direct: (360) 734-4616 | FAX: (360) 734-1763 | Email: aharrison@brigidcollins.org

www.brigidcollins.org | Facebook | Twitter

From: [Larry Hurlimann](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Wednesday, June 17, 2015 6:01:23 AM

June 14, 2015

Comments on proposed “Permanent Regulations for Marijuana Facilities”

1800 Continental Place

Mount Vernon, WA

My name is Cambria Hurlimann and I live at 3401 Old Hwy. 99 N. in the Alger Community.

I first learned of an adjoining property owner’s application with the State for producing and processing recreational marijuana in July of 2014. Since that time the adjoining property and the property owners have been licensed by the Washington State Liquor Control Board as a Tier III recreational marijuana producer and processor.

Since July of 2014 I have submitted various letters to members of the County, and have attended; public hearings, an appeal hearing, and Planning Commissioner meetings. As a result of participating in various county processes relating to recreational marijuana and better understanding the process, I want to extend my appreciation and personally thank those who have been directly involved with getting to the point of having Permanent Regulations for Marijuana Facilities implemented.

I wanted to comment specifically on a few items relating to the Permanent Regulations for Marijuana Facilities. The most important request I would like to make is that no existing Marijuana Facilities be Grandfathered in and that they are required to meet the requirements of the permanent regulations the same as any facility in the future would have to.

The amount of time and energy spent up to this point by individuals associated with the county government and citizens in Unincorporated Skagit County that have been impacted by marijuana facilities demonstrates how many unknowns there have been relating to marijuana facilities as well as the learning curve for understanding the unknowns. Neighboring property owners of marijuana facilities currently in operation should not be punished for the County’s previous lack of knowledge relating to marijuana facilities.

Another detail of the permanent regulations I would like to address deals with setbacks of marijuana from neighboring residences not owned by the marijuana facility owner. Within the staff report for land use regulations for marijuana facilities a 400 foot setback is addressed. Within the setback section of the document there are several reasons why The Department believes such a setback is problematic.

One explanation by The Department for why the setback distance of 400 feet is problematic is that no rational basis for the 400 feet distance has been articulated. As a private property owner that shares a property line with a recreational marijuana facility I would like to articulate a rational basis for having a setback greater than 400 feet.

While recently sitting out on our back patio having lunch with my family, we were casually observing individuals associated with the neighboring marijuana facility going in and out of the marijuana grow site surrounded by privacy fencing. At one point one of the individuals going into the grow site waved at us and we waved back affirming that we could both clearly see each other.

The distance from our back patio to the perimeter of the neighboring property's marijuana grow site is approximately 300 feet. Although we have no intent of monitoring the neighboring marijuana facility to potentially steal valuable product, other neighbors of marijuana facilities may have different intentions.

At a 300 feet distance from the perimeter of the marijuana grow site, we could easily monitor activity of individuals going in and out of the grow site. This past winter from our backyard we could clearly see the grow light cycles and hear the heating systems for the greenhouses on the grow site. Neighbors of marijuana production facilities in our situation could easily predict harvests and know when the largest value of product is on site.

With my personal experience of seeing the neighboring marijuana grow site from my back patio at a distance of approximately 300 feet, I would recommend a setback of at least 1000 feet from marijuana facilities to neighboring property lines. I cordially invite anyone in The Department to come sit on our back patio so that they can have a rational basis for a setback requirement. Other municipalities already have a 1000 feet setback requirement included in their regulations.

The final item I would like to address is in response to a discussion at the May 5, 2015 Planning Commission meeting about potentially permitting marijuana retail facilities in Rural Business and Rural Village Commercial zones. During the discussion the area at the intersection of Hwy. 99 and Alger Cain Lake Rd. was used as an example of an area to permit a marijuana retail facility. The

rationale discussed for this being a reasonable location was that there would be more people in the area to better monitor activities at the retail facility.

My interpretation of the Planning Commission's rationale for permitting a retail marijuana facility in a location at intersection of Hwy. 99 and Alger Cain Lake Rd is that neighbors could more effectively police the facility. As a private property owner that has been unwillingly given the role of policing a marijuana facility on a neighboring property, the logic for permitting retail marijuana facilities in Rural Business and Rural Village Commercial zones is unacceptable. I recommend retail marijuana facilities be prohibited in these zones.

Sincerely,

Cambria Hurlimann

From: [Larry Hurlimann](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Wednesday, June 17, 2015 6:13:33 AM

June 15, 2015

Comments on proposed “Permanent Regulations for Marijuana Facilities”

1800 Continental Place

Mount Vernon, WA

My name is Larry Hurlimann and I live at 3401 Old Hwy. 99 N. in the Alger Community.

I wanted to begin by thanking and extending my appreciation to the county commissioners, planning commission members, planning department and all County staff that have worked so diligently on the development of proposed permanent regulations for marijuana facilities.

I wanted to comment on the permanent regulations for marijuana facilities from two perspectives. The first perspective as a private property owner that shares a property line with a State licensed Tier III recreational marijuana producer and processor and the second as a present and potentially future resident of this county

Since original concerns have been raised by myself and other neighbors of marijuana facilities in the County, many changes have occurred. The County has created multiple interim ordinances and now we are approaching implementation of permanent regulations on marijuana facilities.

The County has addressed concerns of odors, video surveillance of neighboring properties, setbacks of marijuana facilities from neighboring residences, and many other concerns.

One issue that directly impacts our community that has not been addressed is the “grandfathering” in of marijuana facilities in operation prior to the implementation of permanent regulations. I request that the permanent regulations include details that prevent an existing marijuana facility from being “grandfathered” in and all permanent regulations apply to marijuana facilities already in operation.

If the marijuana facility on my neighboring property is allowed to be

grandfathered in, it would most likely be the only outdoor marijuana production facility in the County.

For all of us in our community that have worked so hard with the County and have participated in the process of developing permanent regulations, we may find ourselves in a situation that is worse off than we started the process. Many of our original concerns would still exist and we would be the only community in the County that would still have to deal with them.

I request that regardless of how the County's "grandfathering" process has been dealt with in the past that the County consider a unique approach for the process when dealing with marijuana facilities in the County.

Next I would like to discuss the permanent regulations on marijuana facilities from the perspective of a Skagit County resident.

Since this past July, myself and others have been thrown head first into Washington State's social experiment with recreational marijuana. As an unwilling participant in the Washington State legislator's social experiment, I would request that Skagit County Legislators conduct their own social experiment.

As part of the experiment I propose Skagit County Legislators implement more restrictive regulations on marijuana facilities than other nearby counties. With regulations implemented various data could be compared to those nearby counties; local school test scores, unemployment rates, criminal activity, and assessed property values. This is the type of experiment I would willingly participate in.

When considering the potential tax revenue from marijuana facilities in the County, costs must also be considered. I have personally observed that the County has invested numerous County employee hours to deal with one single violation of our neighboring property. The potential for more time and money invested by the County could potentially increase with more marijuana facilities in the County and more violations.

Regardless of which permanent regulations for marijuana facilities are implemented, they will have a significant impact on the future of Skagit County and should be considered carefully.

Sincerely,

Larry Hurlimann

From: [Joost and Marianne](#)
To: [PDS comments](#)
Subject: Fwd: Marianne Kooiman, 6500 Square Harbor Ln, Anacortes, WA 98221, "Permanent Regulations for Marijuana Facilities"
Date: Wednesday, June 10, 2015 3:53:31 PM

Marianne Kooiman
6500 Square Harbor Lane
Anacortes, WA 98221

RE: permanent regulations for marijuana facilities

This is mainly a repeat of my comments of April 1.

I am very much in support of a total prohibition of producing and processing marijuana on Guemes Island.

It is industrial in nature and should be restricted to lands that are zoned for industrial use

Thanks you,

Marianne Kooiman

From: [Ray Lewis](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Thursday, June 18, 2015 1:35:08 PM

My name is Ray Lewis.

My mailing address is 5530 Chuckanut Dr #132 Bow 98232

I attended the hearing on Tuesday June 16 and would like to make some comments about that and also about the proposal.

Because I'm submitting this so close to the deadline, because I want to make sure my position is heard, I might try to submit this at the office as well.

For the past two years I've been providing financial services (bookkeeping, tax work, budgeting, compliance, etc) for a number of medicinal and recreational marijuana businesses in Skagit and Whatcom counties. I'm not a marijuana user. Whatever skepticism I might have had about the legitimacy of "medicinal" marijuana use has dissolved because of what I've seen in dispensaries and from patients. In my opinion, the meeting on Tuesday and the proposal from PDS show no concern for or awareness of the needs of the medical marijuana patient. I'm not saying you don't care, only that the process doesn't show it.

Specifically, I would like to have the county officially respond to something that was raised at the hearing by Scott, the co-owner of 221. The gentleman sitting next to Mr. Pernula suggested that the needs of the medical patient would be met by home grows and the recreational industry, a statement that betrays either a total lack of awareness about patients and the reality of their situation or an effort to dismiss patient concerns and rights as much as possible and hope there's no outcry.

Scott pointed out that not everyone can grow at home. Patients, in particular, might have disabilities that prevent them from growing. Family relationships or the realities of their housing situation might prevent it. Scott then said, from probably the most knowledgeable position of anyone in the county, that there is no adequate supply of medicine in the recreational market.

The county was congratulated by many at the meeting for its diligence and research. Fifteen minutes of research would have shown the county what Scott said is true about the inadequacies of the recreational market to meet medical needs. (By the way, there is nobody in the county who is going to benefit more financially than Scott if medical marijuana is banned, yet he felt compelled to stand up for patients because he knows there is a wide gap between the medicinal patient and the recreational user. I ask the county to consider that.) In addition, a small amount of consideration for the plight of the patient, a moment spent in his or her shoes, would lead one to see that not all patients can care for themselves. It's hard not to see the county's approach to this as dismissive, that the research effort was made on the side of the prohibition argument.

The state decided to continue the medical marijuana apparatus until July 1 2016, with some revisions, to give adequate time for the industry to retool for the medical patient. SB5052 does not

ban medicinal marijuana. One could argue that it legitimizes medicinal marijuana, that it is a defense of medicinal marijuana, a stronger one than any other document I've seen from a government agency, even if many of us interested in preserving medical marijuana find its conclusions lacking. It instead attacks the regulatory framework under which it has operated. Certain provisions of the bill took effect when it was signed, others are taking effect on July 25 2015. There is reason to believe the LCB has already conducted under-21 enforcement actions in dispensaries in the county. Medicinal marijuana has never been more legal in the state of Washington, and certainly has never been more regulated. I ask the county to follow the state's lead and to regulate the medical industry for the next 13 months, not prohibit it. The state created a bridge. The county proposes burning it, and trampling on patients' needs and rights in doing so.

I spoke with Mr. Pernula on the phone last month. He said that the attendance of the most recent hearing had been dominated by "neighbors". Once again, I ask the county to step into the shoes of a patient for just a second. He or she faces a double stigma – marijuana, and illness. Among the many emotions that I have seen and heard from patients when they come into a dispensary is shame, for being sick, for having a condition. It is cruel to expect them to show up at a public hearing, go on the record and face formal and informal discrimination and disapproval in their personal and professional lives because of their condition and their choice of medicine. (These same factors should be considered if there isn't a substantial response from the patient community by e-mail.) They have rights to privacy. Isn't one of government's jobs to protect those who are most in need? Is it really only possible to protect the rights and concerns of parents, landowners and neighbors by destroying the rights of patients? The state doesn't think so. Why does the county?

The county is replacing a perceived state of emergency and public health risk with one that is much worse and easier to prove is real. Please understand that a vote against medical marijuana is also a vote to return many medical patients to the prescription painkillers that one could argue are creating a far greater health risk in the state and the country.

I know that it is the position of many that medicinal marijuana is illegitimate, that it is a front for "stoners" to get high. If that is the county's position, please have the courage to say so directly.

Many of the speakers on Tuesday asked about enforcement. As best I can tell, there is nothing in current law to prevent enforcement of medical marijuana state laws today. Again, the state chose to regulate, not prohibit. Why shouldn't the county do the same?

The effects on patients of shutting down the medical marijuana access points in the county will only multiply as time passes. If medical marijuana outlets are shut down, they will be far less likely to be able to gain 502 licenses and create exactly the kind of medically oriented business within the recreational structure that is the only chance patients have to get their needs met starting next July. There is no motivation in the recreational world to accommodate medical patients. There's not enough money in it. It requires more effort and education in the shop. Try to find a rec shop – not just in the county, but anywhere in the state – that is oriented toward the patient, that caters at all to the patient.

Singling out medicinal marijuana not only violates patient rights, it invalidates the argument that marijuana shouldn't be allowed because it's illegal federally. All marijuana is illegal federally, and the suspect nature of the medical marijuana world under the old framework has been addressed by the state legislature in SB5052. If your argument relies on federal issues, then you should ban all marijuana in the county.

Singling out facilities that do not hold a Liquor Control Board license goes against SB5052. The LCB is not shutting down operations that do not have an LCB license. It is providing a 14-month transition period before it does so. Why shouldn't the county follow that lead?

So much of the furor over this issue comes from the Dunbar street grow, an installation that I think everyone agrees shouldn't have been put there in the first place, that it was a zoning error on the part of the county. Is that not true? Why make it a county-wide issue far beyond zoning. Wouldn't that be similar to responding to an illegal driveway by banning all driveways?

As for zoning, creating marijuana production ghettos for growing and processing seems a necessary compromise at this point in the history of marijuana legalization. But please ensure that there is adequate space available so growers and processors aren't going to be gouged by landlords.

Do we have to resort to the – I'm sorry to say the word – idiotic statement that growing marijuana is not an agricultural process? Can't the rights of agricultural residents and landowners to not have a pot farm next door be ensured without pretending it's an industrial process? Just say that you are putting it in industrial zones to keep it away from ag residents. Or come up with some other justification. Plant matter, soil, light, water, nutrients. Sounds like a tomato. Sounds like marijuana. If anything, most farming in Skagit County is far more industrial – tractors, tilling machines, gasoline. Please don't mar a useful document by saying something that makes no sense. If I want to start a tobacco farm would that be industrial? You might as well include a "WHEREAS the sun comes out at night and the stars by day." It makes all of us seem dim.

As for the four-person cooperatives that the county proposes to ban – first of all, state law does not allow them until July 1 2016. Because not all patients can grow for themselves or can grow in their domicile, I ask the county to provide for their needs by not banning cooperatives, but instead to take the lead and come up with restrictions based on overall size of the garden rather than plant count. The state law will allow four-person, 60-plant cooperatives. The tiny plant that was at the back of Amber's computer monitor in the hearing room is ONE plant. The 50-foot tree in the parking lot is ONE plant. You can grow 60 20-foot trees in your outbuilding and supply marijuana to a lot of people. By creating these cooperatives, and simultaneously removing the market for them by ending medicinal access points, it is making it far more likely that there will be a substantial black market, even with some of the safeguards that the LCB says it can put in place. Enforcement will be a nightmare. I applaud the county for taking steps to prevent that. The City of Bellingham has come up with some guidelines for grows that don't rely on plant count. I don't agree with their numbers, but the idea is a good one, and it would be forward-thinking and example-setting for the county to allow cooperatives but limit their size, based on expected yields per patient over time, so that it is far more likely the product will be used for patient consumption and not sold on the street.

Although it requires more effort and taxpayer money, given the volatile nature of this debate I like the idea of taking each application on a case by case basis, whether it is through the use of special use permits, or hearing permits. It's probably going to be 20 years or more until marijuana is broadly accepted in the culture.

Translucent structures make more sense environmentally, because they use sunlight, not electricity. The economics of the business are pointing to outside grows. I am very interested in supporting the rights of parents, property owners and residents, but there are certain aspects of the legalization of marijuana that simply have to be tolerated by those who disapprove. We all have things that we don't like that are legal. We live in a participatory and representative democracy. If sensibilities are offended by the legal production of marijuana in the same way that my sensibilities are offended by something else that is legal, at some point it is "just too bad" for both of us. Furthermore, if I were against marijuana I would want to have every aspect of the industry take place in glass houses, with cameras pointed inward that I could watch online. The best tool for law enforcement would be transparency. The sheriff can stand just outside the property line with a pair of binoculars and see what's going on. Why do you want to have a neighborhood weed production hidden behind walls you can't see and that they know you can't see? This argument seems even less sensible if you are going to create marijuana ghettos in industrial zones. If nighttime lighting is a concern the portions of the grows that are illuminated at night can be shielded from view. Make use of the sun, not PSE.

Thanks for taking the time to read this. Although I do believe there is a dismaying lack of interest in the plight of the medical patient, I'd like to thank the county in general for paying attention to this issue as much as it has for the last six months and for encouraging the open participation of citizens.

I offer these comments with respect for that and for the legitimate concerns and rights of those on the other side of the issue.

Regulation of medical marijuana, and support for the SB5052 transition period, not prohibition. Please. A vote for prohibition is a vote against some of the county's neediest, both now and in the future.

From: [Lohman Farms](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Wednesday, June 17, 2015 7:26:50 PM
Attachments: image001.png

These comments were sent to the Commissioners in response to their request to hear directly from Planning Commission members individually in response to the department's 10 recommendations. Apologies for the typos.

Annie Lohman

May 15, 2015

Dear Commissioners:

These are my comments as a Planning Commission member and a private citizen and a response to the Planning Department's recommendations that address the recommendations made by the Planning Commission on May 5, 2015.

One item that is huge but bears mentioning is that the pretty comprehensive plan maps do not show the details of what is going on upon the lands they depict. Without doing some ground truthing, the zoning overlay does not tell an entire story of what is already on the landscape. To use the Ag-NRL as an example to illustrate this, consider the community of Blanchard. It is zoned Ag-NRL yet it is a platted community that formerly enjoyed its own post office and various commercial businesses and still has a church, community hall, and several residences. Why not rural center, rural intermediate or rural village? Moving further, the former "community" of Field- is now a cluster of houses along Thomas and Field Roads north of the Samish River. There was once upon a time a school located on Field Road. Going up Chuckanut Drive there are hillside parcels on rock that are zoned Ag-NRL and so on. The same issue can be said for any of the various zonings throughout the county- at the time of map making assumptions were made and some were made to "prevent" any further duplication of certain types of use within rural Skagit County- Rural Business and Rural Intermediate comes to mind (based on some narrow interpretations of GMA).

The challenge with marijuana is that this is a Pandora's Box that we have only recently taken the lid off. Questions raised concern these issues: crime, security, rural image, land use. . . . enforcement responsibilities. The PC at the outset decided that it was in our best interest to have tighter regulations and once a track record becomes established that addresses the concerns of the general public as well as assuages the fears neighboring property owners have then at a future time code amendments could potentially loosen the regulations. It was noted to be nearly impossible to tighten them once something is allowed. The county has already been depicted as having somewhat loose regulations and been accused of renegeing on what is allowed or not allowed under the various – and conflicting- interim ordinances passed since 2012.

Requiring at least an Administrative Special Use Permit with an increased notification radius is desired because of the citing in more rural areas that tend to think in acres rather than square inches. Rural people are no less active in their communities and tend to be intimately knowledgeable of their environs than more urban-like areas. Limiting noticing to 300 feet and sometimes 500 feet severely limits communicating to rural property owners. I could not find definitive triggers for how the official determines when to notice 300 feet or 500 feet. Establishing that for any marijuana activities, a 1000 foot notice to surrounding property owners is the rule takes away any arbitrariness in public notice and there is no dickering or confusion. Occasionally, the noticing will encompass a great deal of people if in an area like the Urban Reserve and occasionally

only a few will get notice. I think of the annual post card I receive from one of the gas pipeline companies and there are no pipelines within 1000 feet of my property. They notify all the farmers in the area. I appreciate being reminded they are in the vicinity.

The Special Use Permits appear to be vague when further thinking about marijuana- retail, production and processing. While there is currently a list of evaluating criteria for the SUP in general, an additional list of proposed “special criteria” for marijuana facilities is recommended. The Planning Commission opted to add language to consider the disposal and handling of waste and by products of marijuana production and processing. Further consideration of residential and neighboring businesses impacts from retail marijuana was discussed and there needs to be continued dialog to establish criteria specifically for retail marijuana activities. The maps provided showing commercial zones neglected to depict other features in the area such as pre-schools and daycares; they are a start but not the whole picture of the landscape.

The challenge with medical marijuana co-operatives is the very restrictions imposed by the Liquor Control Board requiring them to be in a “domicile” of the member or patient and allowing up to 4 participants with up to 15 plants each. How does the county regulate, be made aware of, or manage impacts to surrounding neighbors when they are within the “domicile” of one of the participants? The Liquor Control Board defines “domicile” to include a person’s entire property: garage or outbuildings beyond his residence. Where is the tipping point at which the up to 4-person co-operative, with potentially 60 plants, becomes analogous to a small marijuana producer in effect? We have proposed regulation for recreational marijuana producers. Allowing the use of marijuana is not the issue, nor is there a desire to prohibit medicinal marijuana. If the county wishes to allow medical marijuana and medical marijuana co-operatives, the same constraints around recreational marijuana production and processing must be in place. A subsection in the proposed code 14.16.855 Marijuana Production, Processing and Retail Facilities could be expanded to include medical marijuana and medical marijuana co-operatives. The liquor Control Board has yet to draft the rules for medical marijuana and the registry process that in the future may be a tool to aid the county when dealing with complaints and enforcement.

The Planning Commission recommended locating any chemical processing of marijuana in the heavy industrial zone of Bay View Ridge. This is an area that is already regulated for potentially hazardous activities where prompt containment and aid are more likely to be available in the event of an emergency. The additional requirement of apprising the local fire departments of a production/processing plant forewarns volunteer firefighters of potential chemical hazards not encountered typically.

There are many other issues involving marijuana in general that haven’t been publically discussed and only two meetings, other than the hearing, were held before the Planning Commission. I believe the Planning Commission and the County Commissioners need more time and more public input as additional ideas and concerns have been raised.

Department Recommendation 1: Do not require 1000’ radius notification

The PC sought this expanded distance after a lengthy discussion and inquiry as to how the administrative official- staff or hearing examiner- determined what the notification distance should be- in the department memo it was listed as somewhere between 300’ to 500’ depending on what the administrative official or hearing examiner decided; as a general thumbnail 300 feet is the most frequent distance. The criteria for 500 feet versus 300 feet was not disclosed. When considering the desire to locate marijuana processing in an NRL zone or a rural zone (various ones in the table), the residences, businesses and operations are not necessarily compacted as in more urban settings yet the rural constituents deeply care and participate in their communities. If the notifications is limited to 300 feet then in quite a few situations, hardly anyone would be notified or even know there is a substantial change of use potentially occurring. Rural areas in general are more sparsely populated yet have the same concerns for their properties and homes as their urban cousins. The

general lay of the land makes notification different than within clustered areas. Staff recommended 1000 feet set back from a residential zone when within the BR-LI so why would a residence or business (agriculture IS a business!) located in any other zone not be afforded at least notification as a courtesy? A general discussion was had on making it a standard that no matter what, for marijuana related activities, 1000 feet notification would be the rule. No question for staff on what, where or who- granted that in some locals in the rural zones this could still mean hardly any other property owners being notified because of the distance involved.

The department presented the Planning Commission in their Supplemental Staff Report II, dated April 29, 2015, on page 4 and 5, the criteria for approval and the “special additional criteria” for marijuana facilities. It neglects to say whether or not this criteria pertains to all marijuana facilities including retail. It appears further work must be done on addressing some more specific criteria for special use permits of marijuana activities in general- retail, production and processing. Frankly, I assumed the language spelled out in the staff report was the criteria to be employed for marijuana, period. Other uses requiring special use permits and hearing examiner permit also have specific criteria so arguably it should not be onerous to require staff to develop some plain language criteria for marijuana special use permits for all facilities: retail, processing and production.

14.16.900 Special use permit requirements.

(1) No change.

(2) Special Uses with Specific Criteria.

(a) – (i) No change.

(j) Marijuana Production, Processing, and Retail Facilities

(i) See SCC 14.16.855.

Requiring the special use permits coupled with the 1000 foot notification distance gives rural citizens the opportunity to inform the staff of the nature of the proposed location in relation to what is existing in the area currently. The challenge for rural citizen is the internet is fickle in many locations making electronic noticing or merely posting on the county website an ineffective means of notification and not everyone takes the Skagit Valley Herald.

Department Recommendation 2: Delete from residence in BR-LI

Long established uses deserve some protection. I strongly believe the department did not ground truth this recommendation and neglected to travel Josh Wilson Road to see there are in fact more than one residences within the BR-LI that have long been there with at least one as long as 100 years - 15588 Josh Wilson Road.

There is evidence that the marijuana retail facility in Conway is over-whelming its residential neighbor in a variety of offensive ways yet there is not established enforcement other than continual complaint. That residence has been there more than 50 years and is zoned rural village residential.

Department Recommendation 3 & 4: If NOT allowed in Ag-NRL, Prohibit greenhouses everywhere AND consider prohibiting (greenhouses special uses)marijuana in Ag-NRL

I firmly agree with prohibiting greenhouses being used for marijuana. The County Commissioners recognized in the various interim ordinances that the likelihood of offensive impacts surround the use of translucent structures because of the Liquor Control Board's requirements for security fencing and cameras as well as the potential difficulty controlling odors and other impacts such as lighting.

It was stated at the Planning Commission meeting that the Ag-NRL constitutes less than 10% of the land base in Skagit County. There is a public perception that the majority of the county is zoned Ag-NRL- not true. The majority is forestry. That perspective must be kept in mind when use or conversion is away from agriculture. Skagit County has a strong history of protecting, preserving and enhancing agriculture.

Obviously, recommendation 4 is poorly worded ; not said in either 3 or 4 is the *entire* language in the Ag-NRL zoning code nor has there really been any serious public discussion regarding the appropriateness of locating an "industrial" use in the Ag-NRL. Additionally, this subject has not been discussed nor reviewed by the Skagit County Agricultural Advisory Board:

14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).

(1) **Purpose.** The purpose of the Agricultural—Natural Resource Lands district is to provide land for continued farming activities, conserve agricultural land, and **reaffirm agricultural use, activities and operations as the primary use of the district. Non-agricultural uses are allowed only as accessory uses to the primary use of the land for agricultural purposes.** The district is composed mainly of low flat land with highly productive soil and is the very essence of the County's farming heritage and character.

2) Permitted Uses.

(e) Commercial greenhouse operations that are an **integral part of a local soil-based commercial agriculture operation.**

(3) Administrative Special Uses.

(d) Greenhouse operations not otherwise permitted in SCC 14.16.400(2)

(e). Greenhouses operating in the Ag-NRL zone as an administrative special use, should they cease operation, ***shall be required to return the land to its former state or otherwise place the land in agricultural production.***

Throughout the items listed in 14.16.400 is a recurring theme of "integral to an on-going agricultural operations and not removing any agricultural lands from production". It appears as if in recommendation 3 and 4 that as long as the building is opaque (prohibit greenhouses) and via a special use permit "industrial" marijuana production and processing could occur in the Ag-NRL. This seems to obfuscate and circumvent the "integral to agriculture" requirement that all other activities are vetted against. Simply adding additional uses to the list of permitted uses is at odds with the purpose and narrow allowed and special uses currently permitted especially with the department's assertion that marijuana is NOT considered agriculture. Virtually all the other uses follow a logical pattern of being connected to agriculture or are in the public interest (by necessity have to be located in the Ag-NRL- i.e. fire stations). Why bother with having an Ag-NRL zone if additional non-Ag or Ag-related uses can simple be allowed because there happens to be a building present. Agricultural lands are particularly vulnerable because they are so easy to re-occupy: they're flat, have buildings and they are not remotely located. The county has dedicated itself to preserving agriculture and enjoys one of the healthiest agricultural industries in Western Washington so it

seems to follow that maintaining the standards and spirit of the Ag-NRL zoning code and the comprehensive plan chapter on Natural Resources Lands- Element 4 is required.

Natural Resource Lands Element

Introduction : Natural Resource Lands are the cornerstone of Skagit County’s economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its citizens. The Natural Resource Lands Element establishes the purpose and intent of land use policies for agricultural, forest and mineral natural resource lands. These policies guide long-range planning, programs and regulations to conserve natural resource lands. In cases where some residential use is allowed on natural resource lands, development will occur in a manner that minimizes both the amount of land converted to non-resource uses, and the associated impacts to long-term management of the natural resources.

GMA Mandate : The Growth Management Act (GMA) clearly establishes the goal to “Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses,” (RCW 36.70A.020 (8)).

This Goal, taken in the context of the thirteen GMA Planning Goals, led to the following County-wide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this section: „

- Commercial and industrial activities ***directly related to local natural resource production*** may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4) „
- The primary land use within designated forest resource lands shall be commercial forestry; residential development shall be strongly discouraged within designated forest resource lands. (CPP 5.9) „
- Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial Natural Resource Lands Element 2007 Skagit County Comprehensive Plan 4•1 agricultural operations and production. (CPP 5.10) „
- Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resources lands and aquatic resources areas, where the principle and preferred land uses will be ***long term commercial resources management***. (CPP 5.11) „
- Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion.

Land Use Designations	
Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRc-NRL)	26,871
Agriculture (Ag-NRL)	89,227
Mineral Resource Overlay (MRO)	[61,492]

Table 4.1 – Natural Resource Lands (NRL)

Source: „Skagit,County,Mapping,Services.

**Acreage figures are derived based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use.*

- Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities. (CPP 8.1) „
- Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals. (CPP 8.2) „
- Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a program authorizing transfer or purchase of development rights is established. (CPP 8.3) „
- **Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods.** (CPP 8.4) „
- Long term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity. (CPP 8.5) „
- When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences. (CPP 8.6) „
- Fishery resources, including the county’s river systems inclusive of their tributaries, as well as the area’s lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity. (CPP 8.7) „
- Skagit County shall **encourage sustainable use of the natural resources of the county, including but not limited to agriculture, forestry, and aquatic resources.** (CPP 8.8) „
- Skagit County **shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management.** (CPP 8.9)

Simply eliminating using greenhouses uses but allowing marijuana production in the Ag-NRL seems

to conflict with the County Commissioners latest interim ordinance 020150001:

Section I. Findings of Fact

(h) Transparent structures and security fencing are likely to have a more significant impact on neighboring residences than opaque buildings due to lighting, odor, aesthetics, and noise.

(i) Marijuana growing and processing produces potentially significant odors.

(j) ***Marijuana production and processing facilities are incompatible with the rural landscape and rural residential communities.***

Department Recommendation 5: Allowing marijuana production in Rural Resource

Again the department hasn't ground truthed their suggestion very well and completely ignores the opening stated purpose behind the zoning of Rural Resource-NRL. The Resource Lands are less than 3% of the county land base. Again, please refer to the existing list of uses allowed as well as those requiring special use or hearing examiner scrutiny, it is apparent there is a general theme in place that is dependent upon being compatible with and controlled by the underlying NRL.

14.16.430 Rural Resource—Natural Resource Lands (RRc-NRL).

(1) Purpose. The purpose of the Rural Resource—Natural Resource Lands district is to recognize and encourage the conservation of those lands which have the characteristics of both long-term commercially significant agriculture and forestry either on-site or on adjacent sites. These are lands generally not managed as industrial resource lands, because of less productive soils, parcel size and/or geographic location, but are managed on a smaller scale and provide support for the industrial natural resource land base. It is the intent of this district ***to restrict incompatible non-resource-related uses and to retain a long-term, commercially significant*** natural resource land base.

It is interesting that while the county has strong language protecting and preserving long term Agriculture and forestry (Natural Resource industries) none of the department's proposals other than recommendation 5 suggests locating any kind of marijuana production within the forestry-NRL yet forestry arguable makes up the lion's share of the land base in Skagit County. Admittedly, I do not advocate locating marijuana in forest lands but neither do I support marijuana production in agricultural areas. Agricultural lands are under a great deal of pressure for conversion and even with what appears to be very stringent restrictions in the zoning code, agriculture is still losing acreage. The Rural Resource-NRL is a finite land base, and in the case of agriculture, cannot be replaced by converting something else to agricultural lands. The current zoning codes actually make it very difficult to bring a new agricultural enterprise into operation due to serious regulations that take effect when the activity is considered "new" rather than "existing".

It is intriguing as to why the county would categorical disallow marijuana production on Guemes Island citing limited water resources as a main deterrent when the same argument can be made for much of the Resource Lands-NRL. Residential exempt wells are currently disallowed in much of the eastern areas of the county yet a known high volume consumer of water is contemplated being allowed. Crop production or industrial uses do not qualify for an exempt well use. The Planning

Commission referenced the water consumption needs of marijuana in its discussion and finding of facts. The concern for chemical contamination and residual by-products from marijuana production and processing is relevant regardless of the zone the activity is allowed in and not limited to only Guemes Island.

Department Recommendation 6: Outright permit (or prohibit) retail facilities in Rural center or Rural Business

The Planning Commission recommended an administrative special use permit because there is not a consistency among the various rural centers or rural village commercial designations around the county in general. Simply categorically allowing the use of marijuana retail ignores the fact that these small rural communities have an eclectic mix of residential and possible commercial of various levels- some historical in nature- and other establishments serving the rural community. The ASUP requires some ground- truthing rather than looking at a blank map. It provides some notice to the citizenry of the rural communities to have a say in their locale. It is not about denial of permits, rather it is about information. It is apparent that the department does not know fully the lay of the land in many circumstances and the ASUP give the locals a chance to inform the process rather than the department operating on incomplete information. Relying upon the Liquor Control Board temporarily restricting the numbers of retail licenses optioned for Skagit County in general does not answer the question of local control for land use decisions.

Department Recommendation 7: Allow Conversion of retail facilities in Rural Business per existing code

Requiring at least an Administrative Special Use Permit is again in keeping with the theme of notification and appropriateness for citing marijuana retail establishments. It appears the code already has strong language surround expansion or change of use that is substantially different from the existing use or footprint. The Planning Commission was presented with a chart, page 3 of Supplemental Staff Report II outlining the proposed zones and review levels. Rural Business zones had a bare naked "P" (permit) suggested . Neither the commission nor staff realized there was already an administrated special use process required for this zone. The additional special criteria for marijuana retail should still be attached because like everywhere else in the county, there is a lack of continuity for some of the locations as they were established pre-GMA. The same arguments presented in the section concerning Rural Center and Rural Village are applicable here.

Department Recommendation 8: Outright Permit Retail Facilities in URC-1

Requiring an Administrative special use permit for the URC-1 zone is analogous to the other reasons listed above in 6 & 7. This particular area is characterized by a random mixture of industrial, retail, food, houses, and commercial. It is bordered by Rural Business, Urban Reserve Residential, Rural Intermediate and Ag-NRL. It is densely packed –for Skagit County. It is not populated with strictly commercial and industrial uses as the map and zoning seem to indicate and contrary to the department’s statement in the recommendation 8. It does seem odd that to the northwest of the URC-1 is an area designated rural intermediate (Theodorson Lane/Donnelly Road) yet the area around parts of Dunbar/Dunbar Lane/Valley View Drive are designated Ag-NRL and also have a cluster of residential.

The Planning Commission recommended that a Hearing Examiner permit be required for

production/processing in the URC-1 area primarily due to the high probability of conflicts and potential hazards to and with the surrounding varied uses currently existing, not to mention the close proximity to many more dense residential areas even if NOT zoned strictly for residential use.

Department Recommendation 9: Delete 400-foot setback from residences

The 400 feet setback is problematic from a number of standpoints. There really aren't any "Residential Zones" where marijuana production/processing is being contemplated. Measuring from building to building while ignoring property lines doesn't make sense in a rural area. This can be viewed as an encroachment upon a neighbor's property by rendering the neighbor's property the buffer area rather than the marijuana facility providing the setback wholly on their own property. It also curtails potential use of an adjoining property.

There is more than one house in the BR-LI- please check out Josh Wilson Road- three or more.

To suggest that long established rural residences deserve less protection than residential uses located elsewhere is troubling to say the least. As stated before and repeated often in this paper, the map does not always accurately portray what already exists and has existed long before the comprehensive plan map was drawn last and long before GMA came along. Requiring at least an administrative special use permit regardless seems prudent in light of the need to examine individual parcels for appropriateness for citing a marijuana production/processing facility. The suggestion that residences should expect impacts from "industrial" marijuana when located in an Ag-NRL or Industrial Zone is problematic because the zones were established often after the residences were built or the lots were long ago certified. The BR-LI is relatively new- as in very recently drawn. Industrial uses are not allowed in the Ag zone unless they are agriculture-related or support (i.e. fertilizer plants) the NRL. The discussion about the Ag-NRL and Resource Land-NRL has already been discussed earlier in this paper. Other than re-purposing agricultural built buildings, marijuana production/processing as defined by Skagit County should really not be allowed in the Ag Zone as a listed use. Furthermore, in the Ag-NRL a reasonable person can anticipate the agricultural activities- noise, hours of work, smells, dust, light, bulky equipment, slow moving vehicles, etc. Property owners acknowledge the agricultural activities are allowed in a recorded document. Similar arguments can be made for an industrial zoned area. Inserting an "industrial" non-NRL-related use into an NRL – what?

Department Recommendation 10: Characterize marijuana production and processing as industrial, not agriculture

Considering marijuana will not be grown outside but instead in opaque fully enclosed buildings requiring substantial artificial lighting and a significant amount piped water (and other Liquor Control Board imposed restrictions) it appears to be incompatible with the narrow definition Skagit County uses for agriculture uses currently defined. It seems that while the department takes this strong stance, they don't hold tight to that strict interpretation when suggesting that maybe it could be ok to repurpose something but ignores the required integral tie-in to on-going agriculture in order to be allowed. That is not consistent with the agricultural-NRL zoning nor the Rural Resource-NRL nor the comprehensive plan element 4.

It seems like a slippery slope to call a plant grown inside "industrial" especially when certain agricultural activities can be located wholly in an enclosed building

The bottom line- be consistent if it is classified **"industrial"**.

Respectfully submitted,

Annie Lohman

15283 Sunset Road

Bow, WA 98232

360-766-7103

From: [Lohman Farms](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Tuesday, June 16, 2015 2:57:25 PM

June 16, 2015

Dear Commissioners:

These are additional comments about the proposed Final Marijuana Regulations and code.

Of general over-riding concerns are:

- Issues surrounding oversight of licenses and the various restrictions depending upon the type or "tier" of the license;
- The enforcement of the license requirements and the zoning code;
- The reliance upon citizens' complaints
- Costs of enforcement, investigation, code compliance

Having a separate distinct chapter 14.06.855 is the right idea. I have concerns with the title using the undefined "Marijuana Facilities". Changing the title to "Marijuana, Marijuana Production, Processing, and Retail Facilities", is more inclusive and clearly lets the applicants know that any marijuana activity is governed by this chapter. Alternatively, define what is meant by simply saying "marijuana facilities" as including all marijuana uses and activities not limited to production, processing, medical or retail sales.

Requiring a Special Use Permit (SUP) is needed because it requires a public process with a minimum, public noticing and public comment. It allows the department to be informed of situations and conditions that may impact the siting of a marijuana facility. Relying on the generic zoning designation does not identify appropriateness of a proposed location for marijuana activities. The comprehensive zoning maps and the maps supplied for the marijuana discussion that identified commercial and business locations were a starting point for discussion and NOT a definitive delineation of all the residences, schools, daycares, etc. in the vicinity of the marijuana business. Further, the comprehensive zoning map is a generalization and not specifically accurate to the reality on the ground. An example of this is Blanchard- zoned Ag-NRL! This is an area that once was a town. The special use process can work both ways- allow an activity to be sited as well as to deny based on the surrounding circumstances. Simply permitting marijuana without robust siting criteria at the minimum is a recipe for conflict. Marijuana is a use/activity that has some unique restrictions and regulatory requirements that beg for more scrutiny. Having a special use requirement in general puts the onus on the applicant that they understand and acknowledge the regulations for their facility along with the appropriateness of the siting rather than relying on a complaint driven system and having to deal with a poorly located facility that seems to have all the right permits because of inadequate information when initially evaluating the permit application.

There appears to be an error on the proposed final land use regulations, attachment 1, page 4. Per the Liquor Control Board, *"You cannot set up a store within 1000 feet of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or game arcade that allows minors to enter."* It seems odd to have this restriction only as a special use condition for production and processing when it is also a restriction for retail sales of marijuana. Moreover, it is NOT a special use condition but a restriction articulated by state law and should be in the general requirements section (3).

Additional items to add to special use criteria for marijuana facilities including retail:

- signage requirements and restrictions
- siting distance to include areas or facilities that minors congregate or utilize
 - o Does the “public facilities” include fire halls where community meetings and other public uses occur? Hospitals, nursing homes? Grange Halls? Etc.

Rural Business-14.16.15, please add a separate section to reflect the requirements and restrictions for a retail marijuana business. The code in this section is incomplete with regard to retail marijuana. It appears to have a SUP pathway now but the key words is “substantially similar”. Is every retail facility “substantially similar” regardless the type of retail? Marijuana has some unique regulation that are all its own.

Rural Resource zone- 14.16.430, concerns are not substantially (sorry) different from the concerns that deny marijuana production and processing on Guemes Island: water and pollution. I do not believe marijuana is allowed an exempted well. Further there is some strong language in both the Comprehensive Plan and the zoning code that requires the rural resource-NRL to be related to the NRL. Please consider prohibiting production and processing marijuana in this very limited zone.

Medical marijuana- the potential problem is the production and/or processing of marijuana. Please consider adding a section in 14.16.855 specifically for medical marijuana. Having similar language pertaining to the production and processing of medical marijuana can address the same impacts from production and processing of recreational marijuana. The Liquor Control Board considers a person’s domicile to be their entire property. Medical marijuana production is not restricted to someone’s residence only.

Prohibit greenhouses or translucent structures and outdoor production throughout the county. In several interim ordinances the County Commissioners articulated the problems and issues of both.

Please consider adopting the Planning Commission’s recommendations for the zoning for marijuana production, processing and retail as illustrated in the table accompanying their recorded motion May 5, 2015.

Rather than tortuously trying to define marijuana production and processing as “industrial”, why not just give it its very own category- “Marijuana”. Attempting to jam a definition that one could use to preclude a legal agricultural activity raises many concerns. Due to all the constraints, problems, regulations and other concerns surrounding marijuana a case can be made for putting it in its own classification.

Respectfully submitted

Annie Lohman
15283 Sunset Road
Bow, WA 98232

From: [Gabe Martin](#)
To: [PDS comments](#)
Subject: 221/Joel Martin 18729 Fir Island Rd Mount Vernon, Permanent regulations for marijuana facilities
Date: Thursday, June 18, 2015 1:51:34 AM

Regarding Current Medical Collective Access Points, and Future Cooperatives.

The Board is going against the will of your residents who are patients and whom you work for. Please keep that in mind. There are far more patients in Skagit County than the board realizes.

The Board may not be up to speed on current laws being passed on the Federal level, in regards to States being left alone that have a responsible medical marijuana program. The State is already tasked to do so. No need to duplicate efforts.

By not allowing the collective gardens to naturally fold into the 502 system, you'll be creating a stronger black market. Some of these black market folks operate on craigslist, and have been on the sidelines waiting for the 502 system to fail. Please don't assist the black market, it's already poised to get stronger. Just go type in mmj on craigslist, and you'll see what I'm talking about.

Even though medical patients can get the flower "buds" to smoke at a similar expense as recreational cannabis here in Skagit County, it's the bi products, and CBD products that haven't caught up to the recreational market yet. Those in need the most can't afford the price difference. Cannabis 101: THC has more of a head/fuzzy effect along with a relaxed body effect. CBD provides a clear headed and focused effect, along with strong relaxed, anti-inflammatory body effects.

Smoking cannabis effects someone faster than an edible. It can take up to two hours to feel the effects of cannabis in an edible form, and since the body absorbs some of the THC, it usually doesn't give someone a strong head effect, but more of a body effect. Edibles are preferred by many patients rather than smoking!

Here is an up to date example of the price difference. 100 mg of THC in an edible form, from a Medical Collective / Access Point is around \$8-10, including tax. On the recreational side, 100 mg of THC in edible form, is around \$50, including tax. This is a serious problem!

It's too early to push out existing Medical Collective/Access Points. Leave those alone that have registered with the DOR, and carry a State Business License, and don't allow any new medical collectives per State guidelines, as you're already doing.

The County currently benefits from Access Points that pay their State and local B&O taxes. Someone from the board should contact DOR and find out how much money Skagit County has received from just Medical Marijuana alone. Just in the month of Oct 2014, DOR received over \$415,000 in State taxes. That was just one month! For recreational, it was in the ballpark of over \$500,000. I hope the board is aware of these numbers because Skagit shares a portion of that!

Let the State deal with each collective garden as they've already said they were going to do this year.

Please don't take 4 steps backwards not allowing future cooperatives because those folks are going to need it the most. No, Cooperatives are not a business, so please don't confuse the issue. And keep it simple. If you can't see it or smell it, then it harms no one!

Not all patients have the space or capacity to grow their own cannabis, let alone turn it into a capsule form, or other edible forms that they take themselves or that they would give to their child who needs cannabis.

Highly encourage the Board and Skagit County Employees to reach out and learn more about cannabis. Skagit Valley has some the best experts regarding how cannabis is grown and the many uses of the plant.

It's obvious the Board is lacking knowledge of the most basic forms of cannabis, how it's grown, and its bi products. This has become apparent while reading the past transcripts of board meetings.

Regarding Producers Growing in Opaque structures and property lines

What is Skagit County going to do when there is a production facility within 50' of a property line, see link:

<http://mjbizdaily.com/wa-law-paves-way-for-marijuana-pacts-with-tribes/>

Also, any and all growing of plants should be allowed in containers and or pots. The reason is because you will deplete the soil of any nutrients (think crop rotation) and it's not the best cost of use for those limited spaces. You are going against the common practice and skills that most greenhouse/nurseries use throughout the world! I would assume Skagit would want any of their businesses to operate as efficient as possible.

250' from property line to property line is plenty of space between residences and production facilities. Just think of the most offensive farming or industrial type business in the county, they don't even have those limits.

Require additional landscaping. Eventually, it should hide the black fencing required by the State. The State didn't realize what a mystery black fencing would create amongst the neighbors.

These are some basic suggestions from a local cannabis business owner!

Thank you,

Joel Martin, co-owner, 221

From: [Kathy Mitchell](#)
To: [PDS comments](#)
Cc: [Kathy Mitchell](#); [Linda Christensen](#); [Kathy Mitchell](#)
Subject: Comments for the Record: Permanent Regulations for Marijuana Facilities
Date: Monday, June 15, 2015 12:15:44 AM
Attachments: EA6F8ED2-B05F-4E5F-BD7F-A470690CD029.png

Kathy Mitchell
1155 Chuckanut Ridge Drive,
Bow, WA 98232

Recommendations to the Skagit County Board of County Commissioners on the Permanent Marijuana Ordinance

Public Hearing Scheduled for Tuesday, June 16, 2015 8:30 AM

Kathy Mitchell, Planning Commissioner

For the Record:

I stand by the recommendations the Planning Commission made on May 5, 2015 titled 'Skagit County Planning Commission's Recorded Motion Regarding Permanent Regulations for Marijuana Facilities'. Please read the findings of fact and reasons for our recommendations.

Summary of My Personal Recommendations

Please include these points in the permanent marijuana ordinance. Additional comments and reasoning will follow below this list:

- <!--[if !supportLists]--> <!--[endif]-->Issue written Notifications to all parcel owners within 1,000 feet of the property line of the subject parcel for all marijuana-related Special Use Permits/Conditional Use Permits (SUP/CUP).
- <!--[if !supportLists]--> <!--[endif]-->Water resource consumption is a main deterrent for allowing marijuana facilities on Guemes Island. A similar, valid argument applies to many other parts of the county, particularly to much of the Resource Lands/Natural Resource Lands.
- <!--[if !supportLists]--> <!--[endif]-->Prohibit Marijuana Greenhouses in all zones.
- <!--[if !supportLists]--> <!--[endif]-->Marijuana production and processing are industrial in nature (not agricultural), therefore restrict these facilities and operations to heavy and light industrial zones.
- <!--[if !supportLists]--> <!--[endif]-->Prohibit marijuana cooperatives (the four-person home grows allowed by the new state law) in all zones.
- <!--[if !supportLists]--> <!--[endif]-->Keep language the Planning Commission recommended in BVR-LI for marijuana project proposal notifications within 1,000 feet of the property line a residential zone or residence.
- <!--[if !supportLists]--> <!--[endif]-->Prohibit Marijuana facilities in all Natural Resource Zones, ie. Ag-NRL, Industrial Forest-NRL, Secondary-NRL, or Rural Resource-NRL by following GMA recommendations and Skagit policies spelled out in the Skagit Comprehensive Plan.
- <!--[if !supportLists]--> <!--[endif]-->Include language to require appropriate conditions to prevent customer use of marijuana on-site, or adjacent to, marijuana retail, production, or processing facilities.
- <!--[if !supportLists]--> <!--[endif]-->Include the "Additional Standards for all

Marijuana Facilities” points discussed on page 12 of the Staff Report dated May 21, 2015, by Dale Pernula, entitled, “Final Proposed Land Use Regulations for Marijuana Facilities” regarding hazardous chemical processing, odors, and security cameras. Prohibit all Marijuana Processing Facility hazardous chemical processing everywhere other than in an industrial zone.

<!--[if !supportLists]--> <!--[endif]-->To ensure uniformity, consistency, and clarity all setback and notification measurements, for any permitting considerations, should be made from the property lines of the subject parcel.

Rationale for My Personal Recommendations

Issue written Notifications to all parcel owners within 1000 feet of the property line of the subject parcel for all marijuana-related Special Use Permits/Conditional Use Permits (SUP/CUP):

Requiring a special use permit, coupled with a 1,000 foot notification distance, gives neighboring rural and urban citizens the opportunity to inform PDS of issues and potential pitfalls of permitting the proposed marijuana project at the proposed location. Just because some people are familiar with the subject location, County Staff may not be aware of potential problems, special issues, or extenuating circumstances for that location. Neighboring property owners can bring those issues to light before decisions are made. Ample public process and opportunity for identifying issues and problems on the front end may save all parties significant time and resources.

Water resource consumption is a main deterrent for allowing marijuana production on Guemes Island. A similar, valid argument can and does apply for many other parts of the county, particularly for much of the Resource Lands/Natural Resources Lands:

<!--[if !supportLists]--> <!--[endif]-->The Planning Commission referenced the water consumption needs of growing and processing marijuana in its discussion and finding of facts in the May 5th, 2015 recommendations to the Skagit County BoCC.

<!--[if !supportLists]--> <!--[endif]-->Residential exempt wells are currently disallowed in much of the eastern areas of the county yet marijuana production/processing, which is well documented and known to consume high volumes of water, is being given ‘free pass’ by the County for permitting everywhere but on Guemes Island. Why a ‘free pass on unlimited water’ for Resource Lands/Natural Resource Lands for marijuana production and processing?

<!--[if !supportLists]--> <!--[endif]-->The concern about chemical contamination and residual by-products from marijuana production and processing is not limited to only Guemes Island, it is relevant if these activities are allowed in any watershed.

<!--[if !supportLists]--> <!--[endif]-->The DoE, this week, restricted water use by farmers around Fir Island and La Conner.

All of these facts and circumstances lend credence to the County not permitting marijuana production and processing in Resource Lands/Natural Resource Lands, in particular, and for scrutinizing every location where these activities may be permitted.

Prohibit Marijuana Greenhouses in all Zones:

After much public input, it is apparent that marijuana greenhouses are a primary source of problems with security, lighting, odors, and other nuisance issues for surrounding property owners. Therefore, as written in the County’s latest interim ordinance, 020150001, prohibiting marijuana greenhouses in all zones makes sense and will be essential.

Skagit County Interim ordinance 020150001:

Section I. Findings of Fact

(h) *Transparent structures and security fencing are likely to have a more significant impact on neighboring residences than opaque buildings due to lighting, odor, aesthetics, and noise.*

(i) *Marijuana growing and processing produces potentially significant odors.*

Marijuana production and processing are industrial, not agricultural, therefore restrict these facilities and operations only to heavy and light industrial zones.

There is much documentation that marijuana processing with hazardous chemicals is dangerous and has caused fires and explosions. Prohibit any hazardous chemical processing everywhere other than a Marijuana Processing Facility in heavy and light industrial zones.

Prohibit marijuana cooperatives (the four-person home grows allowed by the new state law) in all zones.

In agreement with the Planning Commissions' recorded motion dated May 5, 2015, and summarized on page 6 of the Planning Department's Staff Report dated May 21, 2015:

The Planning Commission found that medical marijuana collective gardens (a) are not actually authorized by state law due to the governor's veto of the required patient registry system, (b) operate free of any state regulation, and (c) will be formally prohibited by new state legislation as of July 2016. The Planning Commission also considered the medical marijuana cooperatives, although they are significantly more constrained by state law than the collective gardens, to have a high likelihood of inappropriate impacts on neighboring properties; because they allow up to four people and a total of sixty plants, cooperatives are likely to have significant impacts similar to businesses. Therefore, the Planning Commission found, only marijuana facilities licensed by the Liquor Control Board should be allowed in Skagit County.

Keep the Planning Commission's recommended language regarding marijuana-related project proposal notifications to BVR-LI residential zone or residence property owners within 1,000 feet:

<!--[if !supportLists]--> <!--[endif]-->Consistent application of codes and laws is an important charge for the County in processing applications and in enforcement.

<!--[if !supportLists]--> <!--[endif]-->Pre-existing residence property owners within, and adjacent to, the Bayview Ridge Light Industrial (BVR-LI) zone, many of which have been there a long time, should be afforded the same consistency and courtesy of proposed marijuana project notifications as other residence and business property owners in any other county zones. These property owners should have the same opportunity to express their concerns on proposed Special Use Permits as property owners in other county zones.

<!--[if !supportLists]--> <!--[endif]-->The County's recently shifted focus to increasing industrial uses in the BVR-LI should not preclude current home owners and taxpayers from expressing their concerns regarding potential impacts of proposed, marijuana-related projects. Marijuana, a decidedly brand new industry to the state and to the County, well known for problems, is now being permitted in BVR-LI residences' "backyards". Any Skagit citizen, whether they are a property owner, a business owner, or a resident should have the right to be informed of a marijuana production and processing facility in their vicinity.

Prohibit Marijuana facilities in all Natural Resource Zones ie. Ag-NRL, Industrial Forest-NRL, Secondary-NRL, or Rural Resource-NRL by following GMA recommendations and Skagit policies

spelled out in the Skagit Comprehensive Plan:

- <!--[if !supportLists]--> <!--[endif]-->Marijuana is not a natural resource.
- <!--[if !supportLists]--> <!--[endif]-->Marijuana production, processing, and retails sales businesses are not natural resource related businesses.
- <!--[if !supportLists]--> <!--[endif]-->Why have Natural Resource Lands zones if non-natural resource uses are authorized capriciously just because a barn, out building, or open gravel pit is conveniently available?
- <!--[if !supportLists]--> <!--[endif]-->The county has an admirable record of preserving resource lands. We should not allow marijuana production and processing, decidedly not natural resource uses, to pre-empt current and future, justified natural resource uses in those zones.
- <!--[if !supportLists]--> <!--[endif]-->Eliminating marijuana greenhouses uses but allowing marijuana production/processing in the Ag-NRL, Industrial Forest-NRL, Secondary-NRL, or Rural Resource-NRL directly conflicts findings of fact within the **County's interim ordinance 020150001** [italicized, red font emphasis is mine]:

Section I. Findings of Fact

(h) Transparent structures and security fencing are likely to have a more significant impact on neighboring residences than opaque buildings due to lighting, odor, aesthetics, and noise.

(i) Marijuana growing and processing produces potentially significant odors.

(j) Marijuana production and processing facilities are incompatible with the rural landscape and rural residential communities.

Prohibit Marijuana facilities in Natural Resource Lands Zones. Passages from Skagit County Code [italicized, red font emphasis is mine]:

14.16.430 Rural Resource—Natural Resource Lands (RRc-NRL).

(1) Purpose. The purpose of the Rural Resource—Natural Resource Lands district is to recognize and encourage the conservation of those lands which have the characteristics of both long-term commercially significant agriculture and forestry either on-site or on adjacent sites. These are lands generally not managed as industrial resource lands, because of less productive soils, parcel size and/or geographic location, but are managed on a smaller scale and provide support for the industrial natural resource land base. It is the intent of this district to restrict incompatible non-resource-related uses and to retain a long-term, commercially significant natural resource land base.

14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).

(1) Purpose. The purpose of the Agricultural—Natural Resource Lands district is to provide land for continued farming activities, conserve agricultural land, and reaffirm agricultural use, activities and operations as the primary use of the district. Non-agricultural uses are allowed only as accessory uses to the primary use of the land for agricultural purposes. The district is composed mainly of low flat land with highly productive soil and is the very essence of the County's farming heritage and character.

2) Permitted Uses.

(e) Commercial greenhouse operations that are an integral part of a local soil-based commercial agriculture operation.

(3) Administrative Special Uses.

(d) *Greenhouse operations not otherwise permitted in SCC 14.16.400(2)(e). Greenhouses operating in the Ag-NRL zone as an administrative special use, should they cease operation, shall be required to return the land to its former state or otherwise place the land in agricultural production.*

Prohibit Marijuana facilities in Natural Resource Lands Zone. Passages from Skagit County Comprehensive Plan and GMA [italicized, red font emphasis is mine]:

Pages 1 and 2 of Chapter 4 of the 2007 Skagit Comprehensive Plan (that are being incorporated into the 2016 Comprehensive Plan on Natural Resources Lands) - Element 4 section says [italicized, red font emphasis is mine]:

Natural Resource Lands Element

Introduction: *Natural Resource Lands are the cornerstone of Skagit County’s economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its citizens. The Natural Resource Lands Element establishes the purpose and intent of land use policies for agricultural, forest and mineral natural resource lands. These policies guide long-range planning, programs and regulations to conserve natural resource lands. In cases where some residential use is allowed on natural resource lands, development will occur in a manner that minimizes both the amount of land converted to non-resource uses, and the associated impacts to long-term management of the natural resources.*

GMA Mandate: *The Growth Management Act (GMA) clearly establishes the goal to “Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses,” (RCW 36.70A.020 (8)).*

This Goal, taken in the context of the thirteen GMA Planning Goals, led to the following County-wide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this section:

- <!--[if !supportLists]--> <!--[endif]--> Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4)*
- <!--[if !supportLists]--> <!--[endif]--> The primary land use within designated forest resource lands shall be commercial forestry; residential development shall be strongly discouraged within designated forest resource lands. (CPP 5.9)*
- <!--[if !supportLists]--> <!--[endif]--> Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial Natural Resource Lands Element 2007 Skagit County Comprehensive Plan 4•1 agricultural operations and production. (CPP 5.10)*
- <!--[if !supportLists]--> <!--[endif]--> Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resources lands and aquatic resources areas, where the principle and preferred land uses will be long term commercial resources management. (CPP 5.11)*
- <!--[if !supportLists]--> <!--[endif]--> Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion.*

Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRc-NRL)	26,871
Agriculture (Ag-NRL)	89,227
Mineral Resource Overlay (MRO)	[61,492]

Land Use Designations	
Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRc-NRL)	26,871
Agriculture (Ag-NRL)	89,227
Mineral Resource Overlay (MRO)	[61,492]

<!--[if !vml]--> <!--[endif]-->

Table 4.1 – Natural Resource Lands (NRL)

Source Skagit County Mapping Services

**Acreage figures are derived based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use.*

<!--[if !supportLists]--> <!--[endif]--> *Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities. (CPP 8.1)*

<!--[if !supportLists]--> <!--[endif]--> *Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals. (CPP 8.2)*

<!--[if !supportLists]--> <!--[endif]--> *Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a program authorizing transfer or purchase of development rights is established. (CPP 8.3)*

<!--[if !supportLists]--> <!--[endif]--> *Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods. (CPP 8.4)*

<!--[if !supportLists]--> <!--[endif]--> *Long term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity. (CPP 8.5)*

<!--[if !supportLists]--> <!--[endif]--> *When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences. (CPP 8.6)*

<!--[if !supportLists]--> <!--[endif]--> *Fishery resources, including the county's river systems inclusive of their tributaries, as well as the area's lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity. (CPP 8.7)*

<!--[if !supportLists]--> <!--[endif]--> *Skagit County shall encourage sustainable use of the natural resources of the county, including but not limited to agriculture, forestry, and aquatic resources. (CPP 8.8)*

<!--[if !supportLists]--> <!--[endif]--> *Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management. (CPP 8.9)*

Include language, as PDS Staff proposed, to require appropriate conditions to avoid customer use of marijuana on-site, or adjacent to, marijuana retail, production, or processing facilities:

Please see page 6 under 'Retail Facilities' of the PDS Staff Report dated May 21, 2015 entitled, "Final Proposed Land Use Regulations for Marijuana Facilities" (complete link provided below).

<http://www.skagitcounty.net/PlanningAndPermit/Documents/502/Staff-Report-Final-Proposal-2015-05-21.pdf>

Include the more detailed "Additional Standards for all Marijuana Facilities" points discussed on page 12 of PDS Staff Report dated May 21, 2015, entitled "Final Proposed Land Use Regulations for Marijuana Facilities", regarding hazardous chemical processing, odors, and security cameras:

The details of the main points this Staff Report addresses on page 12 are key issues that should to be included in the final proposed land use regulations rationale for marijuana facilities in our county:

<!--[if !supportLists]--> <!--[endif]-->Hazardous Chemical Processing:
Marijuana processing or extraction involving flammable or combustible liquids or gases should not be allowed in areas where the chemicals and explosions may affect neighboring properties. Prohibit any hazardous chemical processing anywhere other than a Marijuana Processing Facility in a heavy or light industrial zone.

<!--[if !supportLists]--> <!--[endif]-->Include the Fire Marshall requirement to notify the local fire district or other fire authority whenever the Department approves a permit for any Marijuana Production or Processing Facility.

<!--[if !supportLists]--> <!--[endif]-->Odors:
Marijuana growing or processing should not be allowed to produce odors that are detectable off the premises.

<!--[if !supportLists]--> <!--[endif]-->Security Cameras:
Even though security cameras may be a reasonable requirement by the Liquor Control Board to ensure security of marijuana facilities, neighboring properties should not be observed by such cameras nor have their privacy compromised by those cameras.

To ensure uniformity, consistency, and clarity all setback and notification measurements, for any permitting considerations, should be made from the property lines of the subject parcel.

This recommendation will alleviate unintended consequences.

Skagit County Proposed Permanent Ordinance on Marijuana

18 June 2015 Written Comments by Roger Mitchell, 1155 Chuckanut Ridge Drive, Bow, WA 98232

Below are my opinions and comments regarding a permanent Skagit County ordinance on Marijuana in four sections: reiteration of the most common, key, public comments on ordinance requirements; additional considerations not sufficiently addressed; a brief rebuttal of some public hearing statements; and a brief update on medical marijuana from the Food and Drug Administration (FDA) perspective.

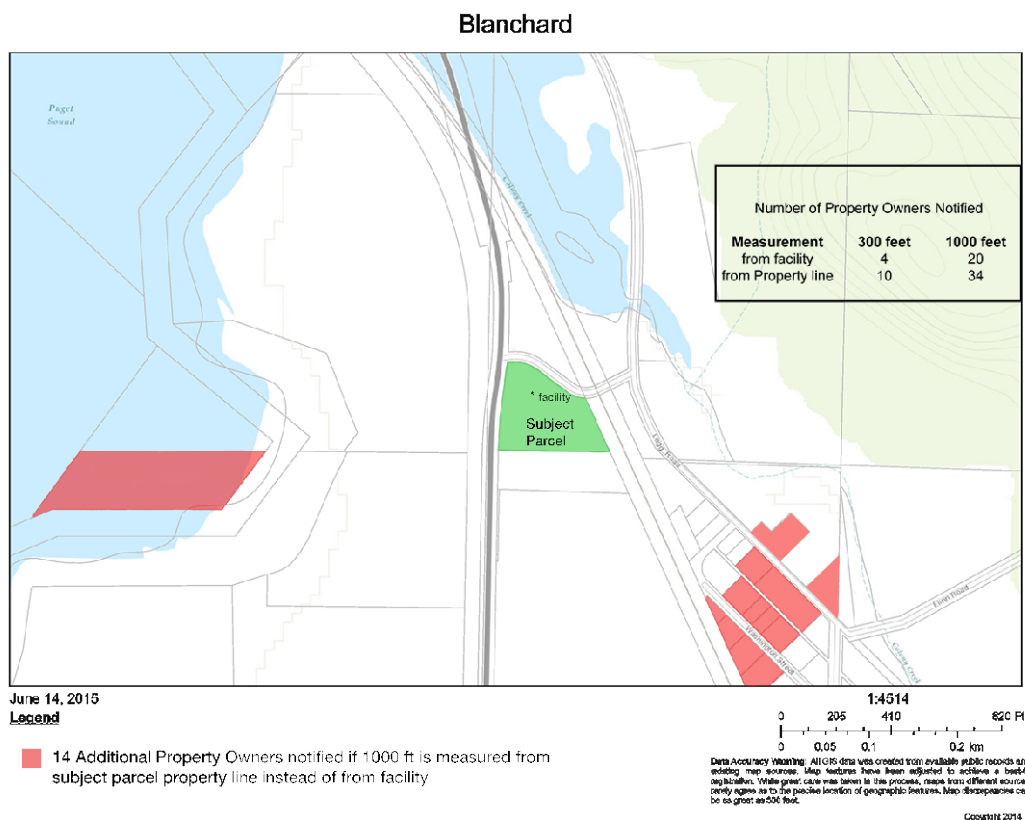
I trust you will take all of these into account as you develop the final, proposed, permanent ordinance and that that final version will be subject to another public hearing and written comment period.

The Most Commonly Mentioned Issues the Permanent Ordinance Needs to Include

1. **Notification to neighbors.** All property owners within 1000 feet of a proposed marijuana facility's property lines should be notified and given an opportunity to comment on the record.

If sufficiently large distances for notification of proposed marijuana facilities to neighboring property owners had been in place from the beginning, many residents and the County may not have had problems of the past year. The map, below, is based upon an actual marijuana cooperative facility in Blanchard, a rural area, that demonstrates:

- A. Distance matters. Many more neighboring property owners are included in the permitting process when 1000 feet, not 300 or 400 feet is used. More involvement by neighboring property owners, early in the process, can prevent problems later.
- B. Measuring point matters. Measuring from the property line is far more inclusive than measuring from the location of the facility.



The main reason we're having this discussion is because owners of properties adjacent to marijuana grows were never given a choice.

2. **Special Use Permits.** The highest level of regulatory rigor should be applied to every Marijuana facility proposal. Preference is for *Administrative* Special Use Permits.
3. **Marijuana is industrial; it is not agricultural.** All marijuana production and processing facilities should be in Heavy Industrial zones only.
4. **Marijuana facilities should be prohibited in all Natural Resource Zones.** Marijuana is not a natural resource. Current Skagit County Code and Comprehensive Plan adequately address acceptable and non-acceptable activities in Natural Resource zones.
5. **Marijuana facilities do not belong in residential neighborhoods or near areas where kids and families congregate.**
6. **Prohibit marijuana greenhouses in all zones.** Marijuana production and processing should be prohibited outdoors County-wide and should otherwise be restricted to opaque structures from which light, noise, and odors cannot escape.
7. **Public Safety.** Use of potentially flammable and explosive, hazardous chemicals should be prohibited at all marijuana facilities with the exception of facilities permitted in Heavy Industrial Zones.
8. **Water.** Growing and processing of marijuana takes copious amounts of water. As long as Skagit citizens cannot use their own water, from their own water wells, or cannot build on their own property, or cannot water their farm crops due to onerous and scientifically unsupportable restrictions from DoE, we cannot let Marijuana facilities use inordinate amounts of water.
9. **Recreational Marijuana and Medical Marijuana are completely separate issues.** Marijuana *Collectives* are now banned by State law. Marijuana *Cooperatives* should be prohibited County-wide. See also the section below on medical marijuana and the FDA.
10. **Customer use of marijuana, in any form, at, or adjacent to, marijuana retail, production, or processing facilities should be expressly prohibited.**

Some Additional Considerations Not Sufficiently Addressed Thus Far

1. **Advertising, especially directed toward children.** Our ordinance should expressly prohibit advertising directed toward children even if the law (RCW) and associated regulations (WAC's) discuss this issue.
2. **Packaging with "look-alike" appearance.** Our ordinance should expressly prohibit marijuana product packaging and naming that mimics, resembles, and imitates popularly known, legitimate, non-marijuana products, even if the law (RCW) and associated regulations (WAC's) discuss this issue. Child-resistant packaging should be expressly required in our ordinance.
3. **Edible marijuana products and their access by children.** Colorado reports "a huge surge" in kids accidentally eating marijuana. Marijuana-related calls to poison control centers have increased in both Colorado and Washington. The concentrations of marijuana in edible products are highly inconsistent and often not repeatable from one batch to the next. Child-resistant packaging should be expressly required in our ordinance.
4. **Driving while impaired.** The *American Journal of Epidemiology* reports that "cannabinoids have been the most prevalent drug other than alcohol detected in fatally injured drivers". The active ingredients in marijuana do not disappear rapidly from the blood like alcohol does. Our ordinance should have expressly stated regulations for determining driving while impaired due

to marijuana and proper enforcement for same. An increased number of motor vehicle accidents will put additional strain on our emergency response resources (law enforcement, fire departments, ambulance services, and hospitals).

5. **Domicile vs. residence.** I am not an attorney but I know there is frequent confusion between domicile and residence and they are not synonymous. This becomes important in the language used in our marijuana ordinance. We tend to use residence when we may want to use domicile. A person can have several residences but can have only one domicile.
6. **Enforcement.** Many citizens indicated a concern that this ordinance will not be adequately enforced.

A Brief Rebuttal of Public Hearing Statements

1. **Retail “CBD” products.** One admitted marijuana retailer was concerned about the County’s treatment of medical marijuana. My understanding of his concern was, in part, about his retail medical marijuana specialty product containing and extracted marijuana component, “CDB” (cannabidiol). Please see the section, below, on medical marijuana and *Epidiolex*, a product manufactured by an ethical pharmaceutical company that is “CBD” and has FDA orphan drug approval. It is also undergoing Phase II clinical trials for FDA approval for additional indications.
2. **Grandfathering of existing marijuana facilities.** As much as I, personally, would like to see these existing facilities fall under what I expect to be contained in the permanent marijuana ordinance, it is even more important to realize that “grandfathering” regulations are a high level of protection of personal rights and freedoms. That said, it is not unusual regulatory practice to find ways to eventually require existing, non-compliant, grandfathered uses to fall under new regulations.
3. **Starting a marijuana grow business is a choice.** A number of people, some represented by legal counsel, have whined about the amount of money they’ve invested in a marijuana business and that the County is now “changing the rules”. These are specious arguments and should not be considered.

When someone chooses to start a business there should be equal *opportunity* to do so but there is no guarantee of success.

Government, at all levels, is constantly adding new laws, regulations, and rules that businesses must comply with. Cars haven’t always had seat belts; since 1982 lawnmowers require many safety features; and numerous Skagit dairy farms have gone out of business due to rules and regulations. All these examples concern public health and safety. Some manufacturers/farms adapted to the new regulations and survived; other couldn’t, or didn’t, and now they’re gone. Adding new rules and regulations for marijuana businesses in Skagit County is no different.

Medical Marijuana and the Food and Drug Administration (FDA)

The FDA has not approved marijuana as a safe and effective drug for any indication. The FDA has approved Marinol for therapeutic uses in the United States, including for the treatment of anorexia associated with weight loss in AIDS patients. Marinol includes the active ingredient dronabinol, a synthetic delta-9- tetrahydrocannabinol (THC) which is considered the psychoactive component of marijuana. Another FDA-approved drug, Cesamet, contains the active ingredient nabilone, which has a chemical structure similar to THC and is synthetically derived.

An orally-administered liquid containing CBD has received [orphan drug](#) status in the US, for use as a treatment for [Dravet syndrome](#), under the brand name **Epidiolex**

From the FDA’s website:

Does the FDA have concerns about administering a cannabis product to children?

- A. We understand that parents are trying to find treatments for their children’s medical conditions. However, the use of untested drugs can have unpredictable and unintended consequences. Caregivers and patients can be confident that FDA-approved drugs have been carefully evaluated for safety, efficacy, and quality, and are monitored by the FDA once they are on the market.

What is FDA’s reaction to states that are allowing marijuana to be sold for medical uses without the FDA’s approval?

- A. The FDA is aware that several states have either passed laws that remove state restrictions on the medical use of marijuana and its derivatives or are considering doing so. In particular, we know that a number of states are interested in allowing access to cannabinoid oil, or cannabidiol, in an attempt to treat childhood epilepsy. It is important to conduct medical research into the safety and effectiveness of marijuana products through adequate and well-controlled clinical trials.

Can products that contain cannabidiol be sold as dietary supplements?

- A. No. Based on available evidence, FDA has concluded that cannabidiol products are excluded from the dietary supplement definition under section 201(ff)(3)(B)(ii) of the FD&C Act. Under that provision, if a substance (such as cannabidiol) has been authorized for investigation as a new drug for which substantial clinical investigations have been instituted and for which the existence of such investigations has been made public, then products containing that substance are outside the definition of a dietary supplement. There is an exception if the substance was "marketed as" a dietary supplement or as a conventional food before the new drug investigations were authorized; however, based on available evidence, FDA has concluded that this is not the case for cannabidiol.

What should I do if my child eats something containing marijuana?

- A. It is important to protect children from accidental ingestion of marijuana and its derivative products. FDA recommends that these products are kept out of reach of children to reduce the risk of accidental ingestion.

If the parent or caregiver has a reasonable suspicion that the child ingested products containing marijuana, the child should be taken to a physician or emergency department, especially if the child acts in an unusual way or is/feels sick.

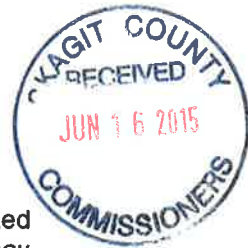
Summary

I appreciate that the County is taking sufficient time to get this ordinance right. Legalized marijuana is unique, therefore we should expect that the associated land use regulations may need to be different from other County regulations.

I publically thank the Planning Commission for excellent work on this ordinance. I appreciate that they took the amount of time they felt they needed to do their job right. They have carefully listened to, and represented, citizens’ concerns. They came to meetings well-prepared, many having done additional research. Unfettered deliberations were the best I’ve seen from any Planning Commission and led to excellent recommendations to the Board. I strongly concur with the recommendations in their 5 May 2015 Recorded Motion.

Citizens have been particularly responsible in providing well thought out comments regarding this highly emotional and important issue. We all trust that the people’s input will be the most important consideration in finalizing this ordinance.

Board of County Commissioners Public Hearing on a Permanent Marijuana Ordinance
16 June 2015 Public Comment by Roger Mitchell, Bow, WA



My opinions on a permanent marijuana ordinance:

I appreciate that the County is taking sufficient time to get this ordinance right. Legalized marijuana is unique, therefore we should expect that the associated land use regulations may need to be different from other County regulations.

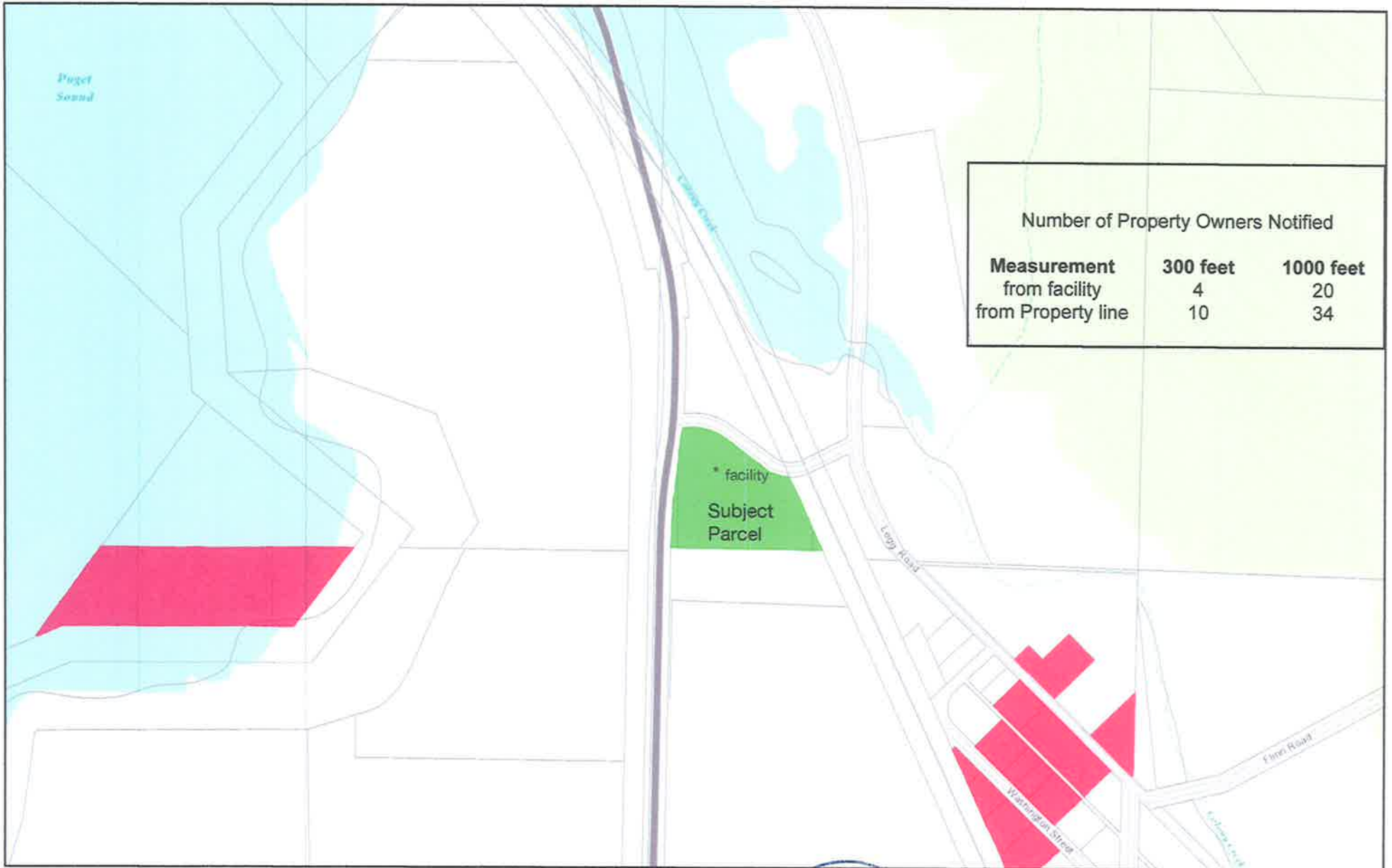
I publically thank the Planning Commission for excellent work on this ordinance. I appreciate that they took the amount of time they felt they needed to do their job right. They have carefully listened to, and represented, citizens' concerns. They came to meetings well-prepared, many having done additional research. Unfettered deliberations were the best I've seen from any Planning Commission and led to excellent recommendations to the Board. I strongly concur with the recommendations in their 5 May 2015 Recorded Motion.

Ten specific points I trust will be included in the permanent marijuana ordinance:

1. **Notification to neighbors.** All property owners within 1000 feet of a proposed marijuana facility's property lines should be notified and given an opportunity to comment on the record.
2. **Special Use Permits.** The highest level of regulatory rigor should be applied to every Marijuana facility proposal.
3. **Marijuana is industrial; it is not agricultural.** All marijuana production and processing facilities should be in Heavy Industrial zones only.
4. **Marijuana facilities should be prohibited in all Natural Resource Zones.** Marijuana is *not* a natural resource. Current Skagit County Code and Comprehensive Plan adequately address acceptable and non-acceptable activities in Natural Resource zones.
5. **Marijuana facilities do not belong in residential neighborhoods or near areas where kids and families congregate.**
6. **Prohibit marijuana greenhouses in all zones.** Marijuana production and growth should be prohibited outdoors County-wide and otherwise restricted to opaque structures from which light, noise, and odors cannot escape.
7. **Public Safety.** Use of potentially flammable and explosive, hazardous chemicals should be prohibited at all marijuana facilities with the exception of facilities permitted in Heavy Industrial Zones.
8. **Water.** Growing and processing of marijuana takes copious amounts of water. As long as Skagit citizens cannot use their own water, from their own water wells, and cannot build on their own property due to onerous and scientifically unsupportable restrictions from DoE, we cannot let Marijuana facilities use inordinate amounts of water.
9. **Recreational Marijuana and Medical Marijuana are completely separate issues.** Marijuana *Collectives* are now banned by State law. Marijuana *Cooperatives* should be prohibited County-wide.
10. **Customer use of marijuana, in any form, at, or adjacent to, marijuana retail, production, or processing facilities should be expressly prohibited.**

Turned in
during
6-16-15
public
hearing
at 8:30am

Blanchard

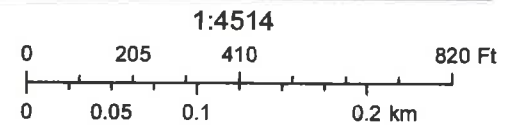


June 14, 2015

Legend

14 Additional Property Owners notified if 1000 ft is measured from subject parcel property line instead of from facility

(provided by Roger Mitchell)



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

From: [Connie Munsey](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities in Skagit County
Date: Monday, June 15, 2015 7:26:46 PM

Dear Commissioners,

We support industrial zone grow and processing operations only for recreational marijuana and the banning of such operations in ANY zone's residential neighborhoods.

A quick internet search for the definition of plan (as a verb) yields this: "decide on and arrange in advance." It is unfortunate that our professional (paid) planning department did not take the initiative to address this as soon as I-502 passed and that it took unpaid citizen activists to get this ball rolling.

Thank you,

Connie & Malcolm Munsey
2411 Skyline Way #205
Anacortes WA 98221
(360) 873-8886



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: [Erin Palmer](#)
To: [PDS comments](#)
Subject: "Permanent Regulations for Marijuana Facilities"
Date: Tuesday, June 16, 2015 3:19:42 AM

I own the residence at 5360 West Shore Road on Guemes Island, and am writing to support the adoption of the Proposed Amendments to SCC Title 14, Attachment 1 (dated 5/21/2015), with the addition of the explicit prohibition of Collective Gardens in all zones.

I support the explicit prohibition of Marijuana Cooperatives in all zones as stated in Attachment 1 (dated 5/21/2015), new Section 14.16.855 Marijuana and Marijuana Facilities Paragraph 1.d.iii Marijuana cooperatives.

In addition, I strongly encourage the inclusion of additional language to explicitly prohibit Collective Gardens in all zones.

2SSB 5052.SL revised Washington State RCW 69.51A.085 to explicitly define and regulate Collective Gardens separately from the definition and regulation of Marijuana Production Facilities. Skagit County prohibited Collective Gardens in Interim Ordinance O20140008 and Interim Ordinance O20140009, but reference to Collective Gardens was omitted in the most recent Interim Ordinance O20150001 and is not included in the Proposed Amendments to SCC Title 14 (dated May 21, 2015). This omission should be rectified and explicit prohibition of Collective Gardens in all zones should be included in the Amendments to SCC Title 14.

The Washington State Supreme Court, in rejecting the plaintiffs' arguments in *Cannabis Action Coalition v City of Kent*, held that there was no express language in the Medical Use of Cannabis Act preempting a local government's zoning authority over collective gardens. The court decided the "RCW 69.51A.140(1)'s provisions that a city may adopt zoning requirements for 'production, processing, or dispensing' of medical marijuana provides no reason to limit these concepts to only commercial activities."

Thank you for your time and consideration of these issues.

Respectfully,

Erin Palmer

mailing address:
2349 **Liloa** Rise
Honolulu, HI 96822

RECEIVED

JUN 15 2015

SKAGIT COUNTY
PDS

**KEEP MARIJUANA GROWS OUT OF
RESIDENTIAL NEIGHBORHOODS
and place them in industrial areas where they belong**

**LAST CHANCE TO COMMENT ON THE PROPOSED
MARIJUANA POLICY FOR SKAGIT COUNTY**

**Public hearing June 16 at 8am
or comment in writing by Thursday June 18 at 4:30pm**

Commissioners are drafting permanent ordinances that will determine where and how marijuana growth, processing and sale can happen in Skagit County, and are asking for your feedback. This is the last opportunity to let the commissioners hear your opinion.

**Please submit a comment to pdscomments@co.skagit.wa.us. Include your comments in the body of your email message - no attachments. Be certain your subject line says "Re: permanent regulations for marijuana facilities."
Or simply sign and mail the attached letter.**

You can also come to the hearing on Tuesday June 16, 8AM at the county offices at 1800 Continental Place, Mount Vernon. If you want to speak your comment, it is best to arrive early. Comments are restricted to 3 minutes.

It is vital that we get plenty of comments to the County Commissioners so they know we do not want marijuana growth and processing in residential neighborhoods, but in industrial areas only.

From: [The Schleh"s](#)
To: [PDS comments](#)
Subject: please pass the permanent marijuana ordinances to protect our neighborhoods
Date: Sunday, June 14, 2015 3:01:18 PM

Well, I hate to say it but we told you so. Last Thursday our neighborhood was visited by multiple police and drug task force officers as they went about FINALLY combing through the grow operation located on Dunbar that we have been complaining about for almost a YEAR! The whole neighborhood watched as police cars lined the streets and police with ski masks over their faces went in and out of the house, finally calling in a dump truck to remove the contraband since there was so much of it. Our pot growing neighbors have taken advantage of our county's lax laws and have laughed (literally) in the face of their neighbors as we have complained and struggled to preserve our neighborhoods from these kind of people and their activity. Under the guise of medical marijuana they have been growing and dangerously processing for commercial profit hundreds of large pot plants in these greenhouses that previously had been used for growing seasonal hanging flower baskets. Do NOT let this kind of situation happen again in any neighborhood, no matter HOW they are zoned. We do not even think anyone was arrested. Will they come back and continue to scoff at us and resume operation? It is your duty to protect our neighborhoods and our properties, including those who set up shop before the county started to pay attention to the impact on neighborhoods. Below is a letter that we neighbors are signing as a sign of our solidarity against this kind of activity. Please be reasonable and imagine if our pot growing, law breaking, arrogant neighbors were next to YOU.

June 2015

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

<!--[if !supportLists]-->1. <!--[endif]-->Marijuana growth, processing and sales does not belong in any residential area, or near schools, day care facilities, parks, hospitals, or nursing homes.

<!--[if !supportLists]-->2. <!--[endif]-->Permit retail marijuana sales in rural freeway service, rural commercial, rural village and urban reserve areas only with special use permits.

<!--[if !supportLists]-->3. <!--[endif]-->Because greenhouses can not be secured and issues such as lighting and odor can not be controlled in them, restrict marijuana growth and processing to opaque structures only county-wide.

<!--[if !supportLists]-->4. <!--[endif]-->Permit marijuana growth and processing in industrial zones only, and require special use permits and notification of residential neighbors within 1,000 feet. Require that special use permits include consideration of the impact on surrounding properties such as residences, schools, day care facilities, public parks and other public facilities, odor control, security issues, issues caused by hazardous substances, waste disposal, water usage and other relevant mitigating factors. Prohibit hazardous chemical processing in all zones except BR-HI and by anyone except a licensed processing facility. Consider comments by those neighbors as part of the special use permitting process.

<!--[if !supportLists]-->5. <!--[endif]-->Permit medical marijuana growth and processing for personal use in all zones. Medical marijuana should be grown in a residence or residential greenhouse not larger than 8'X10'. No hazardous chemicals such as butane should be permitted for medical marijuana processing by individuals. Prohibit collective gardens for medical marijuana.

<!--[if !supportLists]-->6. <!--[endif]-->No outdoor growth or processing of marijuana permitted in any zone.

<!--[if !supportLists]-->7. <!--[endif]-->All marijuana facilities of any type should be fully licensed and in good standing with the governing state authorities (currently called the Washington State Liquor Control Board) with the exception of individual residences with a patient who has a prescription for growing medical marijuana for personal consumption. All marijuana facilities must allow access by authorities at any time to verify that legal and safety requirements are being properly observed.

Signed

Name(s) Joan & Steve Schleh

Date 6/14/15

-

-

Address 17198 Dunbar Rd.

-

-

Mt. Vernon, WA 98273

TO: Dale Pernula, AICP, Director, Skagit County Planning & Development Services

FROM: Pat Senatore, P.O. Box 1345, Mount Vernon, WA 98273-1345
vs@seanet.com cell # 360-428-1800

RE: Comment on Proposal for Permanent Regulations for Marijuana Facilities
400' setback from any residence not owned by facility operator
Deadline 6/18/15 @ 4:30 p.m.

The zoning for agricultural land requires residences to be within 300' of roads. To accomplish this a lot of homes are close to roads and barns are also close to roads, and some barns are within 100' of neighboring homes. If existing buildings and barns are located close to roads to preserve farmland and are located to one side of the land, they may have a neighbor or neighbors within 100'. If growing and operations is to be in existing barns or buildings, the rule/ordinance should be 100' not 400', or by variance if less than 100'. If existing buildings were built to preserve farmland as regulated by agricultural land ordinance zoning then marijuana facility regulations should coincide and therefore allow for 100' setback from neighboring residences, not 400' as proposed.

Thank you for your consideration.



RECEIVED
JUN 18 2015
SKAGIT COUNTY
PDS

From: [Crystal Sweger](#)
To: [PDS comments](#)
Subject: Permanent regulations for marijuana facilities
Date: Tuesday, June 16, 2015 4:55:40 PM

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, my husband and I support the policies below as a way to keep residential communities free and safe from negative consequences of the marijuana business:

1. Marijuana growth, processing and sales does not belong in any residential area, or near schools, day care facilities, parks, hospitals, or nursing homes.
2. Permit retail marijuana sales in rural freeway service, rural commercial, rural village and urban reserve areas only with special use permits.
3. Because greenhouses cannot be secured and issues such as lighting and odor cannot be controlled in them, restrict marijuana growth and processing to opaque structures only county-wide.
4. Permit marijuana growth and processing in industrial zones only, and require special use permits and notification of residential neighbors within 1,000 feet. Require that special use permits include consideration of the impact on surrounding properties such as residences, schools, day care facilities, public parks and other public facilities, odor control, security issues, issues caused by hazardous substances, waste disposal, water usage and other relevant mitigating factors. Prohibit hazardous chemical processing in all zones except BR-HI and by anyone except a licensed processing facility. Consider comments by those neighbors as part of the special use permitting process.
5. Permit medical marijuana growth and processing for personal use in all zones. Medical marijuana should be grown in a residence or residential greenhouse not larger than 8'x10'. No hazardous chemicals such as butane should be permitted for medical marijuana processing by individuals. Prohibit collective gardens for medical marijuana.
6. No outdoor growth or processing of marijuana permitted in any zone.
7. All marijuana facilities of any type should be fully licensed and in good standing with the governing state authorities (currently called the Washington State Liquor Control Board) with the exception of individual residences with a patient who has a prescription for growing medical marijuana for personal consumption. All marijuana facilities must allow access by authorities at any time to verify that legal and safety requirements are being properly observed.

Thank you for your diligent work in ensuring that communities and residents of Skagit County remain safe while I-502 is implemented.

Sincerely,
Crystal and Joseph Sweger
14958 Valley View Drive

Mount Vernon, WA 98273

From: [Nikko Van Wyck](#)
To: [PDS comments](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Wednesday, June 17, 2015 7:48:10 PM

To whom it may concern,

My name is Nikko Van Wyck, and I am currently employed by a Medical Marijuana Collective in Skagit County (Zen Living Cooperative off Chuckanut Dr). The newest proposal by the county, published May 21st, with regards to Marijuana Facilities, is a step in the wrong direction. While I do agree that permanent regulations need to be in place within the MMJ industry, banning collective gardens and cooperatives as a whole will deeply impact those who suffer from chronic pain and illness. Furthermore, while I have heard it being said that the county government believes that the allowance of home growing will help bridge the gap between a lack of medical outlets and those who consume cannabis medically, instead of limiting outlets for the black market to continue to exist (which is what we're all trying to get rid of), it is simply creating an exponential amount of additional outlets for the black market to thrive. With the recent reports of recreational store inspections and compliance failures (that took over a year for the first rounds to take place), I do not believe that it is safe to say that allowing home grows that are subject to inspections will actually be heavily or properly enforced. Whereas there are about a dozen medical collectives in the Valley, which would be easy to inspect and keep within regulations, by allowing home grows and disallowing collective gardens, there will be an innumerable amount of private residences to inspect and keep tabs on. Also, home grows serve little to no purpose for many of our patients, who are looking for cannabis products that are either concentrated (non solventless) or are in edible or topical forms. Many of these patients are also suffering from conditions that make it nearly impossible to tend to the garden. Growing marijuana for medical use is much more tedious, as there can be no contamination of the product. While I would gladly welcome regulations from the county to regulate what constitutes a medically viable cannabis product, I do not see how banning medical collectives would achieve this.

I am a long time employee of Zen Living, and over the course of several years, I have met an extraordinary amount of folks who turn to medical marijuana for pain relief. Most of these patients are looking for non psychoactive products, such as CBD pills or balms for inflammation. There are no products currently available in recreational stores that offer these kinds of relief. I have spoken to many 502 stores and growers who agree with our position, that medical and recreational are very different entities that serve very different purposes. I would also like to add that our collective allows room for privacy, and that having worked closely with doctors from Whatcom, Skagit, and King counties, we can truly help patients find the relief they are looking for while allowing them to keep their dignity without being viewed as "stoners". No cancer patient, no former prescription pill addict, no Chron's patient, or any individual for that matter, seeking cannabis to be used as a medicine should be subject to having to walk into a store where it is assumed that they are simply there to "get high", because they are not.

Honestly, this is a topic that I could go on for hours about, and I believe I have a valuable insight, as I am a member of the medical cannabis community that does want to see regulation and standards happen in the medical cannabis industry. I just know that by banning collective gardens and outlets for patients to obtain medical marijuana, we're going to be making the waters murkier for a rational, non black market impinged legal system.

Thank you for your time,
Nikko Van Wyck

From: [Heather Wolf](#)
To: [PDS comments](#)
Cc: [Ryan R. Walters](#); [Planning & Development Services](#)
Subject: Permanent Regulations for Marijuana Facilities
Date: Friday, June 12, 2015 2:27:09 PM

Please find attached comments regarding Permanent Regulations for Marijuana Facilities

Thank You,
Heather Wolf

--

Heather Wolf
Brownlie Evans Wolf & Lee
230 E. Champion
Bellingham, WA 98225
www.brownlieevans.com
(p) 360-676-0306
(f) 360-676-8058

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Brownlie  Evans Wolf & Lee
ATTORNEYS AT LAW

heather@brownlieevans.com

VIA ELECTRONIC MAIL AND HAND DELIVERY

June 12, 2015

Ron Wesen
Skagit County Board of Commissioners
1800 Continental Place, Suite 100
Mount Vernon, Washington 98273

Ken Dahlstedt
Skagit County Board of Commissioners
1800 Continental Place, Suite 100
Mount Vernon, Washington 98273

Lisa Janicki
Skagit County Board of Commissioners
1800 Continental Place, Suite 100
Mount Vernon, Washington 98273

Re: Permanent Regulations for Marijuana Facilities

Dear Commissioners:

On behalf of our client, Bernard Finney, who is the sole owner of Cedardale LLC (“Cedardale”), which owns the property located at 18791 Cedardale Road (the “Property”), we take this opportunity to comment upon the proposed Permanent Regulations for Marijuana Facilities. As we discussed in prior correspondence to the Planning Commission, the existing interim regulations provide a balance between safeguarding rural residents while allowing those licensees with significant investment to proceed. Consequently, the County should proceed with care in adopting new regulations and not impose additional overly restrictive provisions.

The proposed regulations contain two problematic provisions - the 400 foot setback and special use permit requirement. We strongly urge that the County not adopt a 400 hundred foot setback requirement nor an administrative special use permit requirement for opaque structures in the Ag-NRL zone. With regard to the setback requirement, the reasons for not adopting this setback are fully set forth in the Staff Report, dated May 21, 2015. As Staff notes, there is no justification for this setback and instead it appears to be arbitrary and therefore not legal.

A 400 hundred foot setback would make it impossible for Mr. Finney to operate on the Property despite the Property being perfectly suited to operate a licensed marijuana facility. Although there is a residence within 400 feet of the existing opaque structure, the Property is not otherwise located near a residential neighborhood. It is an agricultural parcel primarily surrounded by large potato fields. Any and all impacts will be contained within the preexisting opaque warehouse on the Property. No rationale has been articulated for such a setback at the

numerous meetings held on this issue. We urge you to support Staff's position in regard to this issue and not impose a new setback requirement.

Next requiring an administrative special use permit for an indoor marijuana facility is unnecessary and overly burdensome to the applicant. We support the proposed SCC 14.16.855 sections 3(b)-(d), which similar to the existing interim regulations, address impacts such as odor, lighting, camera placement, etc. Pursuant to these proposed regulations, Staff will have the ability to condition any building or occupancy permit to address these impacts. The special use approval criteria are therefore redundant and only serve to create an unnecessary and extra burden on Staff and the applicant.

Requiring that indoor marijuana facilities obtain a special use permit is not only costly and time consuming for applicants, but also fails to provide any real benefit to the County or surrounding neighbors. A likely result of requiring marijuana businesses to obtain special use permits is that neighboring property owners, who receive notice of the project, will falsely believe that they can stop a marijuana facility from locating in Skagit County due to generalized concerns about marijuana operations. A better approach would be to simply include requirements such as appropriate screening to avoid lighting impacts, waste disposal, and appropriate controls on hazardous processing methods in proposed SCC 14.16.855(3) as additional conditions. The special use permit process will only cause delay and incur Staff time on impacts already addressed in the County's general requirements for all marijuana facilities.

We therefore urge you to remove the 400 setback requirement and the special use permit requirement for indoor recreational marijuana facilities in the Ag-NRL zone. Thank you for your consideration.

Sincerely,

Brownlie Evans Wolf & Lee, LLP



Heather Wolf

cc: client
Ryan Walters, Civil Deputy Prosecuting Attorney
Planning and Development Services

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

Re: Permanent Regulations for Marijuana Facilities

June 2015

To the County Commissioners,

PDS Services

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) *Ernestine (Sina) Champagne* Date *6-13-15*

Address *1641 SR 9*
Sedro Woolley WA 98284

June 2015

To the County Commissioners,

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Signed

Name(s) Richard L. Cleave Date 6-11-15

Address Ruby L. Cleave
16974 Dunbar Rd

Mount Vernon, Wa 98273

RECEIVED

June 2015

JUN 15 2015

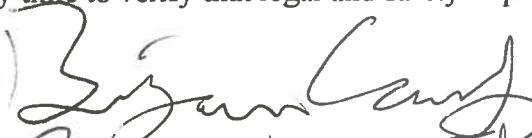
SKAGIT COUNTY
PDS

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Signed



Name(s)

Benjamin and Elizabeth Cady Date 6-20-15

Address

17507 Denton Rd

Mt Vernon WA 98273

RECEIVED

JUN 18 2015

June 2015

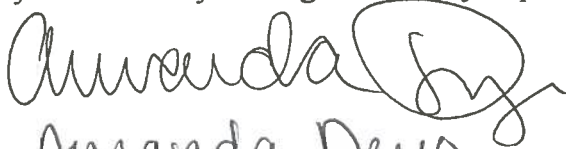
SKAGIT COUNTY
PDS

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Signed



Name(s)

Amanda Deyo

Date

6/10/2015

Address

17106 Dunbar Rd

Mount Vernon, WA 98273

RECEIVED

June 2015

JUN 18 2015

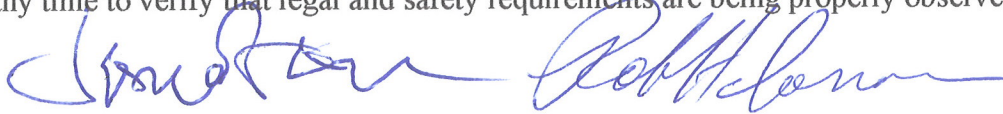
SKAGIT COUNTY
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Signed



Name(s)

Jim + Robyn DONOVAN

Date

6/15/15

Address

409 S. ANACORTES ST.

BURLINGTON WA 98233

June 2015

To the County Commissioners,

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Signed

Name(s)

Constance Donahue

Date

6/17/15

Address

24238 Alexander St.

Sedro Woolley, WA. 98284

RECEIVED

June 2015

JUN 18 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

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Signed

Ken Duncan Sarah Duncan

Name(s)

KEN + SARAH DUNCAN

Date

JUNE 19, 2015

Address

14870 DONBAR LANE

MOUNT VERNON WA 98273

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) Robert Dundas, Hannah Reid Date 6-13-15

Address 115 S Bad St

Mount Vernon WA

RECEIVED

June 2015

JUN 15 2015

SKAGIT COUNTY
PDS

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Signed Marianne Eastham

Clark Douglas
CLARK DOUGLAS
Date 6/11/15

Name(s) Marianne Eastham

Address 17516 Dunbar Rd

Mount Vernon, WA 98273

RECEIVED

June 2015

JUN 18 2015

SKAGIT COUNTY
PDS

4:25 P.M.

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Lisa M. Ellis

Name(s)

Lisa Ellis

Date

6-16-15

Address

1115 S. 19th St.

Mant Vernon, WA 98274

RECEIVED

JUN 15 2015

SKAGIT COUNTY
PDS

June 2015

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Signed

Name(s) Paul W. Nelson Date 6/11/15

Address 17439 Dunbar Rd

MT Vernon, WA 98273

June 2015

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed Robert T. Freeman *ROBERT T. FREEMAN*

Name(s) Mary L. Freeman Date June 13-15

Address 17032 Dunbar Rd

Mt. Vernon, Wash 98273

June 2015

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed Veronica Gonzalez

Name(s) U - Dosa Date 6/15/15

Address 830 E Vernon Ave

Burlington WA 98233

RECEIVED

Re: Permanent Regulations for Marijuana Facilities

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

Planning and Development Services

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) *Wilde Men*

Date *6-15-15*

Address *3225 Old Hwy 95N*

Burlington WA 98233

RECEIVED

Re: Permanent Regulations for Marijuana Facilities

June 2015

JUN 16 2015

To the County Commissioners,

Planning and Development Services

SKAGIT COUNTY
PDS

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Signed

Name(s) William R. Ryan

Date 6-15-15

Address 3225 Old Hwy 99N

Bur Linnston WA 98233

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

June 2015

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Signed

Name(s) Carol Hanison Date June 13, 2015

Address 224 Alderson Place

Burlington Wa 98233

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed

Name(s) Michelle M. Dill

Date 06.13.15

Address 2920 Arbor St

Mount Vernon, WA 98273

June 2015

RECEIVED
JUN 16 2015
SKAGIT COUNTY
PDS

To the County Commissioners,

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Signed Rachael Hodgson

Name(s) Rachael Hodgson

Date June 15, 2015

Address 5929 Bow St

Bow, WA 98232

June 2015

RECEIVED

JUN 16 2015

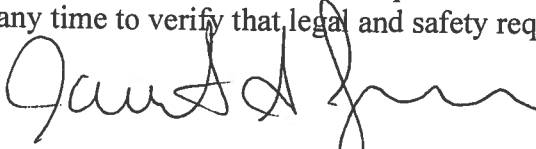
SKAGIT COUNTY
PDS

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Signed



Name(s)

Loretta A. Barra

Date

06/15/15

Address

100 S. Regent St. #3

Burlington, WA 98233

June 2015

RECEIVED

JUN 15 2015

SKAGIT COUNTY
PDS

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Signed

Name(s) Laurel Jacobs Date 6-10-15

Address 17531 Dunbar Rd

mt v 98273

I agree with the contents of this form letter.

RECEIVED

June 2015

JUN 17 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

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Signed

Name(s) Nancy E Keim Date 6/12/15

Address 3205 Shelly Hill Rd

Mount Vernon WA 98274

June 2015

*Rebecca
6-17-25
@ PDC via
u3ps*

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) Rebecca S. Kilcorin Date 6/15/2015

Address 2014 Lindsay Loop

MT, V. WA 98274

RECEIVED

JUN 18 2015

June 2015

To the County Commissioners,

SKAGIT COUNTY
PDS

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Handwritten signature: Kristina Jander

Name(s)

KRISTINA JANDER & MICHAEL COMSTOCK Date 6/15/15

Address

1900 PACIFIC PL

MOUNT VERNON, WA

98273

June 2015

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed  Jodi McDaniel

Name(s) Jodi McDaniel Date 6/15/15

Address 1119 N Vermont 98273

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed

HERBERT C MCMURTRY

Name(s)

Herbert C McMurtry

Date

6-13-15

Address

1915 Lindsay Loop

Mount Vernon, WA 98274

June 2015

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed

Nichola C. McMartry

Name(s)

Nichola C. McMartry

Date

June 13, 2015

Address

1915 Lindsay Loop

Mt. Vernon, WA 98274

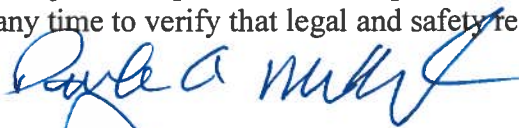
June 2015

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Signed



Name(s)

Pamela McNaughton

Date

6-13-15

Address

514 S 1st ST

Mount Vernon, WA 98273

June 2015

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JUN 16 2015
SKAGIT COUNTY

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Signed

Name(s) *Larry Moore* Date *6/11/15*

Address *23448 Pringle St.*

Clear Lake, WA 98235

June 2015

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JUN 16 2015

SKAGIT COUNTY
PDS

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Signed



Name(s) Jennifer Meyer

Date 6/15/2015

Address 314 N. 9th, Mt Vernon, WA 98273

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JUN 15 2015
SKAGIT COUNTY
PDS

June 2015

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Signed

Name(s) Arthur J. Becklin Date 6-12-15

Address 16680 Dunbar Rd.

Mount Vernon, WA 98273

RECEIVED

June 2015

JUN 18 2015

SKAGIT COUNTY
PDS

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Signed

Julie Sager

Name(s)

Julie Sager

Date

6/15/15

Address

1615 Woodland Dr.

Mt. Vernon, WA 98274

RECEIVED

JUN 18 2015

June 2015

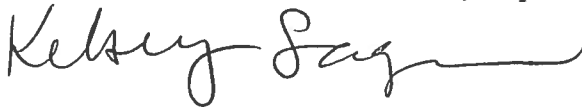
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SKAGIT COUNTY
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Signed



Name(s)

Kelsey Sager

Date

6/15/15

Address

1615 Woodland Drive

Mount Vernon, WA 98274

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

June 16, 2015

To: Skagit County Commissioners Re: Permanent Regulations for Marijuana Facilities
PLANNING and Development Services

As you draft permanent regulations please consider the following comments. In general, I support the recommendations of the Skagit County Planning Commission and believe their review was thorough. I specifically recommend the following:

1. I oppose outdoor production of marijuana in Skagit County and it should not be allowed at all.
2. I oppose marijuana production and processing in any residential area and support the recommendation to allow it only in industrial zones and only by those licensed by the Liquor Control Board.
3. I support special use permits on applications for marijuana production and processing and notification of neighbors within 1,000 feet of the property line of any facility applying for a permit and consider comments by neighbors as part of the special use permitting process.
4. I oppose the use of translucent structures (greenhouses) to produce/process marijuana anywhere in Skagit County.
5. I oppose medical marijuana cooperatives in Skagit County. Medical marijuana production and processing which is allowed by Washington State for those who have a valid prescription should only be allowed in personal residences for the personal consumption of the patient with the prescription. No hazardous chemicals such as butane should be permitted for medical marijuana processing by individuals. The storage or growing of plants should not be seen or readily smelled from any other property.
6. I oppose marijuana retail sales anywhere other than in Rural Freeway Services, or by Administrative review in Rural Center, Rural Business and Urban Reserve Commercial.
7. All marijuana facilities of any type should be fully licensed and in good standing with the Washington State Liquor Control Board. All marijuana facilities must allow access by authorities at any time to verify that legal and safety requirements are being met.
8. Any facility permitted prior to the final regulations must be required to meet all the requirements of the final regulations within a reasonable period of time and if a property previously permitted is sold the new owners must meet the requirements of the final regulations for marijuana facilities.

Signed:

John R. Scott
Name(s): JOHN R. SCOTT

Date: 6-16-15

Address: 3351 OLD Hwy 99N Rd
BURLINGTON WA

RECEIVED

June 2015

JUN 15 2015

SKAGIT COUNTY
PDS

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) Jonelinde Scott Date 6-11-15

Address 17224 Dunbar Rd

Mount Vernon, WA 98273

Turned in during 6.16.15
public hearing at 8:30am.



June 16, 2015

To: Skagit County Commissioners Re: Permanent Regulations for Marijuana Facilities

Planning and development Services

As you draft permanent regulations please consider the following comments. In general, I support the recommendations of the Skagit County Planning Commission and believe their review was thorough. I specifically recommend the following:

1. I oppose outdoor production of marijuana in Skagit County and it should not be allowed at all.
2. I oppose marijuana production and processing in any residential area and support the recommendation to allow it only in industrial zones and only by those licensed by the Liquor Control Board.
3. I support special use permits on applications for marijuana production and processing and notification of neighbors within 1,000 feet of the property line of any facility applying for a permit and consider comments by neighbors as part of the special use permitting process.
4. I oppose the use of translucent structures (greenhouses) to produce/process marijuana anywhere in Skagit County.
5. I oppose medical marijuana cooperatives in Skagit County. Medical marijuana production and processing which is allowed by Washington State for those who have a valid prescription should only be allowed in personal residences for the personal consumption of the patient with the prescription. No hazardous chemicals such as butane should be permitted for medical marijuana processing by individuals. The storage or growing of plants should not be seen or readily smelled from any other property.
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8. Any facility permitted prior to the final regulations must be required to meet all the requirements of the final regulations within a reasonable period of time and if a property previously permitted is sold the new owners must meet the requirements of the final regulations for marijuana facilities.

Signed: *Lori Scott*

Name(s): LORI SCOTT

Date: 6/16/2015

Address: 3351 OLD Hwy 99N Rd

BURLINGTON WA

RECEIVED

JUN 18 2015

SKAGIT COUNTY
PDS

June 2015

To the County Commissioners,

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Signed

Name(s)

Key Scott

Date

6/11/2015

Address

17612 Valentine Rd.

Mt Vernon, WA 98273

Permanent Regulations for Marijuana Facilities

June 2015

To the County Commissioners,

RECEIVED

JUN 15 2015

SKAGIT COUNTY
PDS

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Signed

Name(s)  Danielle Smith Date 6-10-15

Address 17476 Dunbar Rd #A

Mount Vernon, WA 98273

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed

Name(s) Russell D. Sawell Date 6/16/15

Address 14922 Valley View DR

Mount Vernon WA 98273

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed

Name(s) Shayla Sowell Date 06/16/2015

Address 14922 Valley View Dr

Mount Vernon WA 98273

RECEIVED

June 2015

JUN 16 2015

SKAGIT COUNTY
PDS

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Signed



Name(s)

Nancy Springer

Date

6-11-15

Address

500 S. 1st St

pt Venno WA 98273

RECEIVED

JUN 18 2015

June 2015

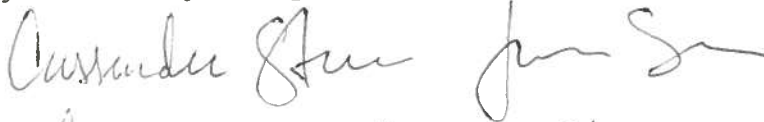
SKAGIT COUNTY
FDS

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Signed



Name(s)

Cassandra + Justin Stevens

Date

6/17/15

Address

17131 Dunbar Rd.

Mt. Vernon 98273

RECEIVED
JUN 15 2015
SKAGIT COUNTY
PDS

June 2015

To the County Commissioners,

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Signed _____
 Name(s) Richard E. Stewart Date 6-12-15
 Address 24639 Twin Holly Ct.
SEDOO-Woolley

RECEIVED

June 2015

JUN 16 2015

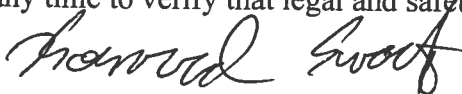
SKAGIT COUNTY
FDS

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Signed



Name(s)

Konrad Swartz

Date

6-15-2015

Address

RECEIVED
JUN 15 2015
SKAGIT COUNTY
PDS

June 2015

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Signed

Name(s) Claudia Swedelius Date 6-13-15

Address 804 Ferry St.
Sedro Woolley Wa- 98284

June 2015

RECEIVED
JUN 16 2015
SKAGIT COUNTY
PDS

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Signed Teresa Thomas

Name(s) Teresa Thomas

Date 6/15/15

Address 20152 Sinnes Rd.

MT. Vernon WA 98278

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Signed

Name(s)

Jarom Twitchell

Date

6-15-15

Address

1110 27th Ct. Apt 8F

Anacortes, WA 98221

RECEIVED

Re: Permanent Regulations for Marijuana Facilities

June 2015

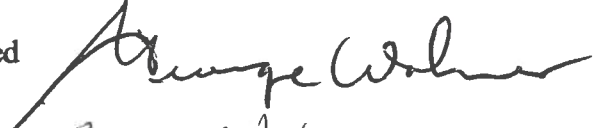
JUN 16 2015

To the County Commissioners, PDS

SKAGIT COUNTY
PDS

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Signed 

Name(s) George Wolner Date 6-15-15

Address 1641 SR 9

Sedro Woolley

June 13, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) BARBARA J. COVISON

Signature Barbara J. Covison

Address 3395 Old Hwy 99W, Burlington WA 98233

June 2015

RECEIVED

JUN 15 2015

SKAGIT COUNTY

REG

To the County Commissioners,

As you draft permanent ordinances for marijuana in Skagit County, we support the policies below:

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Signed

Name(s) Troy & Andrea Date Date 6/12/15

Address 14946 Dunbar Lane

Mount Vernon, WA 98273

June 14, 2015

RECEIVED
JUN 19 2015
MOUNT VERNON, WA

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) EDWIN L. DEMPSEY

Signature Edwin L. Dempsey

Address 19540 TRACE-TY LANE BURLI

June 14, 2015



Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) JAMES P DILLEY

Signature James P. Dilley

Address 19639 PARSON CR. RD.

June 14, 2015

RECEIVED
JUN 16 2015
SKAGIT COUNTY
FDS

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Marla L. Dilley

Signature Marla L. Dilley

Address 19639 Parson CK Rd
Sedro Woolley, WA 98284

June 12, 2015

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JUN 10 2015
SKAGWAY

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Nancy Edson

Signature Nancy Edson

Address 19808 Parson Creek Rd., SW, 98284

June 15, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Rick Fisher

Signature Rick Fisher

Address 20168 Echo Hill Road

Sedro Woolley, WA 98284

RECEIVED
JUN 16 2015
SKAGIT COUNTY
RECEIVED
JUN
SIC

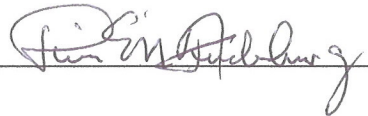
June 15, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place
Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) DENNIS M. FUNDERBURG

Signature 

Address 20178 BUCH HILL RD, SEDRO-WOOLLEY, WA 98284

June 14, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Rosemarie Funderburg

Signature Rosemarie Funderburg

Address 20178 Echo Hill Rd Sedro Woolley 98284

June 14, 2015


Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Jeffrey K. Haveman

Signature 

Address 19584 Parson Cr. Rd. - Sedro Woolley, WA - 98284

June 14, 2015

RECEIVED
JUN 16 2015
CLATSOP COUNTY
PLS

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed)

Lari Haveman

Signature

Lari Haveman

Address

19584 Parson Creek Rd. Sedro Woolley, WA
98284

RECEIVED

JUN 16 2015

SKAGIT COUNTY
FDS

June 12, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Joella Humes

Signature Joella Humes

Address 19573 Parsonce Rd (Alger)

June 13, 2015

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JUN 15 2015
MOUNT VERNON, WA

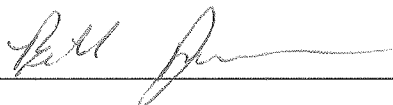
Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Bill Jacobson

Signature 

Address 19535 Trace Ty Ln Burlington Wa

DATE: 6/15/15
TIME: 10:25
BY: [unclear]

June 15, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) CLAUDIA MARLOW

Signature 

Address 20197 Echo Hill Rd S.W. 98284

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JUN 16 2015

SKAGIT COUNTY
PUBLIC HEALTH

June 15, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Ronald Marlow

Signature Ronald Marlow

Address 20197 Echo Hill Rd Sedro Woolley, Wa 98284

June 12, 2015

RECEIVED

JUN 16 2015

SKAGIT COUNTY
PDS

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Jon Martin

Signature Jon Martin

Address 19540 Parson Creek Rd. Sedro Woolley

June 14, 2015

WASH STATE
MOUNT VERNON
2015-06-14
10:00 AM

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Bryane S. MORAN

Signature 

Address 19961 parson creek rd

June 12, 2015

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JUN 16 2015
SKAGIT COUNTY
PDS

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Nancy M. Schwer

Signature Nancy M. Schwer

Address 20066 ECHO HILL ROAD, SW

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JUN 16 2015

SKAGIT COUNTY
PDS

June 12, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) William G. Schwer

Signature William G. Schwer

Address 20066 Echo Hill Road, Sedro-Woolley, WA 98284

June 14, 2015



Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Angela Snow

Signature 

Address 19945 Parson creek Rd. Sedro Woolley, Wa
98284

June 14, 2015

RECEIVED
JUN 16 2015
SNOHOMISH COUNTY
PDS

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Nicholas Snow

Signature 

Address 19945 Parson Creek Rd

June 13, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Michelle Solver

Signature Michelle Solver

Address 19566 Trace - Ty LN Burlington 98232

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JUN 16 2015

SICAGIT COUNTY
PDS

June 13, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) SCOTT E SOLVZV

Signature 

Address 19566 trace ty Lane

June 14, 2015

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JUN 18 2015
MOUNT VERNON, WA


Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) SANDY SUNDBERG

Signature 

Address 3382 Butler Ct Rd Seho Woods, 98284

June 14, 2015

RECEIVED
JUN 16 2015
SKAGIT COUNTY
PLS

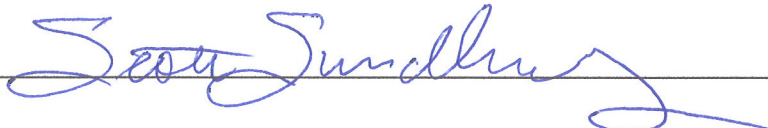
Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) SCOTT N. SUNDBERG

Signature 

Address 3382 BUTLER CREEK RD.
SEDRO WOOLLEY, WA 98284

June 14, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Matthew Workman

Signature Matthew L Workman

Address 3560 Butler Creek Sedro Woolley WA

June 14, 2015

Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) Tina Workman

Signature Tina Workman

Address 3560 Butler Creek Rd Sedro Woolley, WA

June 15, 2015

10
311-3777
1


Comments on proposed "Permanent Regulations for Marijuana Facilities"

1800 Continental Place

Mount Vernon, WA 98273

I recommend no "grandfathering" in of existing marijuana facilities and all permanent regulations apply to marijuana facilities in operation prior to implementation of permanent regulations.

Name (Printed) RUSSELL YERGER

Signature 

Address 19926 ECHO HILL RD 98284