

RESOLUTION NO. _____

A RESOLUTION of the City Council of the City of _____, Washington, establishing for an initial twelve months a moratorium on the filing of applications for licenses, permits and approvals for _____ uses in the area of the City of _____ bounded by _____, making findings and adopting a work plan, and setting a public hearing for the _____ day of _____, 200____, to consider the moratorium on the filing of applications for licenses, permits and approvals for _____ uses in said area

WHEREAS, [rationale for moratorium – per statutes – RCW 35.63.200, 35A.63.220]

_____; and

WHEREAS, _____
_____; and

WHEREAS, time is needed for the City to study _____ and determine the appropriate zoning and land use designations/regulations that should be implemented in order to support and meet current City goals and strategies; and

WHEREAS, pursuant to RCW 35A.63.220, the City Council may establish a moratorium for initial periods of twelve-months or more, provided that appropriate findings are made and a work plan is adopted, and provides that a subsequent public hearing is held on the moratorium within at least sixty days of its adoption at which time further findings of fact could be made; and

WHEREAS, it is therefore appropriate that a public hearing be scheduled for _____, 200____, for the City Council to hear from all persons wishing to speak to the issue of the moratorium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF _____, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. Establishment of Moratorium. The City Council hereby established a moratorium for an initial twelve month’s period of time on the filing of applications for licenses, permits and approvals for _____ uses in the area of the City of _____ bounded by _____

_____.

Section 2. Term of Moratorium. The moratorium established by this Resolution shall become effective on _____, 200____, and shall continue in effect for a period of twelve (12) months, to _____, 200____, unless repealed, extended or modified by the City Council after subsequent public hearing and entry of appropriate findings of fact pursuant to RCW 35A.63.220, provided that the moratorium shall automatically expire upon the effective date of _____ and of zoning and land use regulations adopted by the City Council for _____ uses within the moratorium area.

Section 3. Preliminary Findings.

That the following preliminary findings of fact are hereby adopted:

A. That _____ land uses have significant impacts on neighboring properties and on the community.

B. That among the impacts of _____ land uses are _____.

C. That because of the potential detrimental impacts of such uses, special care and attention needs to be employed in developing appropriate legislation that satisfactorily addresses the concerns of the City and does so in a way which is in conformity with the legal limitations and requirements.

Section 4. Work Plan.

That the following work plan is adopted to address the issues involved in _____ land use regulations:

A. That the City of _____ Planning Commission shall be authorized and directed to hold public hearings and public meetings to fully receive and consider statements, testimony, positions and other documentation or evidence involving _____ land uses.

B. That the Planning Commission and City staff are authorized and directed to [identify tasks] _____.

C. That the City of _____ Planning Commission shall work with City staff to develop proposals for regulation of _____ land uses and zoning

considerations, to be forwarded in recommendations to the City Council for inclusion in ordinances and adoption as a part of the City Code of the City of _____.

D. That the Mayor, in consultation with the City Attorney, Planning Director and the Police Chief shall periodically advise the City Council as to the status of hearings, meetings and information development regarding activities of the Planning Commission and City staff relative to sexually oriented businesses and land uses, with such reports to be scheduled approximately every six (6) months or as appropriate throughout the period of the moratorium and any extensions thereof, until adoption of a comprehensive ordinance as developed, relating to sexually oriented businesses and land uses becoming effective in conjunction with the termination of the moratorium referred to in this Resolution.

Section 5. Public Hearing scheduled. That a public hearing on proposal to extend the moratorium on the filing of applications for licenses, permits and approvals for _____ uses be, and the same hereby is set for _____ p.m., or as soon thereafter as the matter can be heard, on the _____ day of _____, 200____, at the City of _____ City Council Chambers, at _____, Washington.

Section 6. Severability. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of component jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 7. Effective Date. That this Resolution shall be in full force and effect upon passage and signatures hereon, and as provided herein.

PASSED by the City Council this _____ day of _____, 200____.

Attest:

Mayor

City Clerk

Approved as to Form:

City Attorney