

CASCADE COUNTY COMMISSION SPECIAL WORK SESSION

October 9, 2020

COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
10:30 A.M.

Commission
Journal # __

Commission: Commission Chairman James L. Larson and Commissioner Weber

Staff: Carey Ann Haight – Chief Civil Deputy County Attorney, Jake Wilkinson – Deputy County Attorney, Charity Yonker – Planning Director, Amber Hobbs – Planner, Sandy Johnson – Superfund Coordinator, Anna Ehnes – Planner, Kevin Nurre – Code Compliance Officer

Public: Ronda Wiggers – personally and on behalf of the Home Builders’ Association.

Introductions are provided.

Charity Yonker presents a PowerPoint Presentation for medical marijuana zoning revisions to the Commission, and starts with discussing changes to definitions.

Chairman Larson asks if the Planning Board is proposing a major change?

Charity Yonker confirms and continues to present and moves on to discussing buffer requirements.

Commissioner Weber asks how current facilities will be treated under the zoning regulations and whether there are any that have less than a 500 feet buffer.

Charity Yonker response no due to the 500 feet state buffer.

Commissioner Weber ask so we do not have to worry about that.

Charity Yonker states not for currently permitted facilities and continues presenting.

Chairman Larson and Commissioner Weber ask for clarification on the 1000-foot buffer map.

Charity Yonker clarifies and moves to the 500-foot buffer map.

Commissioner Weber comments that the maps are a good comparison and thanks staff.

Charity Yonker presents the topic of use expansion within the different zoning districts.

Commissioner Weber asks about the testing facilities.

Charity Yonker clarifies the Planning Board recommendations verses the staff proposal.

Amber Hobbs presents the summary of public comment topics for pros and cons to the proposed expansions in the zoning districts.

Charity Yonker presents a summary of Constitutional Initiative 118 and Initiative 190.

Commissioner Weber asks for an example ordinance.

Charity Yonker provides that the zoning regulations are an example and continues presenting with the top of taxation.

Commissioner Weber responds it is an interesting percentage breakdown.

Charity Yonker continues presenting.

Commissioner Weber asks if I-190 passes, the county cannot prohibit it?

Charity Yonker confirms that the county cannot 100% prohibit.

Carey Ann Haight states that is where we are now with the Medical Marijuana Act, and asks if the Department of Public Health and Human Services (DPHHS) would be doing inspections?

Charity Yonker says DPHHS will do their licensing and inspection but for our enforcement it will need to be done by law enforcement, and presents the topic on local government authority and land uses that can be regulated.

Chairman Larson says basically the whole medical marijuana business industry.

Charity Yonker confirms yes, but what we cannot regulate are personal grows, posits where do these land uses belong. She provides that the Planning Board recommended all uses to be permitted principle uses, but these are not the only options: the registered premises definition could be broken out if the Commission decides.

Commissioner Weber states growers usually would not have a store front.

Charity Yonker confirms and ends presentation slides.

Commissioner Weber asks for a summary of differences between the Planning staff proposal and the Planning Board.

Charity Yonker responds the staff proposed keeping medical marijuana in I-2 (the heaving industrial zoning district) with a 500-foot setback.

Chairman Larson asks if the initiative passes, why do we need medical marijuana regulations and if everyone can do it, why do we need all of this.

Charity Yonker responds the state is treating recreational and medical marijuana separately and the Montana Medical Marijuana Act is not being proposed to be amended as part of the initiative.

Chairman Larson asks he does not know much about medical marijuana, but if you can get it on the street corner, why do we need this.

Charity Yonker acknowledges he makes a good point and that with new Acts come unforeseen challenges.

Chairman Larson thanks staff and says I just did not want to go through all of this if the upcoming election is going to change it all.

Ronda Wiggers, 474 US Hwy 89, responds that those currently licensed for medical marijuana, will have a one-year head start to protect investment, so in turn the definition of medical marijuana should not be deleted.

Charity Yonker asks the Commissioners if a supplemental staff report on just the topic of medical marijuana is appropriate.

Commissioner Weber confirms a supplemental staff report would be great.

Chairman Larson confirms as well.

PowerPoint presentation slides attached.