

ORDINANCE NO. 543

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT AND PROCESSING OF SUBDIVISIONS (LARGE AND SMALL), BINDING SITE PLANS AND OTHER PROJECT PERMIT APPLICATIONS FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT PROPOSING OR INCLUDING LOT SIZES SMALLER THAN ALLOWED FOR THE BASE DENSITY OF THE ZONE SET FORTH IN THE TABLE PROVIDED IN SECTION 21.12.030 OF THE WOODINVILLE MUNICIPAL CODE; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SAID MORATORIUM; STATING THE EFFECT ON VESTED RIGHTS; PROVIDING FOR SEVERABILITY; SCHEDULING A PUBLIC HEARING DATE; AUTHORIZING OFFICIAL INTERPRETATIONS BY THE CITY OF WOODINVILLE PLANNING DIRECTOR; AND ESTABLISHING AN EFFECTIVE DATE AND ALLOWING FOR SUMMARY PUBLICATION BY TITLE ONLY.

WHEREAS, the Woodinville City Council in significant part out of concern that base density requirements for the residential zoning districts were being significantly compromised by existing provisions of Title 21 of the Woodinville Municipal Code ("WMC") previously enacted a moratorium upon the receipt and processing of project permit applications for residential development proposing or including the use of a transfer of density credits under Chapter 21.34 and Chapter 21.36 WMC; and

WHEREAS, the City Council remanded to the Planning Commission consideration of Chapters 21.34 and 21.36 WMC and other provisions of the Title 21 impacting residential zoning densities; and

WHEREAS, the Planning Commission has considered and made recommendation to the City Council for changes to Title 21 including the adoption of minimum lot sizes for single-family residential zones, adopting lot size averaging, eliminating the use of net density and the rounding of fractions in sections 21.12.070 and .080 WMC, and repealing residential density incentives and the transfer of residential density credits, all of which are scheduled to be discussed by the City Council in March 2012; and

WHEREAS, the Woodinville City Council desires to impose by this Ordinance a temporary moratorium upon the acceptance and processing of development applications utilizing lot sizes smaller than the base density based upon dwelling unit/acre specified for each of the residential zoning districts set forth in WMC 21.12.030 until after the City Council review of the Planning Commission's recommendations has been completed and the Council has implemented its decision(s) regarding those pending issues affecting the lot sizes and density of the single-family residential zones;

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

Section 1. Moratorium Imposed. Notwithstanding any other provision of Title 21 WMC, the City hereby imposes a moratorium upon the receipt and processing of applications for subdivisions (large and small), binding site plans and any other land use or project permit applications for the siting, development, or improvement of real property within the City of

Woodinville, which propose or that would allow for the development of a detached building containing one dwelling unit as defined in WMC21.06.180 on lot sizes smaller than the square footage allowed by applying the base density in dwelling units/acre specified for each of the residential zoning districts in the table set forth WMC 21.12.030. By way of example, the minimum lot size in an R-1 zone is 43,560 square feet during the term of the moratorium imposed by this Ordinance.

Section 2. Findings. The Woodinville City Council hereby adopts by reference the recitals set forth above as findings in support of the moratorium imposed by this ordinance.

Section 3. Effect upon Vested Rights. The moratorium imposed under Section 1 of this ordinance shall apply prospectively only, and shall operate to prevent the acceptance and processing of any permit application submitted after the effective date hereof. Nothing in this ordinance shall be construed to extinguish, limit or otherwise infringe upon any permit applicant's vested development rights — as defined by state law and City of Woodinville regulations — with respect to any complete permit application submitted before the effective date hereof.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court, board or tribunal 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.

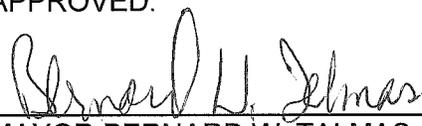
Section 5. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing on the moratorium imposed under Section 2 of this ordinance is hereby scheduled for Tuesday, March 20, 2012 at 7:00 p.m. or as soon thereafter can be heard, in the City Council Chambers of Woodinville City Hall, 17301 133rd Avenue NE. The City Clerk is authorized and directed to provide public notice of said hearing in accordance with applicable City standards. The City Council may in its discretion adopt additional findings of fact at the conclusion of said hearing.

Section 6. Interpretative Authority. The City of Woodinville Planning Director is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 7. Effective Date and Publication. This Ordinance shall take effect five (5) days after passage and publication. Publication may be by summary publication of the ordinance title.

PASSED by the City Council of the City of Woodinville this 24th day of January, 2012 on first reading. The requirement for a second reading having been suspended pursuant to City Council motion.

APPROVED:

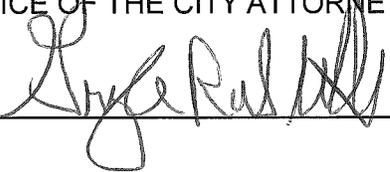

MAYOR BERNARD W. TALMAS

ATTEST/AUTHENTICATED:



CITY CLERK, Jennifer Kuhn, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

PASSED BY THE CITY COUNCIL: 1-24-2012
PUBLISHED: 1-30-2012
EFFECTIVE DATE: 2-6-2012
ORDINANCE NO. 543