

RESOLUTION NO. _____

A RESOLUTION of the City Council of the City of _____, Washington, extending by an additional six months the moratorium on the filing of applications for licenses, permits and approvals for _____ established by Resolution No. _____

WHEREAS, the City of _____ intends to develop regulations for _____ consistent with the comprehensive plan; and,

WHEREAS, in order to provide time to fully study the legal and practical factors involved in developing _____ zoning code and land use provisions for the City of _____, it was appropriate to impose a moratorium on the filing of applications for licenses, permits and approvals for _____, as allowed by sections 35.63.200 and 35A.63.220 of the Revised Code of Washington; and,

WHEREAS, the City Council of the City of _____ did adopt and provide for such an initial moratorium and a work plan pursuant thereto by Resolution No. _____; and,

WHEREAS, in connection therewith, the City Council adopted a work plan and established a process for study and evaluation of the issues involved in _____, delegating land use - zoning - planning considerations to the City's Planning Commission and/or a subcommittee or task force thereof [*if this applies or to the extent that it applies*]; and,

WHEREAS, since commencing its work on _____ issues, the Planning Commission has met, pursuant to [*the work plan of - if this applies or to the extent that it applies*] Resolution No. _____, to (1) determine the impacts of _____ in the City of _____, including reviewing _____; (2) review the

legal implications of land use/zoning/planning on _____ as determined by state and federal court decisions; and (3) evaluate the any other considerations deserving review[, *not only from _____, but also from other jurisdictions whose experiences have relevance to the City of _____ - if this applies or to the extent that it applies*]; and,

WHEREAS, in addition to the work already done, the Planning Commission is scheduling or has already scheduled more meetings to receive and review additional information regarding _____ [*if this applies or to the extent that it applies*]; and,

WHEREAS, until these further tasks are completed, the Planning Commission will not be in a position to make meaningful recommendations for _____ zoning code and land use regulations; and,

WHEREAS, accordingly, the City needs more time to consider properly and carefully all of the factors involved in determining appropriate location and regulation of _____; and,

WHEREAS, sections 35.63.200 and 35A.63.220 of the Revised Code of Washington authorizes the City to extend for six month periods of time moratoriums imposed on business license and development permits and approvals for _____; and,

WHEREAS, an extension of the moratorium on the filing of applications for licenses, permits and approvals for _____ was approved pursuant to Resolution No. _____; and,

WHEREAS, although the study of _____ issues has been on-going and has been proceeding through the Planning Commission, the tasks and responsibilities of the Planning Commission are not completed, and additional time is needed to complete those tasks [*if*

this applies or to the extent that it applies]; and,

WHEREAS, a public hearing was held on the _____ day of _____, 2003, to allow the City Council to consider the need to extend the moratorium, at which public hearing the City Council heard from all persons wishing to speak to the issue of the moratorium extension.

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

Section 1. Reaffirmation of Moratorium Findings, Recitals, Work Plan. That the findings, recitals and work plan of Resolution No. _____ still represent the concerns and issues involving _____ as affecting the City of _____, and the findings, recitals and work plan are therefore fully reaffirmed, and are incorporated herein by this reference [*if this applies or to the extent that it applies*].

Section 2. Moratorium extended. That the moratorium imposed on the filing with the City or the Courts of any applications for licenses, permits and approvals for _____ and adult use facilities as those terms are defined and used in the _____ City Ordinances or as those terms are commonly understood or defined in said _____ City Ordinances or otherwise, as imposed by Resolution No. _____, is extended.

Section 3. Term of Moratorium extension. The extension of the moratorium imposed by this Resolution shall become effective on _____, and shall continue in effect for a period of six (6) months, to _____, unless repealed, extended or modified by the City Council after subsequent public hearing and entry of appropriate findings of fact pursuant to RCW 35.63.200/35A.63.220, provided that the moratorium shall automatically expire upon the effective date of zoning and land use regulations for _____ adopted by the City Council.

Section 4. 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

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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 5. Effective Date. That, upon passage and signatures hereon, this Resolution shall be in full force and effect on _____, and shall continue in effect as provided herein.

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

Attest:

Mayor

City Clerk

Approved as to Form:

City Attorney

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