

ORDINANCE NO. 436

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON AMENDING THE FUTURE LAND USE MAP; RECLASSIFYING A PARCEL LOCATED AT THE NORTHEAST CORNER OF SR 202 AND 128 PLACE NE FROM INDUSTRIAL TO CENTRAL BUSINESS, AND RECLASSIFYING A PARCEL LOCATED AT 13203 NE 175 STREET FROM PUBLIC/INSTITUTIONAL TO CENTRAL BUSINESS; AMENDING COMPREHENSIVE PLAN CHAPTER 10, CAPITAL & PUBLIC FACILITIES TO ADOPT BY REFERENCE THE NORTHSORE SCHOOL DISTRICT 2006 CAPITAL FACILITIES PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 36.70A.130(4) requires that the City of Woodinville, a "fully planning" city within King County shall update its Comprehensive Plan, as necessary, to reflect local needs, new data, and current laws;

WHEREAS, the Woodinville City Council has reviewed the amendments contained in this ordinance and finds that these amendments meet the required criteria in WMC 21.01.170;

WHEREAS, public hearings were held by the City of Woodinville Planning Commission on July 16, 2006;

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) RCW 43.21C have been met;

WHEREAS, the City has considered the substance of this ordinance together with Ordinance No. 425, Ordinance No. 426, and Ordinance No. 423 as part of the City's annual docket process so as to ascertain the cumulative effect of said enactments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the following findings in support of this ordinance, together with the recitals expressed herein.

1. Ordinance No. 436 implements a portion of the 2006 Annual Docket. The 2006 Annual Docket Applications were organized into two broad categories: Comprehensive Plan Amendments and Development Code Amendments. This ordinance applies only to the Comprehensive Plan Amendments regarding changes to the Future Land Use Map and adoption by reference of Northshore School District's current Capital Improvement Plan.

2. City of Woodinville Municipal Code (WMC) Chapter 17 requires the Planning Commission to hold a public hearing on the amendments and forwarded a recommendation to the City Council.
3. The amendments to the Comprehensive Plan are consistent with the requirements of WMC 21.01.170. Analysis of the proposed amendments and decision criteria is contained in Exhibit 2 to Ordinance No. 436, which is herein incorporated by reference.
4. The City SEPA Official reviewed the 2006 Annual Docket amendments for environmental impacts under SEPA (RCW 43.21C), and issued a Determination of Non-Significance on May 1, 2006 for SEP2006-034; and SEP2006-061. The appeal period ended on May 16, 2006. No comments or appeals were received.
5. A Determination of Non-Significance (SEP2006-030) was issued on May 22, 2006 to change the Comprehensive Plan designation from Industrial to Central Business District for property located at the northeast corner of SR 202 at 128th Avenue NE (Sortino property). The appeal period ended on June 6, 2006. No comments or appeals were received.
6. The Planning Commission reviewed components of the 2006 Annual Docket during its May 17 and June 7, 2006 public meetings.
7. To encourage public involvement, the City published notice and held two public open house meetings on June 21, 2006 and July 19, 2006 to receive public comment on the 2006 Annual Docket.
8. The Planning Commission deliberated and produced recommendations on the proposed Comprehensive Plan amendments during the July 19, 2006, Planning Commission meeting.
9. At an August 21, 2006 study session, the City Council considered the Planning Commission's recommendation concerning the 2006 Annual Docket specifically including the information in Ordinance No. 436.

Section 2. Amendment to the Comprehensive Plan Future Land Use Map Adopted. The Future Land Use Map contained in Figure 3-2 of the Woodinville Comprehensive Plan is hereby amended to read as set forth in Exhibit 1, which is attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Amendment to Section 10.3.1 of Chapter 10 Capital & Public Facilities of the Comprehensive Plan to account for the most recently adopted Northshore School District #417 Capital Facilities Plan is hereby amended to read as set forth below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

10.3.1 Capital Facilities Plan

Prepare and adopt a Capital Facilities Plan that identifies City capital projects for the life of this Comprehensive Plan. Develop funding strategies for government infrastructure in cooperation with other jurisdictions that take into account economic development goals and consider the costs to, and benefits for, the jurisdictions and the region. Aggressively pursue funding from other levels of government and private agencies to accomplish its capital investment program while optimizing use of City resources. Maintain a current inventory of existing capital facilities owned by public entities for locating and monitoring capacity to ensure planned provision of public and private capital facilities.

The following guidelines and procedures shall be used for evaluating potential capital projects and programs based on the following criteria:

1. Protection of public health and safety,
2. Cost of operating budget,
3. Availability of financing,
4. Cost/benefit ratio,
5. Environmental quality,
6. External requirements,
7. Relation to adopted plans,
8. Consistency with economic development goals,
9. Opportunity,
10. Timeliness,
11. Woodinville Vision Statement, and
12. Quality of Life.

Implements Policies CF-1.1, CF-1.9, and CF-5.1.

The most current version of the following Capital Facilities Plans are hereby adopted by reference:

1. City of Woodinville Six-year Capital Improvement Plan, 2007-2012,
2. City of Woodinville Six-year Transportation Improvement Plan,
3. City of Woodinville Parks, Recreation and Open Space (PRO) Plan, 2005
4. Woodinville Water District Capital Facilities Plan,
5. Northshore School District #417 Capital Facilities Plan, 2003~~6~~,
6. Woodinville Fire & Life Safety Services Study, 1992 , and
7. Northshore Utility District Capital Facilities Plan, 2006

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this

ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

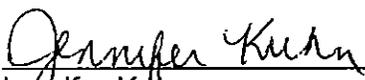
Section 5. Copy to CTED. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Community, Trade, and Economic Development for its files within ten (10) days after adoption of this Ordinance.

Section 6. Effective Date. The adoption of this Ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This Ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

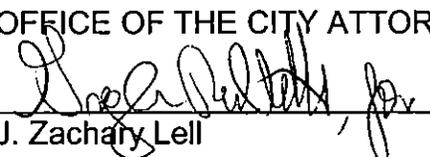
ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 18TH DAY OF DECEMBER 2006.


Cathy VonWald, Mayor

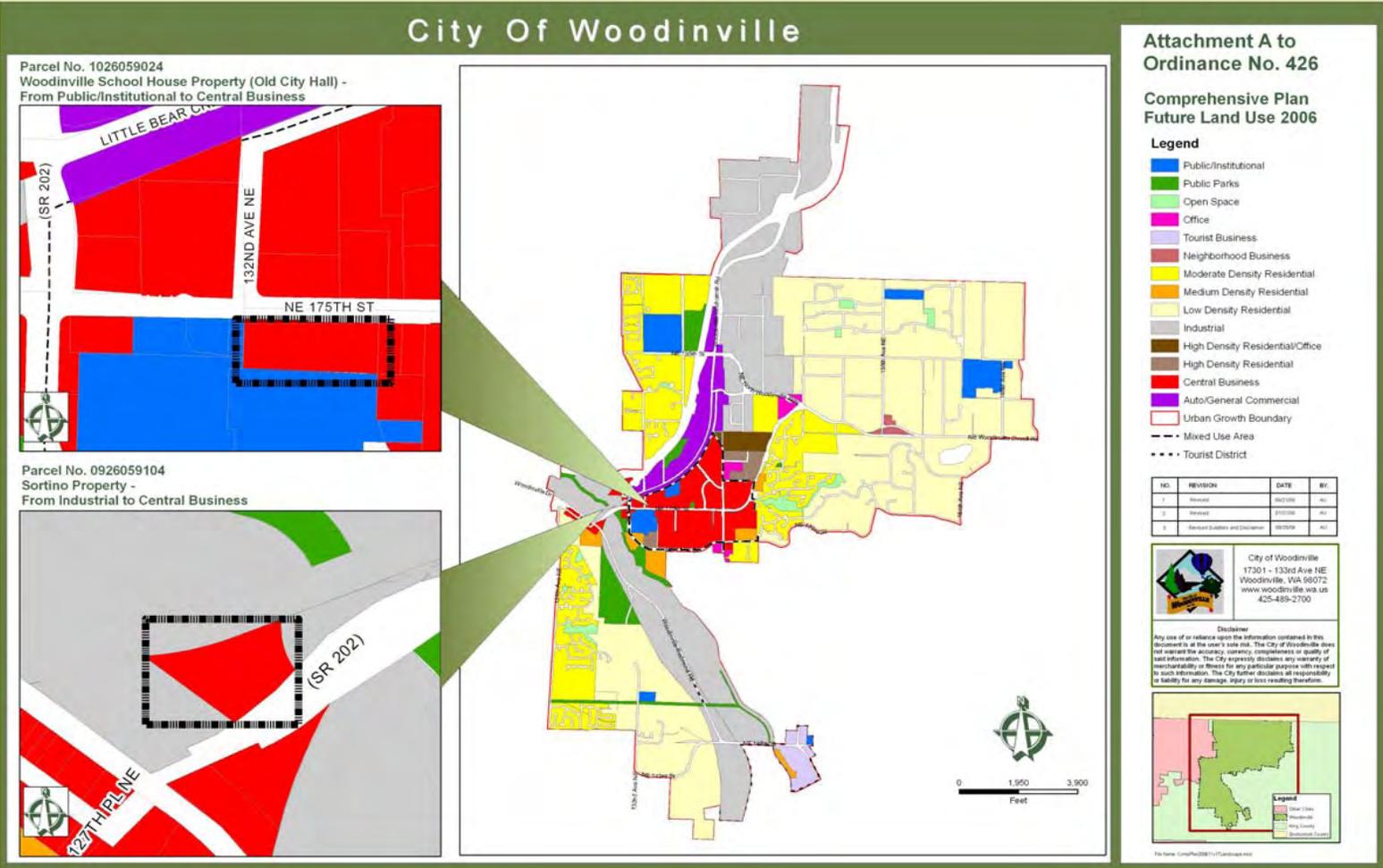
ATTEST/AUTHENTICATED:


Jennifer Kuhn
City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

J. Zachary Lell
City Attorney

PASSED BY THE CITY COUNCIL: 12-18-2006
PUBLISHED: 12-25-2006
EFFECTIVE DATE: 12-30-2006
ORDINANCE NO. 436



2006 Annual Docket
WMC 21.01.170 Required Findings for Comprehensive Plan Amendments

21.01.170 Decision criteria.

Applications for Comprehensive Plan amendments shall be subject to the following criteria.

(1) The proposed action shall be consistent with the Growth Management Act and other applicable State laws;

Updates to the Future Land Use Map include a change to assist in the preservation and restoration of a local historic structure and change a vacant parcel's current designation to a more appropriate designation in compliance with applicable GMA goals.

(2) The proposed action shall be consistent with the applicable Countywide planning policies;

2006 Amendments to the Comprehensive Plan and Future Land Use Map are consistent with the Countywide Planning Policies by providing added protection to the environment, accommodating growth, preserving a historic structure and enhancing economic development.

(3) The proposed action shall be consistent with the goals and policies of the Comprehensive Plan (a change to a particular goal or policy not included);

Amendments to the Comprehensive Plan and Future Land Use Map are consistent with the goals and policies of the Comprehensive Plan for the same reasons the amendments are consistent with the County-wide Planning Policies.

(4) The proposed action shall be beneficial to the City as a whole, and to the health, safety, and welfare of its residents;

The amendments to the Comprehensive Plan are beneficial to the City as a whole, ensuring that goals and policies are consistent with the best available information at the time that they are adopted. Future Land Use map amendments provide for structure and encourages the development of long time vacant parcel in the downtown.

(5) The various types of applications shall be subject to the following decision criteria:

(a) Type A. Amendments to the City's Future Land Use Map (Comprehensive Plan Figure 3-3) shall be subject to the criteria listed in Section 3.4.2 in the City's Comprehensive Plan.

Section 3.4.2 Amending the Future Land Use Map

1. How is the proposed land use designation supported by or consistent with existing policies of the various elements of the Comprehensive Plan? If it isn't, the development should demonstrate how the change is in the best long-term interest of the City.

The proposed Woodinville School House amendment to the Future Land Use Map amendment serves to maintain a Woodinville heritage pursuant to Goal CD-2. The Sortino Property Future Land Use Amendment encourages the development of a vacant downtown parcel pursuant to Goal ED-3

2. How does the proposed land use designation promote a more desirable land use pattern for the community? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community

more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.

The proposed Future Land Use Map amendments promote a desirable land use pattern by helping preserve a local heritage structure and encourages the development of a downtown parcel that has remained vacant for relatively long period of time.

3. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?

The proposed amendment to the Future Land Use Map is expected to have little impact on current use of other properties in the vicinity. No measures are proposed.

4. Comments received from affected property owners and residents.

No comments were received from affected property owners and residents.

(c) Type C. Other text amendments shall meet one of the following criteria:

- (i) The change is necessary because of changes to the State Office of Financial Management's population projection;
- (ii) The change is necessary because of changes to the counties' allocation of population to the City;
- (iii) There has been a change to the law;
- (iv) There is an error that requires correction;
- (v) The text needs to be refined or to better reflect the goals and policies of the Comprehensive Plan, changes in or clarification of the plan's ability to provide services or accommodate the needs of the City's citizens, or changes in or clarification of conditions in the field.

Changes proposed to the Comprehensive Plan text reflect standard annual updates to the Capital Facilities Element in reference to the Northshore School District Capital Facilities Plan.