

RESOLUTION NO. 2212

A RESOLUTION OF THE CITY OF LONGVIEW, WASHINGTON,
ADOPTING FINDINGS IN SUPPORT OF RETENTION OF THE
MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR
EMERGENCY SHELTERS UNDER LMC 19.09.223

WHEREAS, by Ordinance 3302 the City of Longview City Council adopted a moratorium on the submission, acceptance, processing or approval of any permit applications or licenses by or any establishments permitted under LMC Chapter 19.09.223 and the creation by an owner or operator of any land or building of any new use of such land or buildings as an emergency shelter as defined by LMC 19.09.223; and

WHEREAS, the moratorium created by Ordinance 3302 was extended by Ordinance 3318 and again by Ordinances 3328 and 3342; and

WHEREAS, pursuant to RCW 35A.63.220 a legislative body that adopts a moratorium or interim zoning ordinance, without holding a public hearing on the proposed moratorium or interim zoning ordinance, shall hold a public hearing on the adopted moratorium or interim zoning ordinance within at least sixty days of its adoption; and

WHEREAS, if the legislative body does not adopt findings of fact justifying its action before this hearing, then the legislative body shall do so immediately after this public hearing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Longview as follows:

Section 1. The City of Longview makes the following Findings of Fact, in support of an extension of a moratorium on the submission, acceptance, processing or approval of any permit applications or licenses by or any establishments permitted under LMC Chapter 19.09.223 or the creation by an owner or operator of any land or building of any new use of such land or buildings as an emergency shelter as defined by LMC 19.09.223:

A. The establishment of emergency shelters, especially those known as “low barrier shelters” in neighboring communities has demonstrated that such land uses pose a risk or increase

demand on emergency services, and other secondary effects such as higher crime rates and negative impacts on property values.

B. The City is concerned that the creation of new emergency shelters without adequate size, spacing or other appropriate controls could undermine the goals, objectives and policies of the Comprehensive Plan and other City plans and policies.

C. Such land use and public safety issues include but are not limited to appropriate zoning, applicable building codes, location restrictions, density, and spacing requirements between emergency housing uses.

D. The City Council originally adopted a six month moratorium on the acceptance of applications for emergency shelters on October 22, 2015.

E. Additional time was needed to study existing and potential impacts from land uses associated with emergency shelters so that the City may implement effective planning controls.

F. The City needed additional time to conduct an appropriate analysis and to develop a work plan with appropriate recommendations for the Longview Planning Commission to consider regarding the issues noted above.

G. Additional time was also necessary for staff to conduct a survey of other jurisdictions relating to emergency shelter land uses, conduct an evaluation of the effectiveness of such responses and how they have attempted to deal with the issues listed above, conduct an evaluation of the current and potential impacts of emergency shelters in the City, conduct an evaluation of the potential impact of such uses in the City, provide the Planning Commission with a recommendation, forward the Planning Commission's recommendation along with the staff's recommendation to the City Council.

H. The City Council appointed an *ad hoc* committee to develop recommendations regarding the regulation of emergency shelters. That committee met five times and developed recommended zoning code amendments.

I. On July 6, 2016 the Longview Planning Commission considered and held a public hearing on the *ad hoc* committee's proposed zoning code amendments and then voted to recommend approval of the proposed amendments.

J. On September 15, 2016 the City Council considered and held a public hearing on the proposed ordinance, as developed by the *ad hoc* committee. Based upon the testimony offered at the public hearing, the Council decided to reconvene the *ad hoc* committee and invite further participation from the community. This process is anticipated to extend beyond the current April 14, 2017 expiration date of the current moratorium.

K. This moratorium was authorized by RCW 35A.63.220, RCW 36.70A.390 and Article 11, Section 11 of the Washington State Constitution.

L. As required by RCW 35A.63.220 and RCW 36.70A.390, the Longview City Council held a public hearing on October 13, 2016, which date was within sixty (60) days of the passage of Ordinance 3342.

Section 2. Effective Date. This Resolution shall be in full force and effect upon its passage and signature below.

ADOPTED by the City Council of the City of Longview on the 23rd day of March, 2017.

Approved by the Mayor this _____ day of _____, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published: _____