

ORDINANCE NO. 546

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTED PURSUANT TO RCW 36.70A.390; RENEWING THE TEMPORARY MORATORIUM UPON THE RECEIPT AND PROCESSING OF PROJECT PERMIT APPLICATIONS UTILIZING THE PROVISIONS OF CHAPTER 21.34 WMC, CHAPTER 21.36 WMC, AND SECTION 20.06.055 WMC; 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 is undertaking a comprehensive review of Chapters 21.34 and 21.36 WMC and Section 20.06.055 as set forth in Ordinance 525 (as amended); and

WHEREAS, the temporary moratorium imposed by Ordinance No. 525 (as amended, and extended by Ordinance 537) is scheduled to expire on May 3, 2012 and the City Council needs additional time to collect and review information related to the impacts and effects of proposed Ordinance 532 and the issues raised by comment from the Washington State Department of Commerce; and

WHEREAS, the City has developed a work plan to accommodate the necessary review for proposed Ordinance No. 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. 525 (as amended, and extended by Ordinance 537):

- A. The findings of fact in Ordinances No. 525 (as amended) and 537 (as amended) are incorporated herein by reference.
- B. The above recitals are adopted as findings.
- C. The work plan attached hereto as Exhibit A is incorporated herein by this reference.

Section 2. Moratorium Imposed. The City hereby renews for an additional consecutive six month period ending no later than November 3, 2012 the moratorium imposed by Ordinance 525 as amended, and extended by Ordinance 537 on the receipt and processing of building permit applications, land use applications, and any other project permit application for the siting, development, or improvement of real property within the City of Woodinville proposing or making application for residential density incentives and/or transfers of residential density as provided for in Section 20.06.055, Chapters 21.34 and 21.36 of the Woodinville Municipal Code by the adoption of Ordinance 525 (as amended).

Section 3. Effect upon Vested Rights. The moratorium imposed under Section 2 of this ordinance shall operate to prevent the acceptance and processing of any permit application submitted after the effective date of Ordinance 525, to wit: November 3, 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 permit application submitted before November 3, 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, and shall remain effective for six months unless terminated earlier by the City Council. 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 title shall be published in the official newspaper of the City.

PASSED by the City Council of the City of Woodinville this 17th day of April 2012 on first reading. The requirement for a second reading is hereby suspended pursuant by this action.

APPROVED:



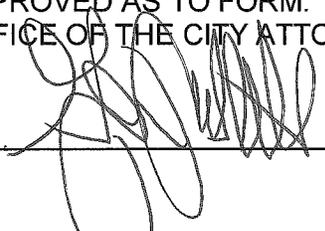
MAYOR BERNARD W. TALMAS

ATTEST/AUTHENTICATED:



CITY CLERK, Jennifer Kuhn, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY  _____

PASSED BY THE CITY COUNCIL: 4-17-2012
PUBLISHED: 4-23-2012
EFFECTIVE DATE: 4-30-2012
ORDINANCE NO. 546

TEMPORARY MORATORIUM ORDINANCE NO. 546 WORK PLAN	
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 hearing at City Council	March 13, 2012
Ordinance No. 543 – Public Hearing on Temporary Moratorium established January 24, 2012	March 20, 2012
Ordinance No. 532 – Conduct continued public hearing at City Council. City Council action to continue the Public Hearing on Ordinance No. 532 to June 5, 2012 to allow additional time to study issues raised through public testimony.	April 3, 2012
Ordinance No. 546 - City Council Public Hearing on Ordinance 546 to extend Moratorium for up to six months.	April 17, 2012
Staff collects additional information and conducts additional analysis in response to public testimony regarding Ordinance No. 532.	April 18, 2012 – June 4, 2012
Ordinance No. 532 – City Council continues public hearing on Ordinance No. 532	June 5, 2012 – July 10, 201
Ordinance No. 532 – City Council takes action on Ordinance No. 532.	July 10, 2012
Ordinance No. 532 takes effect.	July 23, 2012
Moratorium Ordinance No. 543 expires.	July 24, 2012