

ORDINANCE NO. 544

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTED PURSUANT TO RCW 36.70A.390; RENEWING THE TEMPORARY MORATORIUM ADOPTED BY ORDINANCE NO. 543 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; RENEWING THE MORATORIUM; STATING THE EFFECT ON VESTED RIGHTS; AUTHORIZING OFFICIAL INTERPRETATIONS BY THE CITY OF WOODINVILLE PLANNING DIRECTOR; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Woodinville City Council approved the Moratorium described in the above ordinance title on January 24, 2012 by Ordinance No. 543, which moratorium is scheduled to expire on August 6, 2012; and

WHEREAS, the City Council has continued the public hearing on proposed Ordinance 532 and delayed final consideration of said ordinance until it was provided sufficient data to adequately consider the comments to the proposed ordinance made by the Washington State Department of Commerce and the public; and

WHEREAS, the City contracted with a planning consultant and special land use legal counsel and requires additional time beyond August 6, 2012 to receive and consider the report of the planning consultant and the advice of special counsel before taking action on proposed Ordinance 532;

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

Section 1. Findings. The Woodinville City Council hereby makes the following findings in support of the renewal of the moratorium imposed by Ordinance No. 543:

A. The findings of fact in Ordinance No. 543 are incorporated herein by reference.

B. The recitals set forth above are adopted as findings of fact.

C. The City Staff has prepared a work plan for completing the necessary review; public hearings, consideration of public comments and comments from the WA. State Department of Commerce, the receipt and review of the report of the planning consultant, city council review and discussion, and the requirements for adoption of an ordinance making any changes to the land use regulations of the Woodinville Municipal Code. A copy of said work plan is attached hereto as Exhibit "A" and incorporated herein by this reference.

D. It is necessary to renew the moratorium implemented by Ordinance No. 543 for up to an additional six month period of time, ending February 6, 2013.

E. A public hearing on the question of the renewal of the moratorium implemented by Ordinance No. 543 for an additional six month period was held on June 19, 2012.

Section 2. Moratorium Renewed. The City hereby renews for an additional consecutive six month period the moratorium imposed 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 WMC 21.06.180 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 in WMC 21.12.030. The renewal period shall run from August 6, 2012 to February 6, 2013, unless the moratorium is earlier terminated by action of the City Council.

Section 3. Effect upon Vested Rights. The moratorium renewed under Section 2 of this ordinance shall not operate to prevent the acceptance and processing of any permit application submitted prior to February 6, 2012. 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 development application as defined by state law and City of Woodinville regulations, submitted prior to February 6, 2012.

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

Section 6. Effective Date; Duration. This Ordinance shall take effect five (5) days after passage and publication. PROVIDED, that the City Council may, in its sole discretion, renew said moratorium for one or more six additional month periods in accordance with state law. This ordinance or a summary thereof consisting of the ordinance title shall be published in the official newspaper of the City.

PASSED by the City Council of the City of Woodinville this 19th day of June 2012 on first reading. The requirement for a second reading is hereby suspended pursuant by this action.

APPROVED:

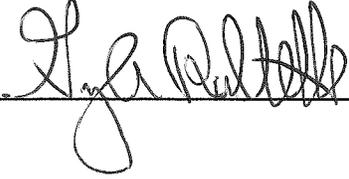


MAYOR BERNARD W. TALMAS

ATTEST/AUTHENTICATED:


CITY CLERK, Jennifer Kuhn, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY  _____

PASSED BY THE CITY COUNCIL: 6-19-2012
PUBLISHED: 6-25-2012
EFFECTIVE DATE: 7-02-2012
ORDINANCE NO. 544

City of Woodinville, Washington
Exhibit "A"
Ordinance No. 544

TEMPORARY MORATORIUM ORDINANCE NO. 544 WORK PLAN Revised Work Plan for Final Action on Ordinance No. 532 - Residential Density	
Ordinance No. 532 introduced for initial public hearing at City Council	Feb. 14, 2012
Ordinance No. 532 – Conduct continued public hearings at City Council	March 13, 2012 – June 19, 2012
City Council to consider Ordinance No. 544 to renew Moratorium on Single-Family Residential Subdivisions that do not meet Minimum Lot Size equal to base density of the zone.	June 19, 2012
Impact Analysis Report prepared by planning consultant presented to City Council at Continued Public Hearing for Ordinance No. 532	July 17, 2012
City Council considers additional public testimony and deliberates on Ordinance No. 532. Staff prepares additional requested information/analysis.	July 17, 2012 – August 14, 2012
City Council passes first reading of Ordinance No. 532.	August 14, 2012 or Sept. 11, 2012
City Council passes second reading and adoption of Ordinance No. 532	Sept. 11, 2012 or Sept. 18/25, 2012
Need for Moratoriums established by Ordinance No. 546 and 544 expire.	Sept. 27, 2012 or Oct. 4/11, 2012