

CITY OF WINLOCK, WASHINGTON
ORDINANCE NO. 1160

AN ORDINANCE OF THE CITY OF WINLOCK, WASHINGTON, RENEWING AND EXTENDING FOR AN ADDITIONAL SIX MONTH PERIOD ORDINANCE No. 1145 CONCERNING INTERIM LAND USE REGULATIONS AND OFFICIAL CONTROLS PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; INTERIM ZONING REGULATIONS FOR RIGHT-OF-WAY WIDTHS, INDUSTRIAL BUILDING HEIGHTS, AND LED SIGNS; 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, 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 is in the process of updating its zoning regulations; and

WHEREAS, interim zoning controls enacted under RCW 36.70A.390 and/or RCW 35A.63.220 are methods by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development; and

WHEREAS, RCW 36.70A.390 and RCW 35A.63.220 both authorize the enactment of an interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing as long as a public hearing is held within at least sixty (60) days of its enactment; and

WHEREAS, an interim zoning ordinance adopted pursuant to RCW 35A.63.220 may be effective for not longer than six (6) months, but may be effective for up to one (1) year if a work plan is developed for related studies providing for such a longer period. An interim zoning ordinance may be renewed for one (1) or more six-month (6) periods if a subsequent public hearing is held and findings of fact are made prior to each renewal; and

WHEREAS, the City Council passed Ordinance 1145 on October 9, 2023, and held a public hearing on the Ordinance on October 23, 2023, within 60 days of passage pursuant to RCW 36.70A.390; and

WHEREAS, the City's legislative process for enacting new, permanent regulations is ongoing and will extend beyond the current expiration date of Ordinance No. 1145; and

WHEREAS, on March 25, 2024, the City Council set a public hearing for the renewal of the interim zoning regulations set forth in Ordinance No. 1145; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this interim zoning ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act (SEPA) and future permanent zoning regulations will be reviewed in accordance with SEPA Rules; and

WHEREAS, interim zoning will provide the City with additional time to review and amend its public health, safety, and welfare requirements and zoning and land use regulations; and

WHEREAS, the City Council desires to extend the effective duration of the interim development regulations set forth in Ordinance No. 1145; and

WHEREAS, the City Council finds that the interim zoning amendments to the Winlock Municipal Code, Development Code, Design Guidelines, and Sign Code, set forth herein are consistent with and will implement the City's Comprehensive Plan, and that renewing said interim regulations for an additional six-month period will serve the public interest by, inter alia, ensuring that new development is consistent with the City's community vision, and by preventing applicants from vesting to permanent development regulations that the City intends to repeal and replace; and

WHEREAS, the City Council held a duly noticed public hearing regarding said renewal on April 8, 2024; 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. The City Council further incorporates all findings and recitals set forth in or otherwise adopted by Ordinance No. 1145.

Section 2. Renewal of Ordinance No. 1145; Extension of Interim Zoning Amendments. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the interim zoning controls set forth in Ordinance No. 1145 are hereby renewed for an additional six-month period.

Section 3. Duration of Interim Zoning. This interim zoning shall be in effect for six (6) months, beginning on April 9th, 2024, and ending on October 9th, 2024, unless an ordinance is adopted amending the Winlock Municipal Code and rescinding the interim zoning before October 9, 2024.

Section 4. Work Plan. During the interim zoning period, City staff will study the issues concerning right-of-way widths, industrial building heights, stormwater management, LED signs, and include that work with the ongoing development code and design guidelines update. Staff will prepare a draft ordinance, and conduct the public review process, including public hearings before the City’s Planning Commission and City Council, as required for amendments to the City’s development regulations.

Section 5. Repealer. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

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 five days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law. Ordinance No. 1145 shall remain in effect until this Ordinance become effective.

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 8th day of April, 2024.




Brandon Svenson, Mayor

Attest:


Penny Jo Haney, City Clerk

Approved as to form:


Marissa Y. Jay, WSBA # 55593
City Attorney

Approved Reading: 4/08 /2024
Publication Date: 4/11 /2024
Effective Date: 4/16 /2024