

Opt-Out Overlay Zone Framework

- 1 An Opt-Out overlay zone would prohibit the commercial cannabis uses and facilities within a specific geographic area. Opt-Out overlay zones would be required to be consistent with the following provisions and processing provisions.
 - a. An Opt-Out overlay zone may be applied to any zone where a dwelling unit is a principally permitted use and where residential use is currently the predominant land use.
 - b. An Opt-Out overlay zone must be composed of a minimum of 10 parcels (as identified by legal lots).
 - c. All parcels within an Opt-Out overlay zone must be contiguous excepting separations by public roads.
 - d. A petition for the creation of an Opt-Out overlay zone must demonstrate the support of more than 60% of all current property owners (as identified by Legal Lot / one owner's signature for each Legal Lot in proposed area).
 - e. Applications for Opt-Out overlay zones shall be reviewed and acted upon by the Board of Supervisors following a public hearing.
- 2 Once established the following allowed uses and development standards would be applied to an Opt-Out overlay zone.
 - a. All medical and adult use cannabis operations, except those uses identified as exempt under Sec. 10A.17.030, would be prohibited within an Opt-Out overlay zone.
- 3 In order to provide assurances to existing and future residents choosing to reside in an Opt-Out overlay zone, the Opt-Out overlay zone would be subject to the following restrictions on modification.
 - a. An adopted Opt-Out overlay zone would remain in-effect (zone would not be repealed and parcels may not be removed) for 10 years after date of approval except when a request to repeal is initiated by petition of more than 70% of all current property owners within the Opt-Out overlay zone. A request to repeal an Opt-Out overlay zone would be submitted to the Board of Supervisors for consideration at a public hearing.
 - b. Following the in-effect period of 10 years, a request to repeal, or amend, an Opt-Out overlay zone may be initiated by petition of more than 60% of all current property owners within the Opt-Out overlay zone. A request to repeal would be submitted to the Board of Supervisors for consideration at a public hearing.
 - c. Parcels adjacent to the Opt-Out overlay zone may petition for inclusion into the Opt-Out overlay zone. Additions to the Opt-Out overlay zone shall not alter the in-effect date of the adopted Opt-Out overlay zone.
 - d. Existing permitted cannabis cultivation sites or permitted cannabis facilities located within a newly adopted Opt-Out overlay zone would be permitted to continue operations for three years from the date of establishment of the overlay zone. At three years following the date of establishment of the Opt-Out overlay zone, permits for cultivators or licenses for facilities would not be renewed by the County.

- e. Changes to the underlying zoning of an Opt-Out overlay zone shall have no effect on prohibition of medical and adult use cannabis operations established under the Opt-Out overlay zone.
- 4 There are currently two areas being considered for inclusion into the initial creation of the Opt-Out overlay zone.
 - a. Boonville Road / Woody Glen
 - b. Deerwood