



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
September 12, 2023, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Olson called the meeting to order at 6:00 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Steve Jensen
Commissioner Pam McCain
Commissioner Darcey Peterson
Commissioner Carol Morgan
Chair/Commissioner John Olson

Unexcused: Commissioner Knut Syversen

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist
IT Staff, Jake Kapsandy
Commander Brian Martinez
Officer Lacey Del Valle

APPROVAL OF MINUTES:

1) Regular Planning Commission Meeting of August 8, 2023

There were no changes to the August 8, 2023, minutes and they were approved as presented.

PUBLIC COMMENT: None

PUBLIC HEARING:

2) Marijuana Regulations

Chair Olson went over the rules and procedures of a Public Hearing. He then declared the public hearing open at 6:03 p.m. and turned the meeting over to the Community Development Director Davis who briefed the Commission on the history of the cannabis topic in Black Diamond and where we are today with it. Ms. Davis also reported that Commander Martinez from the Police Department is here to speak later and answer any questions.

At 6:06 p.m. Chair Olson opened the public hearing for people to speak. Mr. Olson announced three times if anyone wanted to speak but no one participated. Chair Olson closed the public hearing at 6:08 p.m.

a) Deliberation and possible action taken on “Marijuana Regulations”

Extensive back and forth discussion took place between the Planning Commission and Director Davis on each of the 5 topics of the marijuana regulations that were discussed at the August meeting.

Regarding #1, which of the City’s current zoning districts would be best suited for the siting of cannabis retail, production, processing, and/or research uses, either as a permitted or conditional use.

Chair Olson said he would like the Commission to recommend all commercial areas which are best suited for more research. Chair Olson made a **motion** for item #1 asking which of the City’s current zoning districts stating that all of the current commercial zoned properties would be suited for this. **Second** Commissioner Sauskojus. **Vote**, motion **passed** 5 – 1 (McCain).

Further discussion between the Commissioners and Director Davis took place.

Chair Olson made a **motion** to amend the prior vote of #1 to clarify that cannabis retail be restricted to Community Commercial and Neighborhood Commercial. The production/processing/research aspect to be Business Industrial and Industrial. **Second**, Commissioner Jensen. **Vote**, motion **passed** 6-0.

Regarding #2, whether any additional zones should be created where cannabis retail, production, processing, and/or research would be a permitted and/or conditional use.

Commissioner Morgan made a **motion** that it’s not appropriate at this time to suggest an additional zone to the existing zoning map. **Second** McCain. **Vote**, motion **passed** 6-0.

Commander Martinez spoke to the Commission and gave crime statistics in surrounding areas as well as suggested safety protocols. Extensive back and forth discussion took place between the Commander and the Planning Commissioners.

Regarding #3, whether any additional review criteria should be adopted by ordinance and applied by City Staff when considering cannabis retail, production, processing, and/or research as a conditional use within a specified zone.

Chair Olson made a **motion** for the additional review criteria to be included such as lighting, indoor and outdoor employee safety, indoor and outdoor security, the maximum amount of cash which can be onsite, and working with an onsite security company to provide an assessment before any operations could take place. **Second** Commissioner Sauskojus. **Vote**, motion **passed** 6-0.

Regarding #4, whether the buffers established in state law regarding placement of cannabis-related businesses near certain other types of establishments should be reduced or expanded.

Chair Olson made a **motion** to reduce all allowable buffers, except for schools and playgrounds, to 100'. **Second** none. motion **failed**.

Commissioner Jensen made a **motion** on item #4 to keep the 1,000' buffer on all zones and require a conditional use permit to reduce the buffer below 1000' feet to be reviewed. **Second** Commissioner Morgan. **Vote**, motion **passed** 5 – 1 (Olson).

Regarding #5, such other and related land-use issues as the Community Development Director finds would be helpful to the City Council in analyzing the foregoing issues and the potential siting of cannabis retail, producing, processing, and/or research businesses in the City.

Chair Olson made a **motion** on item #5 authorizing the Community Development Director to make decisions on such other and related land-use issues that they find would be helpful to the City Council in analyzing the foregoing issues and the potential siting of cannabis retail, producing, processing, and/or research businesses in the City. **Second** Commissioner Jensen. **Vote**, motion **passed** 6-0.

STUDY/WORK SESSION - None

UNFINISHED BUSINESS -

- 3) Draft Parks, Recreation and Open Space Element / Appendix**
- 4) Draft Natural Environment Element / Appendix**

Director Davis reported that she provided memos from AHBL in the packet which explained the differences between the 2019 Comprehensive Plan and the 2024 Comprehensive Plan. She then read comments and suggestions that were submitted to

her from the Planning Commissioners. Regarding both the Parks, Recreation and Open Space Element / Appendix as well as the Natural Environment Element / Appendix, Director Davis stated for the Planning Commissioners to review those summary changes to those chapters and appendix's and offer any suggestions they may have.

- a) Action Item: Commissioners to read these documents and let Mona know by 9/15 if they have any suggestions.

NEW BUSINESS: None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

Director Davis reported on the following items:

- Welcome new Planning Commissioner Darcey Peterson
- Invited Commissioners to a transportation workshop on 9/26 at 6 p.m. at the community gym
- Events:
 - She attended Labor Days festival
 - Attending Hometown Hoedown at Ten Trails this Saturday
 - Ironman is happening on Sunday
 - Tough Mudder is happening the following Saturday and Sunday
 - Dedication at Gomer Evans Jr. park happened on 9/2 at the pocket park near the museum
- Projects:
 - Wendy's
 - Kelly Lattes
 - Hucks Daughter Coffee
 - Diamond Market Gas Station and Deli
 - Namaste Mart
 - India Food Mart
 - Humble Insurance
- At the October meeting, she will bring the land use element and results of the survey.

PUBLIC COMMENTS:

Debbie Page from Black Diamond spoke to Commissioners

ADJOURNMENT:

Commissioner McCain **moved** to adjourn, **second** Commissioner Morgan. **Vote**, motion **passed** 6 - 0. Meeting adjourned at 7:17 p.m.

These minutes were respectively recorded by Carina Thornquist, Deputy City Clerk

ATTEST:



John Olson, Chairperson

Planning Commission Secretary