

ORDINANCE 2045-22

**AN ORDINANCE OF THE CITY OF MILTON,
WASHINGTON, EXTENDING THE ADOPTION OF AN
INTERIM OFFICIAL CONTROL TO AMEND MILTON
MUNICIPAL CODE (MMC) TITLE 17 TO ALIGN MMC
TITLE 17 WITH ENGROSSED SECOND SUBSTITUTE
HOUSE BILL 1220; HOLDING A PUBLIC HEARING ON
THE EXTENSION; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, an interim official control to amend Milton Municipal Code (MMC) Title 17 to align MMC Title 17 with Engrossed Second Substitute House Bill 1220 was established by Ordinance 2038-21, on September 20, 2021; and

WHEREAS, HB 1220 permits cities to impose reasonable occupancy, spacing, and intensity of use requirements on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety so long as the conditions do not prevent the siting of a sufficient number of facilities to accommodate the City's projected needs; and

WHEREAS, the City requires additional time to study and process the necessary permanent code amendments before the interim official control, established by Ordinance 2038-21, expires on March 29, 2022; and

WHEREAS, the City has developed a work plan for related studies and amendment review; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 states "a moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal"; and

WHEREAS, a public hearing was held on March 7, 2022 as required by RCW 35A.63.220 and RCW 36.70A.390;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, HEREBY DO ORDAIN AS FOLLOWS:

Section 1. Classification. The amendments set forth by Ordinance 2038-21 and extended by this ordinance are interim amendments of the Milton Municipal Code and shall apply during the period specified in Section 4 below.

Section 2. Findings. The recitals set forth above constitute the Milton City Council's findings justifying the extension of the interim amendments established by Ordinance 2038-21.

Section 3. Public Hearing. A public hearing was held following public notice, in compliance with ordinance and statute, on March 7, 2022.

Section 4. Interim Nature of Regulations – Time Limit. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the amendments established by Ordinance 2038-21 are Interim Official Controls. The amendments shall be in effect for a period of six months from the date this ordinance becomes effective and shall thereafter expire, unless the same are extended as provided by law or unless permanent regulations are adopted.

Section 5. Publication. This ordinance shall be published by an approved summary consisting of the title.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, would be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances. This ordinance shall be construed and enforced in a manner consistent with applicable state and federal law.

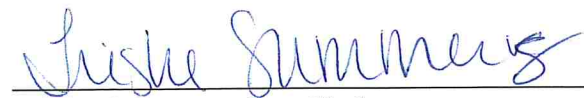
Section 7. Effective Date. This ordinance shall be in full force and effect five (5) days after a publication of a summary thereof.

PASSED AND APPROVED by the City Council of the City of Milton, Washington, at a regular meeting thereof this 7th day of March, 2022.




Shanna Styron Sherrell, Mayor

ATTEST/AUTHENTICATED:



Trisha Summers, City Clerk

**APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY**



OGDEN MURPHY WALLACE, PLLC
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