

**OKANOGAN COUNTY COMMISSIONERS'****RESOLUTION 17 -- 2016**

*A resolution imposing a moratorium on the siting of additional marijuana growing, producing, processing, or retail operations within the unincorporated boundaries of Okanogan County for 6 months from date of adoption or until repealed.*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 marijuana operations in the unincorporated areas since the legalization of marijuana through the adoption of I-502, and

**WHEREAS:** The Revised Code of Washington 36.70 (Planning Enabling Act) authorizes counties to adopt land use controls within the unincorporated areas, and

**WHEREAS:** The Okanogan Board of County Commissioners (BOCC) has found, based on the Washington State Liquor Control Boards (WSLCB) lack of response to local issues when brought to their attention that the State's implementation of regulation adopted pursuant to I-502 does not provide sufficient controls over the siting of marijuana operations, and

**WHEREAS:** The BOCC finds, based on numerous complaints from members of the public that current local land use regulations concerning marijuana does not provide adequate controls over the siting of marijuana operations,

**WHEREAS:** In recognition of the inadequacies found in current land use regulation the BOCC has proposed through code amendment 2015-1 a revised zone code OCC 17A which applies stricter controls over the siting of marijuana operations, and

**WHEREAS:** Code Amendment 2015-1 is currently under review by the planning commission and the public with a public hearing scheduled for March 28, 2016 with subsequent review and adoption by the BOCC scheduled for May of 2016, and

**WHEREAS:** The BOCC has been informed by members of the marijuana industry that the WSLCB is encouraging potential licensee's to "get their applications in as soon as possible", 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 by the WSLCB 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,

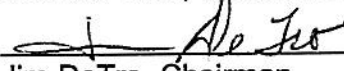
**BE IT THEREFORE RESOLVED:** The Okanogan Board of County Commissioners orders a moratorium on the siting of any new operations to grow, produce, process, or sell marijuana within the unincorporated boundaries of Okanogan County for 6 months from date of adoption of this resolution or until repealed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

**BE IT FURTHER RESOLVED:** The Okanogan Board of County Commissioners directs that a public hearing be scheduled on Tuesday May 3, 2016 at 1:30 p.m. in the Commissioners Auditorium in the Virginia Grainger Building 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:** This moratorium will not affect marijuana operations currently licensed and operating within the unincorporated boundaries of Okanogan County.

**DATED** at Okanogan, Washington this 8 day of March 2016

**BOARD OF COUNTY COMMISSIONER  
OKANOGAN, WASHINGTON**

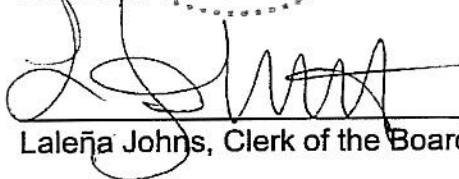
  
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Jim DeTro, Chairman

  
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Ray L. Campbell, Vice-Chairman

  
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Sheilah Kennedy, Member



**ATTEST:**

  
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Laleña Johns, Clerk of the Board