

ORDINANCE NO. 644

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, RELATING TO LAND USE AND ZONING; ADOPTING A MORATORIUM ON THE FILING OF APPLICATIONS FOR DEVELOPMENT PERMITS AND APPROVALS WITHIN THE CORPORATE LIMITS OF THE CITY OF GRANITE FALLS; AND, DECLARING AN EMERGENCY THEREFOR.

THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON,
DOES HEREBY ORDAINS AS FOLLOWS:

Section 1. RECITALS AND FINDINGS.

1.1 Congestion of downtown streets has increased as a result of regional population growth and industrial activity near Granite Falls.

1.2 Citizens have expressed concerns for the safety of school children using the City's street system for access to and from school.

1.3 Congestion adversely impacts city streets, particularly when school buses and weekend tourist traffic compete with trucks.

1.4 The existing roadway system was not designed to carry the traffic volumes currently experienced, and was not designed to handle varying types of traffic, particularly heavy truck traffic.

1.5 The City Council needs sufficient time to carefully consider appropriate regulations and other potential mitigation of traffic impacts of proposed development within the City limits.

1.6 Absent the adoption of a moratorium, further development may occur to the further detriment of the environment.

1.7 The City Council finds that protection of the public health, safety, and welfare supports adopting a moratorium on applications for development permits and approvals for property within the corporate limits of the City of Granite Falls.

Section 2. MORATORIUM ESTABLISHED. Except as hereinafter set forth, a moratorium is imposed upon the filing of applications for development permits and approvals for property located within the corporate limits of the City of Granite Falls. For purposes of this moratorium, the term "development permits and approvals" includes:

- 2.1 Subdivision approvals;
- 2.2 Short subdivision approvals;
- 2.3 Site plan approvals;
- 2.4 Planned Residential Developments (PRDs) and other master planned developments;
- 2.5 Multi-family dwelling unit approvals (apartments, townhouses, condominiums, mobile home parks, group residences);
- 2.6 Rezones;
- 2.7 Building permits;
- 2.8 Conditional use or special use permits;
- 2.9 Communication facilities;
- 2.10 Commercial construction in business and office zones; and
- 2.11 Shoreline substantial development permits.

Section 3. EXEMPTIONS. The term "development permits and approvals" does not include the following:

3.1 Permits and approvals for facilities for primary and secondary education;

3.2 Permits and approvals for additions or alterations to existing residential and commercial structures where such additions or alterations do not result in the creation of new units, and permits for structures replacing pre-existing structures destroyed by fire or other unintentional casualty;

3.3 Permits and approvals for government facilities and structures including, but not limited to, streets, utilities, and surface water improvements;

3.4 Permits and approvals for construction of single family residences on existing legal lots;

3.5 Permits and approvals for signs;

3.6 Permits and approvals for law enforcement, emergency medical, and disaster relief facilities, parking and storage;

3.7 Permits and approvals for lot line adjustments.

This moratorium shall not affect vested rights, if any, established pursuant to previously filed and fully complete applications. Nothing in this moratorium shall exempt development from the requirements of the City's SEPA requirements or Chapter 43.21C RCW.

Section 4. EMERGENCY DECLARED; EFFECTIVE DATE; PERIOD OF MORATORIUM.

This ordinance and the moratorium is a public emergency measure necessary for the protection of the public health, safety, and welfare, shall be effective immediately upon adoption and shall continue in effect until February 19, 2002, unless earlier repealed, renewed or modified by the City Council as provided by state law.

Section 5. SEVERABILITY. If any section, sentence, or phrase of this ordinance should be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, or phrase of this ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS,
WASHINGTON, ON THIS 22 DAY OF August 2001.

CITY OF GRANITE FALLS

Rella R Morris
Mayor

ATTEST/AUTHENTICATED:

Berry James
City Clerk

Approved as to form:

Cheryl L Beyer
Cheryl L. Beyer, City Attorney

Filed with the City Clerk: 8-22-01
Passed by the City Council: 8-22-01
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