

# Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

## BENTON COUNTY PLANNING COMMISSION

### Regular Meeting, 9/15/2015

7:00 p.m. Public Hearing Room, Planning Annex  
1002 Dudley Avenue, Prosser WA 99350

**THESE MINUTES ARE SUMMARIZED AND ARE NOT A VERBATIM TRANSCRIPT.**

### ROLL CALL

	PRESENT	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marjorie Kaspar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Darwin Crosby	<input type="checkbox"/>	<input checked="" type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### STAFF

Michael Shuttleworth  
Donna Hutchinson

### APPROVAL OF MINUTES

It was moved by Leo Perales and seconded by Marjorie Kaspar, that the minutes be approved as written.

### Vote:

	YES	NO	ABSTAIN	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marjorie Kaspar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Darwin Crosby	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed unanimously.

### CONSENT AGENDA - NONE

### NEW BUSINESS

a. **Public Hearing** on proposed ordinance amendment to amend BCC CHAPTER 11.16A a

zoning amendment to prohibit the production of marijuana in the Rural Lands Five Acre District; amending Ordinance 488, Section 4 and BCC 11.16A.030 by adding wording to allowable uses excepting out marijuana production as an allowable agricultural use.

Mike Shuttleworth, reviewed the process and background of the ordinance amendment for the Planning Commission.

**Public testimony:**

Lloyd Becker. 2120 Duportail St. Unit 1, Richland WA 99352, He is against the ordinance because it is state law and they should be able to have a marijuana business.

Paul Hedgpeth, 28609 S. Clodfelter Road in Kennewick, expressed his concerns regarding Marijuana Grow businesses. He noted that he was against allowing them in the RL5 zone because it is more urban than other zones in the County.

Cort Lechelt 19005 S. 2048 PR SE , Kennewick, Finley stated that he was against the ordinance. He noted that the RL5 zoning district in the Finley area was mainly agricultural uses not city living and that 12 to 15 farms were already growing in the area. He stated that the whole County was being shut down because of several people who didn't like it.

Frank Ver Mulm 22236 N. Hinzerling, stated that he would like to see it banned in all zones within the County.

Jolene Ver Mulm, 22236 N. Hinzerling, stated that Benton County did not vote to have this law approved. No one had a meeting to ask surrounding property owners if they wanted it next to them and that she was against allowing marijuana grow farms in Benton County.

Roy Cole, 109416 Windward Lane, Kennewick, stated that he was for the ordinance amendment and that he agreed with the previous speaker (Jolene VerMulum).

Eric Stag 119901 W. Hanks Road Prosser, stated that the people in Benton County voted the law down and that Benton County should represent the voters and get this banned in all zones.

Kevin Cochran, 106011 E. 27<sup>th</sup> PR SE, Kennewick WA 99338, stated that he lived off of Clodfelter Road and the pot farm is at the end of his driveway. He stated that he was in favor of the ordinance amendment and did not want pot growing operations in the RL 5 zone.

Brenden Kent, 30315 S. 959 PR SE, Kennewick WA 99338, stated that he was also for the ban on marijuana and that he wanted it banned for the whole County not just the RL 5 zone.

Colene Raines, 11802 E. Pine Hollow, Kennewick WA stated that she was in support of the Ban. She noted that there were six pot farms around her and they were eyesores.

Martin Sheeran asked if these grows were conducted outside or inside a building. Mike Shuttleworth noted that there were grows both inside and outside.

The public portion of the hearing was closed.

**Planning Commission Discussion:**

It was asked if processing was allowed in an RL5. It was noted processing was not an allowed use within the Rural Lands 5 Acre Zoning District.

There being no one else who wished to testify the public portion of the hearing was closed.

After discussion by the Planning Commission the findings of fact were completed and the following motion was made.

**MOTION**

It was moved by James Willard, seconded by Aimee Bergesen, that the chairman, in conjunction with the Secretary of the Planning Commission, prepare and adopt written findings and conclusions reflecting the commission's recommendation for approval of BCC 11.16A.0300(f) to prohibit the growing of MJ in the RL 5 District that articulate and are consistent with the findings, conclusions and recommendations made by the Planning Commission.

**VOTE**

	YES	NO	ABSTAIN	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marjorie Kaspar	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Darwin Crosby	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed.

**Planning Dept. Reports and Discussions:**

2017 Comprehensive Plan update process was discussed by the Planning Commission.

 12/8/15  
 MARTIN SHEERAN, Chairman DATE  
 BENTON COUNTY PLANNING COMMISSION