

OKANOGAN COUNTY COMMISSIONERS'

RESOLUTION 103 - 2017

A resolution imposing a moratorium on the siting of new cannabis growing, producing, processing, or retail operations and the expansion of existing cannabis growing, producing, processing, or retail operations as vested in accordance with OCC 17A.330 within the unincorporated boundaries of Okanogan County for 6 months from date of adoption or until repealed.

WHEREAS: Okanogan County has seen a proliferation of cannabis operations in the unincorporated areas since the legalization of cannabis through the adoption of I-502, and

WHEREAS: The Revised Code of Washington 36.70.560 (Planning Enabling Act) authorizes counties to adopt land use controls within the unincorporated areas, and

WHEREAS: The Okanogan Board of County Commissioners (BOCC) adopted a revised zone code OCC 17A.290 and OCC 17A.220 regulating the siting and operations of cannabis growing, producing, processing, or retail operations in July of 2016, and

WHEREAS: The BOCC finds, based on complaints from members of the cannabis industry, that the current local land use regulations do not provide an acceptable level of guidance and certainty for those applying for cannabis operation permits, and

WHEREAS: The BOCC finds, based on numerous complaints from members of the public that current local land use regulations concerning cannabis does not provide adequate controls over the siting of cannabis operations or the continued operation of non-conforming sites, and

WHEREAS: The BOCC finds the continued existence of non-conforming cannabis operations to be harmful to the public health, safety, and welfare, and

WHEREAS: The BOCC finds that an advisory committee consisting of cannabis industry representatives and other interested members of the public should be formed and charged with the task of reviewing OCC 17A.290 Cannabis Operations, OCC 17A.220 District Use Chart, and OCC 17A.330 Legal Pre-existing Uses and Lots for the purpose of proposing revisions to avoid the adverse impacts of siting cannabis operations in areas where they are not compatible with surrounding land uses and to increase the guidance and provide certainty for those applying for cannabis permits, and

WHEREAS: The Revised Code of Washington 19.27.095 vests project applicants in the regulation in place at time of submittal of a complete application, and

WHEREAS: The BOCC has concerns that marijuana operations that are incompatible with adjoining and adjacent residential uses may be vested and sited prior to the adoption of stricter local land use controls, and

WHEREAS: The Revised Code of Washington 36.70.795 (Planning Enabling Act) authorizes Counties to impose temporary moratoriums to promote and protect the public health, safety, and welfare by preventing the vesting of applications under existing regulations, and

WHEREAS: A public hearing must be scheduled within 60 days of the adoption of any moratorium.

BE IT THEREFORE RESOLVED: The Okanogan Board of County Commissioners orders a moratorium on the siting of any new operations to grow, produce, process, or sell cannabis and on the expansion of any existing operations to grow, produce, process, or sell cannabis within the unincorporated boundaries of Okanogan County for 6 months from date of adoption of this resolution or until repealed by the BOCC.


BE IT FURTHER, RESOLVED: The Okanogan Board of County Commissioners directs that a public hearing be scheduled on Tuesday, July 25, 2017 at 1:30 p.m. in the Commissioners Auditorium in the Virginia Grainger Building at 123 5th Avenue North in Okanogan Washington to gather public input on whether this moratorium should continue to remain in place during the period of time prescribed in this resolution.

BE IT FURTHER, RESOLVED: The Okanogan Board of County Commissioners orders the Director of Planning to obtain and put to the Board a list of persons interested in serving on an advisory board to review existing regulation of cannabis operations.


DATED at Okanogan, Washington this 26 day of June 2017.



**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**



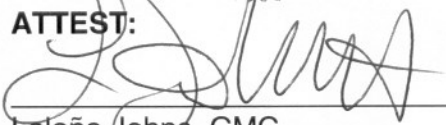
Jim DeTro, Chairman



Chris Branch, Member



Andy Hover, Member

ATTEST:


Laleña Johns, CMC
Clerk of the Board