

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO REPLACING THE CITY'S OFFICIAL ZONING MAP AND AMENDING CHAPTERS 17.18.030 OFFICIAL ZONING MAP, 17.18.040 TABLE OF PERMITTED USES AND 17.22.170 STATE LICENSED MARIJUANA PRODUCTION, PROCESSING, AND SALES OF THE CITY'S TITLE 17 UNIFIED DEVELOPMENT CODE

WHEREAS, the City Council adopted Ordinance 3821 in 2014 and as amended by Ordinance 3889 in 2017, to provide regulation of recreation marijuana production, processing, and sales to the City's development regulations; and

WHEREAS, the Council instructed the Planning Commission to review the regulations and recommend any changes; and

WHEREAS, staff has completed the planning process and made recommendations to the Planning Commission; and

WHEREAS, the Planning Commission has reviewed the proposed regulations and has held a public hearing on July 10, 2018 to consider public input and comment and has forwarded its recommendation to the City council to amend the marijuana production, processing and sales regulations; and

WHEREAS, the City Council conducted a first reading and took public testimony regarding the proposed amendments at a regularly scheduled meeting held on September 4, 2018; and

WHEREAS, the City Council directed further amendments be drafted to create an overlay within the zoning map to further protect existing residential uses;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN AS FOLLOWS:

SECTION 1. Public Interest. The Kelso City Council finds it to be in the public interest to adopt amendments to the City's Official Zoning Map and Chapter 17.18.030 Official Zoning Map, Chapter 17.18.040 Table of Permitted Uses, and Chapter 17.22.170 of Kelso Municipal Code to make regulations consistent with the Washington State regulations for the production, processing and sales of recreation marijuana.

SECTION 2. Findings of Fact. The findings contained in the recitals in this Ordinance are hereby adopted as Findings of Fact that support the adoption of these amendments to the Kelso Municipal Code.

SECTION 3. Official Zoning Map Amended. The City hereby amends the City of Kelso

Official Zoning Map as attached hereto as Exhibit A and incorporated fully by this reference. This map supercedes and replaces all prior versions of the Official Zoning Map previously adopted.

Section 4. KMC Chapters 17.18 and 17.22 Amended. The City hereby amends Chapter 17.18.030 Official Zoning Map, Chapter 17.18.040 Table of Permitted Uses, and Chapter 17.22.170, State licensed marijuana production, processing, and sales of the Kelso Municipal code, as set forth in Exhibit B, attached hereto and incorporated fully by this reference.

SECTION 6. Interpretation Authority. The City Manager or his or her designee is hereby authorized to make such administrative interpretations as may be necessary to implement this Ordinance.

SECTION 7. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, zoning district names, ordinance numbering, section/subsection numbers, and any references thereto.

SECTION 8. Severability. The provisions of this Ordinance are declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 9. Effective Date. This Ordinance shall be in full force and effect 5 days after its passage and publication of summary as required by law.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____
_____, 2018.

ATTEST/AUTHENTICATION:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED: _____