

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

AN ORDINANCE OF LEWIS COUNTY, WASHINGTON)
RENEWING A MORATORIUM UPON ESTABLISHMENT OR) ORDINANCE NO. 1256
OTHER DEVELOPMENT OF FACILITIES OR OTHER USES)
INVOLVED IN THE PRODUCTION, PROCESSING AND RETAIL)
SALE OF MARIJUANA AND RELATED PRODUCTS

WHEREAS, Lewis County Board of County Commissioner (BOCC) adopted Ordinance No. 1249 on December 9, 2013, imposing a moratorium on the establishment or other development of facilities or other uses involved in the production, processing and retail sale of marijuana and related products; and

WHEREAS, Lewis County BOCC adopted Ordinance No. 1254 on June 2, 2014, a renewal of the moratorium on the establishment or other development of facilities or other uses involved in the production, processing and retail sale of marijuana and related products; and

WHEREAS, Ordinance 1254 will expire on December 2, 2014, six-months following enactment, unless extended; and

WHEREAS, a moratorium adopted pursuant to the authority of RCW 36.70.795 is a method by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development; and

WHEREAS, Lewis County staff conducted appropriate land use analysis and presented to the Lewis County Planning Commission at workshops on July 8, 2014, July 29, 2014, September 23, 2014 and October 28, 2014; and,

WHEREAS, the Lewis County staff needs additional time to continue its land use analysis and to provide appropriate recommendations to the Lewis County Planning Commission; and,

WHEREAS, the Lewis County staff will need at least an additional six-month period to conduct the necessary analysis and to develop appropriate recommendations for the Lewis County Planning Commission to consider at workshops and a public hearing regarding the appropriate zoning for recreational marijuana production, processing and retail sale in Lewis County, such issue having been noted at the time of imposing the initial moratorium; and

WHEREAS, this renewal of the moratorium is authorized by RCW 36.70.795 and Article 1, Section 2, and Article 11, Section 11 of the Washington State Constitution.

NOW THEREFORE, BE IT ORDAINED by the Lewis County BOCC that Lewis County BOCC hereby declares the following:

Section 1. Moratorium. The Lewis County BOCC hereby declares a renewal of the moratorium upon:

1. The submission, acceptance, processing or approval of any permit applications or licenses by or for any development or establishment of facilities or other uses involved in the sale, use,

- growing, manufacture or processing of marijuana, including but not limited to performance spaces, private clubs, open-to-the public night clubs/cabarets/ taverns or similar establishments.
2. The creation by an owner or operator of any land or building of any new use of such land or buildings for the sale/use/growing, distribution, manufacturing, or processing of marijuana and related products.

Section 2. Duration of Moratorium. The moratorium adopted by this Ordinance is effective immediately upon adoption and shall remain in effect for six (6) months, unless subsequently extended by the Board pursuant to state law.

Section 3. Public Hearing. Pursuant to RCW 36.70.795, a public hearing was held on December 1, 2014.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 7. Findings. The Lewis County BOCC hereby adopts the above recitals as findings of fact in support of this Ordinance.

PASSED IN REGULAR SESSION THIS 1st day of December 1, 2014, after a public hearing was held December 1, 2014 pursuant to Notice published in the Chronicle on November 13, 2014.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

By: Glenn Carter, Deputy Prosecuting Attorney

ATTEST:

Karri Muir, Clerk of the Board



BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

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Edna J. Fund, Vice Chair

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