

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 236**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON EXTENDING
FOR SIX MONTHS A MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS
OR ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF MULTIFAMILY
HOUSING; PROVIDING FOR SEVERABILITY; AND DECLARING AN
EMERGENCY.**

WHEREAS, the City of Liberty Lake (“City”) passed Ordinance No. 231 on June 21, 2016, establishing a moratorium on the acceptance of applications or issuance of permits for the construction of multifamily housing; and

WHEREAS, the City passed Ordinance No. 231A on August 2, 2016, amending Ordinance No. 231; and

WHEREAS, the City is still in the process of reviewing and updating its Development Regulations in accordance with the provisions of the City’s updated Comprehensive Plan and the provisions of the Washington State Growth Management Act; and

WHEREAS, additional time is necessary for the City’s Planning Commission and City Council to review, discuss, and update the Development Regulations, including those involving multifamily housing on where and under what circumstances new multifamily developments should be permitted; and

WHEREAS, the City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to renew an existing moratorium for up to six-months as long as the City adopts findings of facts and holds a public hearing before renewing a moratorium; and

WHEREAS, the City Council held a public hearing on July 19, 2016 regarding the moratorium imposed by Ordinance No. 231, and subsequently amended by Ordinance No. 231A; and

WHEREAS, the moratorium should be extended or cancelled before December 21, 2016; and

WHEREAS, a renewal of the moratorium is in the best interests of the City and is needed to preserve the public health, safety, and welfare of the residents of the City.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Findings of Fact. The City Council adopts the above recitals as findings of fact in support of this Ordinance and those also set forth in Ordinance Nos. 231 and 231A.

Section 2. Moratorium Extension. The City Council hereby extends, for six additional months from the expiration of the current six-month moratorium on December 21, 2016, the six-month moratorium imposed by Ordinance Nos. 231 and 231A, prohibiting the acceptance of applications or the issuance of permits associated with the construction of multifamily housing in the City as set forth in said Ordinances.

Section 3. Term of Moratorium. The moratorium established by this Ordinance shall be in effect for a period of six (6) months from December 21, 2016, 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 held a public hearing as required on December 20, 2016.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Effective Date. This Ordinance, as a public emergency ordinance, necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force and effect immediately upon adoption. Pursuant to *Matson v. Clark County Bd. Of Com'rs*, 79 Wash.App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses, above, all of which are adopted by reference as set forth herein. This Ordinance shall become effective immediately upon passage. The City Clerk is directed to publish a summary of this Ordinance, as applicable, at the earliest publication date.

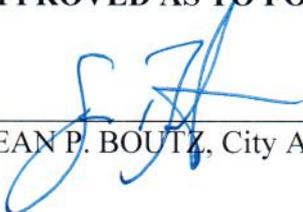
Passed by the City Council this 20 day of December, 2016.


MAYOR STEVE PETERSON

ATTEST:


ANN SWENSON, City Clerk

APPROVED AS TO FORM:


SEAN P. BOUTZ, City Attorney

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CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 236 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on December 20, 2016 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous.

AYES, and in favor thereof: Mayor Pro Tem Brickner, Council Members, Moore, McGuire, Dunne, Severs, Langford, and Kaminskis.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK