

## ORDINANCE NO. 585

**AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, CONCERNING THE AUTHORITY OF THE CITY COUNCIL ON REVIEW OF A PLANNING COMMISSION RECOMMENDATION AND THE AMENDMENT OF THE PROVISIONS OF TITLE 21 OF THE WOODINVILLE MUNICIPAL CODE ("WMC"); AMENDING WMC SECTION 21.46.020; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE AND FOR SUMMARY PUBLICATION BY TITLE ONLY.**

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**WHEREAS**, Section 21.46.010 WMC states that its purpose is to allow the City Council after reviewing the Planning Commission's recommendation concerning a proposed amendment, to amend, supplement, or change by ordinance any of the provisions of Title 21; and

**WHEREAS**, the statement of authority and application provided for in Section 21.46.020 currently fails to describe the optional actions that the City Council may take after receiving the recommendation of the Planning Commission regarding a proposed amendment of the regulatory provisions of Title 21; and

**WHEREAS**, it is in the public interest that the City Council have the flexibility to amend, supplement, or change by ordinance any of the provisions of Title 21 after receipt of a recommendation from the Planning Commission without referring the matter back to the Planning Commission so long as the public has been given opportunity to consider and comment on any such changes; and

**WHEREAS**, the City Council has determined that after receiving the recommendation of the Planning Commission concerning a proposed amendment the City Council should have the express authority to amend, supplement, or change by ordinance any of the provisions of Title 21 related to the subject matter of the recommendation of the Planning Commission without referring the matter back to the Planning Commission for public hearing and recommendation of the Commission, so long as the City Council provides opportunity for public consideration and comment prior to adoption of any such amendment, supplementation, or change of the provisions of Title 21;

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

**Section 1. Findings.** The City Council hereby adopts as findings the recitals expressed above.

**Section 2. Amendment of Section 21.46.020.** Section 21.46.020 of the Woodinville Municipal Code is hereby amended as shown by the underlined language added to the section:

**21.46.020 Authority and application.**

Amendments to the text of this title may be initiated by the City Council, the Planning Commission, City staff, or petition submitted by a citizen.

Following receipt by the City Council of the Planning Commission's report and/or recommendation regarding a proposed change to this Title, the City Council may:

- a. Approve the proposal by adopting an appropriate resolution or ordinance; or
- b. Modify and approve the proposal by adopting an appropriate resolution or ordinance; or
- c. Disapprove the proposal; or
- d. Refer the proposal back to the Planning Commission for further proceedings. If this occurs, the City Council shall specify the time within which the Planning Commission shall report back to the City Council on the proposal.
- e. The public shall have the opportunity to comment on any proposed change to the regulatory provisions of this title at a public hearing held either before the Planning Commission or before the City Council prior to the City Council adopting an appropriate resolution of ordinance to effect the proposed change.

**Section 3. 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.

**Section 4. Effective Date and Summary Publication.** This ordinance shall become effective five days after passage and publication. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date by publication of the ordinance title.

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 3<sup>rd</sup> DAY OF JUNE 2014.**

  
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Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:

  
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Jennifer Kuhn  
City Clerk/CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

A handwritten signature in black ink, appearing to read 'Greg Rubstello', written over a horizontal line.

Greg A. Rubstello  
City Attorney

PASSED BY THE CITY COUNCIL: 6-3-2014  
PUBLISHED: 6-9-2014  
EFFECTIVE DATE: 6-16-2014  
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