

CITY OF WINLOCK, WASHINGTON
ORDINANCE NO. 1159

**AN ORDINANCE OF THE CITY OF WINLOCK, WASHINGTON,
ESTABLISHING A MORATORIUM ON THE ACCEPTANCE OF
APPLICATION AND ISSUANCE OF PERMITS FOR SPECIFIC TYPES
OF USES AND IMPROVEMENTS; AND PROVIDING FOR
SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

RECITALS:

WHEREAS, the City of Winlock, Washington (the “City”) is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to RCW 35A.11.020, the City may adopt and enforce ordinances of all kinds relating to and regulating the City’s local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, all references herein to “WMC” shall mean the “Winlock Municipal Code,” and

WHEREAS, Ordinance No. 1081, commonly referred to as the Winlock Development Code, was enacted on November 25, 2019; and

WHEREAS, the City updated its comprehensive plan on June 10, 2019; and

WHEREAS, the City has adopted design guidelines to apply to development within the City, originally adopted in 2007 and reaffirmed and amended in 2020; and

WHEREAS, the City initiated a process to review and update its Development Regulations in accordance with the provisions of the updated Comprehensive Plan and the provisions of the Washington State Growth Management Act; and

WHEREAS, during the process of identifying potential revisions to the Development Regulations the City Council has determined that the public interest would be served by a more extensive discussion of where and under what circumstances certain storage developments uses and improvements should be permitted: and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City to adopt a moratorium of up six (6) months on the acceptance of applications and the issuance of permits associated with the type of uses and improvements, which would enable the City to further research how to best implement the Comprehensive Plan, maintain established level of service standards, and protect the public health and safety; and

WHEREAS, the City may adopt a moratorium under RCW 35A.63.220 and RCW 36.70A.390 without first holding a public hearing on the moratorium as long as it holds a public hearing on the moratorium within sixty (60) days of its adoption, and

WHEREAS, the City Council has determined that it is in the best interest of the City and its citizens that a moratorium be established to study the appropriate Development Regulations, including but not limited to the acceptance and issuance of permits for specific types of uses and improvements including recreational vehicle park/campground, outdoor vehicle storage, self-service storage facility (mini storage), and similar type uses, the impact on and consistency with the updated Comprehensive Plan, and as set forth in this Ordinance; and

WHEREAS, the adopting of a moratorium on the acceptance of applications and the issuance of permits for the type of uses and improvements is necessary to protect the public health and safety and is in the public interest; and

WHEREAS, the City Council adopts the foregoing as its findings of facts justifying the adoption of this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINLOCK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The City Council adopts the above “WHEREAS” recitals as findings of fact in support of its action as required by 36.70A.390 and RCW 35A.63.220.

Section 2. Public Hearing. The City Clerk is hereby authorized and directed to schedule a public hearing on the moratorium to be held on April 8, 2024, or within sixty (60) days of adoption of this ordinance, and to provide notice of said hearing in accordance with applicable standards and procedures.

Section 3. Moratorium Established. A moratorium is established in the City on the acceptance of applications and the issuance of permits associated with the type of uses and improvements including recreational vehicle park / campground, outdoor vehicle storage, self-service storage facility (mini storage), and similar type uses; provided that the moratorium shall not effect or preclude any current application(s) that have been received by the City as of the Effective Date of this Ordinance and/or any subsequent permits that may be issued by the City as a result of having received such applications prior to the Effective Date.

Section 4. Term of Moratorium. The moratorium established by this Ordinance shall be in effect immediately upon approval for an initial period of six (6) months, unless repealed, extended, or modified by the City Council after a public hearing and the entry of appropriate findings of fact as required by RCW 35A.63.220 and/or RCW 36A.70A.390. The City Council may renew this moratorium for one or more six month periods as permitted by law.

Section 5. Administrative Code Interpretations Authorized. In the event of any question or uncertainty regarding the applicability of this moratorium, the Mayor or his/her designee is hereby authorized to make such administrative code interpretations as may be necessary to implement this moratorium.

Section 6. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 7. Effective Date. This ordinance shall take effect immediately, or as otherwise provided by law.

Section 8. Corrections. Upon approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbers, section/subsection numbers, and any references thereto.

PASSED by the Council of the City of Winlock, Washington, and **APPROVED** by the Mayor of the City of Winlock at a regularly scheduled open public meeting thereof, this ___ day of March, 2024.



Brandon Svenson, Mayor

Attest:


Penny Jo Haney, City Clerk

Approved as to form:


Marissa Y. Jay, WSBA # 55593
City Attorney

Approved Reading: 3/25 /2024
Publication Date: 3/28 /2024
Effective Date: 4/1 /2024