

ORDINANCE NO. 628

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, RELATING TO DEVELOPMENT STANDARDS FOR FENCES; AMENDING CHAPTER 21.14 OF THE WOODINVILLE MUNICIPAL CODE AND ORDINANCE NOS. 175 AND 242; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, WMC 21.14.260 sets forth design standards for fences, which are generally limited to six feet in height; and

WHEREAS, WMC 21.14.260 also prohibits barbed wire fences in residential and commercial zones; and

WHEREAS, the Woodinville Water District has requested the ability to erect fences of greater than six feet, and incorporating barbed wire, in order to protect its essential public facilities; and

WHEREAS, the City Council agrees that such measures are appropriate for the protection of essential public facilities;

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

Section 1. Woodinville Municipal Code section 21.14.260 and the corresponding portions of Ordinance Nos. 175 § 1 and 242 § 5 are hereby amended to read as follows (new text is shown by underline; deletions of text are shown by ~~striketrough~~); all other provisions of this section shall remain unchanged and in full force:

21.14.260 Fences.

Fences are permitted as follows:

(1) Fences shall not exceed a height of six feet in all Residential and NB zones, except as required pursuant to WMC 21.14.250(4)(d);

(2) Fences exceeding a height of six feet in CBD, GB, O and I zones shall comply with the applicable street and interior setbacks of the zone in which the property is;

(3) The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall, or berm;

(4) When a protective fence is located on top of a rockery within the required setback area, any portion of the fence above a height of six feet shall be an open-work fence;

(5) Electric fences shall:

(a) Be permitted in all zones; provided, that when placed within R-4 through R-48 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact with the electric fence from abutting property;

(b) Comply with the following requirements:

(i) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamps;

(ii) An electric fence using continuous current shall be limited to 1,500 volts at seven milliamps;

(iii) All electric fences in the R-4 through R-48 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50-foot intervals stating that the fence is electrified; and

(iv) Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency;

(6) No barbed or razor-wire fence shall be located in any R-4 through R-48 zone or any commercial zone; and

(7) Where possible, the use of landscaping instead of fences is encouraged. Landscaping is not subject to the six-foot height restriction of subsection (1) of this section;

(8) Notwithstanding the foregoing provisions, and as necessary to protect essential water and sewer capital facilities in any zone, fences may be constructed as follows:

(a) Up to eight feet high with vinyl- or similarly-coated chain-link fence with landscaping to soften the impact as determined by the landscape code;

(b) Such fence may include three strands of barbed wire above the fence not to exceed an additional 18" in height;

(c) Such fence may exceed otherwise-applicable setback provisions; and

(d) The Development Services Director may require additional screening and design elements in order to maintain and preserve neighborhood design patterns and to limit impacts upon neighboring properties. Such additional elements may include, but are not limited to:

(i) Decorative block walls, split-faced and colored;

(ii) Wrought iron on top of split-faced, colored and/or similar decorative block walls to prevent entry;

(iii) Landscaping;

(iv) Lighting with motion detectors; and/or

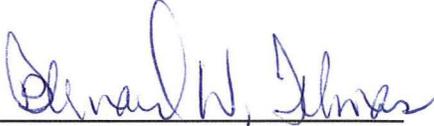
(v) Additional setbacks.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such

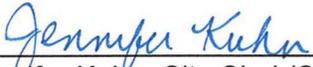
invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, or phrase of this Ordinance.

Section 3. Effective date. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall become effective five (5) days after its passage and publication as required by law. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date by publication of the ordinance title.

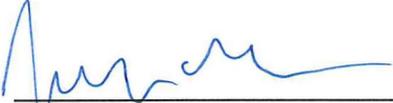
ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 6th DAY OF SEPTEMBER, 2016.


Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn, City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY


Jeffrey Ganson, City Attorney

PASSED BY THE CITY COUNCIL: 9-6-2016
PUBLISHED: 9-12-2016
EFFECTIVE DATE: 9-19-2016
ORDINANCE NO. 628



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

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

September 8, 2016

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 - Proposed Ordinance No. 628 an ordinance relating to development standards for fences; amending Chapter 21.14 of the municipal code and Ordinance Nos. 175 and 242; providing for severability; and providing for an effective date and summary publication by ordinance title only. These materials were received on September 08, 2016 and processed with the Material ID # 22829.

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 November 07, 2016. 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