

ORDINANCE NO. 601

AN ORDINANCE OF THE CITY COUNCIL OF WOODINVILLE, WASHINGTON, ADOPTING FINDINGS; AMENDING SECTION 21.37.060 OF THE WOODINVILLE MUNICIPAL CODE TO AMEND THE DEVELOPMENT AGREEMENT REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND ALLOWING FOR SUMMARY PUBLICATION BY TITLE ONLY.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of Woodinville is required to develop and adopt development regulations implementing its Comprehensive Plan; and

WHEREAS, the City Council has determined that specific regulations require amendments that improve the clarity and consistency of the development standards; and

WHEREAS, the City Council added a zoning code amendment to the 2014 Docket List, to review proposed amendments to revise the requirements for development agreements as part of development; and

WHEREAS, the City Council referred this matter to the Woodinville Planning Commission for study and recommendation; and

WHEREAS, the Woodinville Planning Commission reviewed this matter at a study session on December 3, 2014; and at a public hearing January 7, 2015; and

WHEREAS, the Woodinville Planning Commission recommends amendment of the Woodinville Municipal Code to revise the development agreement requirements; and

WHEREAS, the Woodinville City Council has reviewed the Planning Commission's recommendation and received additional public comment regarding the recommended changes at public hearings on February 3, 2015, February 24, 2015 and March 17, 2015; and

WHEREAS, the Woodinville City Council has determined that the proposed amendments contained in Ordinance No. 601 are consistent with the City's Comprehensive Plan Goals and Policies, the purposes of the Zoning Code, and the required criteria in WMC 15.04.060; and

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

WHEREAS, adoption of this ordinance will promote the public health, safety, and general welfare within the City of Woodinville;

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

Section 1. Findings. The above recitals are adopted by this reference as findings in support of Section 2 of this Ordinance.

Section 2. Section 21.37.060, Agreement Contents, is hereby amended to read as set forth below (new text is shown by underline; deletions of text are shown by ~~strikethrough~~); all other provisions of this section shall remain unchanged and in full force and effect.

“21.37.060 Agreement contents.

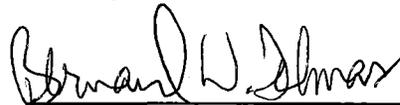
A proposed development agreement shall, at a minimum, include provisions required by RCW 36.70B.170 through 36.70B.210, and shall set forth the development standards and other provisions that shall apply to and govern the use and development of the real property for the duration specified in the agreement, as the agreement may be amended from time to time, the total duration not to exceed 10 years. An agreement may also contain such other provisions as the City and the property owner or person controlling the property may mutually agree on, such as, but not limited to, the financing for or timing of mitigation and the vesting of development rights. A development agreement shall be consistent with applicable development regulations. Each development agreement shall include findings of consistency for any modification to existing regulations and standards.”

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. Copy to Commerce Department. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

Section 5. 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 days after publication.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 7th DAY OF APRIL 2015.


Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY


Greg Rubstello, City Attorney

PASSED BY THE CITY COUNCIL: 04/07/2015
PUBLISHED: 04/13/2015
EFFECTIVE DATE: 04/20/2015
ORDINANCE NO. 601



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

April 13, 2015

Jennifer Kuhn
City Clerk
City of Woodinville
17301 - 133rd Avenue Northeast
Woodinville, Washington 98072

Dear Ms. Kuhn:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Woodinville - Adopted Ordinance No. 601 adopting findings; amending Section 21.37.060 of the municipal code to amend the development agreement requirements; providing for severability; providing for an effective date; and allowing for summary publication by title only. These materials were received on April 09, 2015 and processed with the Material ID # 21179.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than June 08, 2015. Please remember to submit the final adopted amendment to Commerce within ten (10) days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491.

Sincerely,

Review Team
Growth Management Services