

CITY OF UNION GAP, WASHINGTON
ORDINANCE NO. 2568

AN ORDINANCE amending Union Gap Municipal Code Title 17, which is referred to as the City's Zoning Code.

WHEREAS, most types of land uses are identified and provided for in the City's Zoning Code;

WHEREAS, from time to time the City Council finds it necessary to amend the development code to address changing conditions, and clarify the intent of the ordinance;

WHEREAS, correction facilities may be allowed by the City's zoning code subject to approval of a Class-3 Review in the commercial and industrial districts as well as the public facility district; however, correction facilities are not adequately defined within the zoning code and there has been changing patterns with respect to land use which now dictate that the City revisit how such facilities are defined and addressed in the City's zoning code and development regulations;

WHEREAS, the City of Union Gap desires to ensure that the location of such uses is consistent with its policies and purposes embodied in its Comprehensive Plan, Zoning Code, and development regulations and that the location of such uses comports with the current land use patterns within the City;

WHEREAS, in order to preserve the status quo during a period of study the City established a six-month moratorium on the filing of applications for correction facilities and a moratorium prohibiting any existing correction facilities from changing the nature of its use or to expand its use;

WHEREAS, during this period of study the Planning Commission developed a recommended definition of correction facility;

WHEREAS, during this period of study the Planning Commission considered the appropriate zoning districts within the City of Union Gap in which a correction facility may be allowed subject to approval of a Class-3 review and those zoning districts where correction facilities are now inappropriate;

WHEREAS, on May 28, 2008 the Union Gap Planning Commission conducted a duly advertised public hearing to consider proposed changes to the Zoning Code including a definition of correction facilities and changes to the permitted land use table as it pertains to correction facilities;

WHEREAS, at the conclusion of the hearing the Union Gap Planning Commission, by a vote of 5-0 recommended adoption of the proposed changes as indicated in their findings of fact;

WHEREAS, the Union Gap City Council hereby accepts the findings of fact and recommendation of the Union Gap Planning Commission;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION GAP DOES ORDAIN, as follows:

Section 1. Findings and Recommendation Adopted.

The City Council adopts the findings and recommendation of the Union Gap Planning Commission and those are incorporated herein by this reference as if fully set forth.

Section 2. Definition Added to Section 17.02.020 and Table 17.04.030 amended.

The following definition is hereby added to Union Gap Municipal Code Section 17.02.020:

“Correctional Facilities” means facilities including buildings and structures that are inhabited by more than 5-persons who are under restraint or security and are generally incapable of self-preservation due to security measures not under the occupants’ control. This definition shall include, but not be limited to prisons, jails, reformatories, detention centers, correction centers, and prerelease centers.

Union Gap Municipal Code Table 17.04.030 as it pertains to Correctional Facilities is hereby amended as indicated on attachment “A”.

Section 3. Effective Date. This ordinance shall take effect on July 7, 2008.

ORDAINED this 23rd day of June 2008.

Jim Lemon
Mayor

ATTEST:

APPROVED AS TO FORM:

Kathryn Thompson, CMC
City Clerk

Robert F. Noe
City Attorney