

Chapter

9

J. RICHARD ARAMBURU
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Seattle, Washington 98104
(206) 625-9515 Fax: (206) 682-1376

November 3, 2006

City Council
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Interlocal Cooperation Agreement for Hearing Examiner Services;
Council Agenda Item Number 7(E) Council Meeting of November 6, 2006

Dear Councilmembers:

This office represents Concerned Neighbors of Wellington ("CNW"), a local citizens' organization generally concerned with land use and environmental matters within the City. CNW has become aware of a proposed Interlocal Agreement for Hearing Examiner Services now scheduled for the consent agenda at the November 6, 2006 council meeting. CNW asked me to comment on the matter because of my lengthy involvement with Hearing Examiner issues and because of their concern regarding the selection process for Hearing Examiners within the City.

By way of background, the Hearing Examiner for the City of Woodinville has very important responsibilities. On matters such as preliminary plats, the Hearing Examiner makes final decisions for the Council subject only to appeal. This reflects a decision of the Council to take itself out of decision making for preliminary plats and other important land use matters.

Accordingly, the job is a very important one and directly interfaces with Woodinville residents in matters of public hearings and public decisions; the Hearing Examiner is essentially the face of the Council for many decisions.

For these reasons, the selection of an Examiner is an important matter. The proposed interlocal agreement, apparently based on staff review, would have the council select the City of Spokane's Hearing Examiner to perform hearing examiner services for Woodinville. Though CNW does not have any explicit objections to Greg Smith, the Spokane Hearing Examiner, we note that environmental and other conditions may be

November 3, 2006
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different in Spokane than they are in the Western Washington environment.

However, given the importance of the matter, we believe that the council should engage in an open and systematic selection process for Hearing Examiner services. The process of solicitation of qualified individuals through a process of requests for proposals or qualifications would be appropriate. There are many qualified Hearing Examiners in the Puget Sound region that would likely meet minimum City requirements. Other cities have gone through an open selection process and multiple qualified candidates have applied.

Because of the important in extensive interface between the City and the residents that is performed by the Hearing Examiner, we believe that any selection process should include input from the public in a selection committee and/or through other public input during the process. It is vitally important that members of the community have confidence in the Hearing Examiner selected for this important work.

Accordingly, CNW requests that the matter be removed from the consent agenda and that the council engage in an open and public process for selection of the Hearing Examiner, including the solicitation of requests for proposals.

Thank you in advance for your consideration of CNW's views.

Sincerely yours



Richard Aramburu

JRA/km
cc: Client

TO: THE WOODINVILLE CITY COUNCIL

5/3/06 RECEIVED

RE: R-1 MORATORIUM

MAY 04 2006

City of Woodinville

Dear Council Members;

I would like to go on record as pertains to the recently enacted moratorium effecting R-1 zoned properties (ORDINANCE NO. 419):

To say, it is understandable that the public is expressing an interest in slowing development in the city to gather more information on the various impacts; environmental, traffic etc. but the vehicle which has been enacted (the Moratorium) to achieve this goal is too far reaching and has a damaging effect on some parties whose interest is not counter that of the public interest.

To wit, my client, Premier Pacific Homes, Inc. who has also entered into the Public Record the specifics of the damages they are incurring from this moratorium. Premier Pacific Homes purchased a 1+ acre lot in an almost fully built-out neighborhood in the R-1 area and attempted to apply for their building permit just a few days following the Council passing the Moratorium. Now they are stuck paying interest on their lot loan of over \$3700/mo while the moratorium runs.

I do not believe it was the intention of the public or the Council to shut down all construction in the R-1 zoning area but more to take a breath on upzoning R-1 to R-4 so why should the Council's action be such a blanket stop work for eg this R-1 parcel that is one acre. It makes no sense and if, as I have been told by the City, "There are no exceptions under a moratorium" why would the Council use the moratorium vehicle and not some less over-reaching means of accomplishing the public's true objective.

I implore you to please see the wisdom of allowing those builders who are not asking for anything counter to the public interest to get on with their business and not continue to suffer the great economic damages from the over-arching moratorium. Please allow Premier Pacific Homes to apply for their permit!

Thank you for your consideration;



Peter Storaasli
(206) 200-5626

RECEIVED

JAN 22 2007

City of Woodinville

14719 NE 178th St.
Woodinville, WA 98072
425/398-0840
BTBorland@hotmail.com

*cc. Lawrence
cc
Connie
Bob W.
Cindy
DDM file*

Berta and Bob Anderson

January 17, 2007

City Council
City of Woodinville
City Hall
17301 133rd Ave. NE
Woodinville, WA 98072

Re: Woodinville's Sustainable Development Program

We understand that the Woodinville City Council will hold a hearing in the near future concerning Woodinville's Sustainable Development Program. In particular, the Council will be considering the status of Woodinville's moratorium on accepting development applications on property within the City that is zoned "R-1". We are advised that the current "R-1 moratorium" is set to expire on March 20, 2007.

As Woodinville residents, property owners and voters, my husband and I have grave concerns on this aspect of our communities' Sustainable Development Program. Specifically, when the Council unanimously enacted Ordinance 419, it made a commitment to the citizens of Woodinville assuring the "protection of critical areas . . . within the City's R-1 zoning district." Unfortunately, there is scant evidence that the Council has taken or will pursue formal actions to embody the substance of Ordinance 419 in the zoning code.

As you know, the requirements of Ordinance 419 will not be fulfilled until the City conducts a complete delineation of all types of critical areas in the R-1 Zoning District and adds them to its official critical areas listings and map. Thus, the moratorium must remain in place until this work has been done. Alternatively, if additional time is required to ensure that the critical areas delineation process is completed in a transparent, diligent and balanced manner, the current R-1 zoning should be kept in place.

We urge the Council to avoid attempting shortcuts in a disparate effort to meet the moratorium deadline. In this regard, it is common knowledge that staff are preparing maps without having any finished critical areas reports, and some of the critical areas studies have not even been started. At best, this is jumping to

January 17, 2007

Page 2

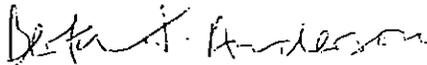
conclusions and at worst it is an unethical failure of due diligence and would violate the Council's commitment to the citizens of Woodinville. If not corrected, the dimensions of such a failure would no doubt be costly to all of us, including social, political, budgetary, and legal consequences.

The R-1 moratorium is an opportunity to get things right for the long term. We should not squander the opportunity by short-cutting the process and short-changing the safety and quality of life of Woodinville's citizens. The moratorium should not be lifted until its objectives have been achieved.

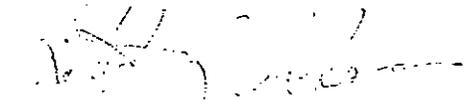
However, if the Council chooses to allow it to lapse, environmental studies should continue and the Precautionary Principle should be applied: do not change any of the current R-1 zoning until all critical areas delineations are complete and added to Woodinville's formal catalog and maps.

We appreciate the opportunity to offer the Council our views. We are confident that the best interests of our wonderful community will act as your foremost guide in reaching a balanced decision on this important issue.

Sincerely,



Berta T. Anderson



Robert R. Anderson

Jennifer Kuhn

Reply e-mailed
to Council members

From: Jennifer Kuhn
Date: Monday, January 29, 2007 12:32 PM
To: Charleine Sell
Cc: Ray Sturtz
Subject: FW: Plat of Wellington Covenants

Hi Charleine,

The e-mail from Lisa Schultz to Don Brocha is below for reference. Lisa Schultz has submitted a copy of the Declaration of Covenants for the Plat of Wellington this morning and has asked for copies to be delivered to the Planning Commissioners, all Councilmembers and Ray Sturtz before Wednesday evening meeting. I have given a hard copy to Ray and e-mailed a PDF file to all Councilmembers. Here is the location of the PDF file if you would like to e-mail the file to the Planning Commissioners. Please forward a copy to Cindy Baker, too!

M:\ADM DEPT\Positions\City Clerk\Council\Lisa Schultz Comments 01-29-2007.pdf

Thank you

Jennifer Kuhn

-----Original Message-----

From: Matt & Lisa Schultz [mailto:schultzm@verizon.net]
Sent: Sunday, January 28, 2007 6:08 PM
To: Don Brocha
Subject: Re: Plat of Wellington Covenants

Don,

Thanks for forwarding the email to Steve Yabroff.

Congratulations to you and the rest of the City Council for choosing a new manger.

Enjoy the sun,

Lisa Schultz

On Jan 28, 2007, at 5:40 PM, Don Brocha wrote:

> Lisa,
>
> I am forwarding this to Steve Yabroff who lives in Leota Meadow,
> perhaps he can speak to any covenants of Leota Meadows. Steve?
>
> thanx,

> Don

>
>
>
>

> From: Matt & Lisa Schultz [mailto:schultzm@verizon.net]
> Sent: Sun 01/28/2007 1:26 PM
> To: Ray Sturtz; Bob Wuotila; vic@orris.org;
> lrubstello@ci.lynnwood.wa.us; prelnick@comcast.net; art@pregler.org;
> edmonds@hotmail.com; art@pregler.org; Council
> Subject: Plat of Wellington Covenants

>
>
>

> During the joint study session between the Planning Commission and
> the Sustainable Development CAP on January 24, a Commissioner said he
> doubted there are any covenants for any neighborhoods in the R-1
> zone. In fact, there are covenants for at least one neighborhood.
> On June 15th 1981, Corley Mortgage Company, Inc. filed A Declaration
> of Covenants, Conditions, and Restrictions for the Plat of
> Wellington, a legal description of the plat, and a plat map with King
> County (the documents were recorded on June 17th, 1981).

>

> According to the legal description and plat maps, the Plat of
> Wellington consists of 70 lots or homes roughly bounded on the south
> NE 198th ST, on the north by NE 203rd Pl, on the east by 156th Ave
> NE, and on the west by 164th Ave NE.

> On Monday, January 29, I plan to supply a copy of the covenants to
> the city. I will leave copies for the Development Services
> Department, the Planning Commission, and the City Council. If you
> would like an individual copy please let me know and I will either
> email (a 12MB zip file) or deliver a paper copy to you.

>

> I believe that the neighborhood of Leota Meadows also has covenants.
> When my husband and I looked at property in that neighborhood, we
> were told they had covenants. In addition, I strongly suspect the
> nearby neighborhoods of Nolan Woods (Street of Dreams), Stonegate,
> and Beverley Hills Estates have covenants.

>

> I think it critical that the Planning Commission and the city staff
> have as much information as possible before they make recommendations
> to the City Council regarding the Sustainable Development Study.

>

> Respectfully,

>

> Lisa Schultz,
> 16206 NE 200th CT
> Woodinville, WA 90872

> (+25) 489-1432 (H)

>

7/0

RECEIVED

JAN 29 2007

City of Woodinville

8106170126

DECLARATION
OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR
PLAT OF WELLINGTON

To: Council
City Manager
Ray Stutz
Planning
Commission

This Declaration of Covenants, Conditions and Restrictions (hereinafter called the "Declaration") is made this 15th day of June, 1981, by CORLEY MORTGAGE COMPANY, INC., a Washington corporation (hereinafter called "Corley"),

W I T N E S S E T H:

WHEREAS, Corley is the owner in fee of the following described real property (hereinafter called the "Property"):

Lots 1 through 70, inclusive, WELLINGTON, according to the plat thereof recorded in Volume 118 of Plats, pages 75 through 79, inclusive, records of King County, Washington.

WHEREAS, Corley desires that the covenants, conditions and restrictions set forth herein be recorded with the King County Department of Records and Elections and be impressed upon said Property and run with said Property.

NOW, THEREFORE, Corley hereby declares that the Property is held and shall be held, conveyed, hypothecated,

Filed by [unclear] & [unclear] Co

Ref. # 6461-6

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encumbered, leased, rented, occupied and improved subject to the covenants, conditions and restrictions contained herein, all of which are declared and agreed to be in furtherance of a plan for the development, improvement and sale of the Property and of enhancing the value, desirability and attractiveness of the Property and every part thereof. All of the covenants, conditions and restrictions set forth herein shall run with the Property and each and every part thereof, and shall be binding on all persons having or acquiring any rights, title or interest in the Property, or any part thereof, and shall be for the benefit of each owner of the Property, or any interest therein, and shall inure to the benefit of and be binding upon each and every successor-in-interest to the Property, or any part thereof.

1. The area covered by these covenants is the entire area described above.

2. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one (1) detached single-family dwelling not to exceed two stories in height (excluding basements) and a private garage for not more than three cars. This restriction shall not be construed as a protection against view impairment, but is strictly intended to insure architectural harmony in the neighborhood.

3. No residential dwelling shall be permitted on any lot with an appraised value less than Eighty-Five Thousand Dollars (\$85,000), including the value of the lot, based upon cost levels prevailing on the date this Declaration is recorded. The ground floor of the main structure, exclusive of open porches and garage, shall be not less than twelve

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hundred (1,200) square feet for a one-story dwelling nor less than nine hundred (900) square feet for a two-story dwelling.

4. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the front seven (7) feet, the rear five (5) feet and the side two and one-half (2-1/2) feet of each lot. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

5. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. No structure of a temporary character, mobile home of any kind, trailer, basement, tent, shack, garage, barn or any other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, nor shall trailers, mobile homes of any kind, recreational vehicles, or boats be parked so that they may be seen from the street.

7. Any dwelling or structure erected or placed on any lot in this subdivision shall be completed as to external appearance, including finish painting, within nine (9) months

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from date of start of construction except for reasons beyond control in which case a longer period may be permitted.

8. No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five square feet advertising the property for sale, or signs used by a builder to advertise the property during the construction and sales period.

9. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that horses, dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. No horses shall be allowed on Tracts A, C or D of the Property.

10. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Rubbish, trash, garbage or other waste shall not be kept on any lot except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

11. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

12. No fence, wall, hedge or mass planting, other than foundation planting, shall be permitted to extend nearer to any street than the minimum setback line, except that nothing shall prevent the erection of a necessary retaining

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wall, the top of which does not extend more than two feet above the finished grade at the back of said retaining wall, provided, however, that no fence, wall, hedge, or mass planting shall at any time where permitted, extend higher than five feet above the ground.

13. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum setback line unless similarly approved. Approval shall be as provided in Paragraphs 17 and 18.

14. The maintenance of the planter islands (if any) shall be the sole responsibility of those lots directly abutting said islands.

15. Building plans for all lots which require cuts or fills in excess of three feet in height shall be accompanied by certification from a qualified soils engineer stating that the development plan has been reviewed and incorporates the best known professional practices for erosion control on the site.

16. No construction improvements or stabling or pasturing of horses shall be allowed in the wetland or the retention ponds drainage easements located on Tracts A, C and D of the Property.

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17. The Architectural Control Committee is composed of:

Beverly Weidenheimer
Frederick S. Barkman
Audrey Getty

A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining members shall have the full and sole authority to designate a successor. Neither the members of the committee, nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or to restore to it any of its powers and duties. In any event, the term of office of the above designated Architectural Control Committee shall terminate automatically upon the sale or conveyance by the Declarant herein of the last lot owned by it in this subdivision.

18. Removal of trees eight inches or more in diameter is prohibited unless specifically approved by the Architectural Control Committee.

19. The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative, fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in the event, if

8106170126

no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

20. These covenants, conditions and restrictions shall run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date this Declaration is recorded after which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

21. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain the violation or to recover damages.

22. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, Corley has executed this Declaration the day and year first above written.

CORLEY MORTGAGE COMPANY, INC., a Washington corporation

By: *Francis P. Amato*
ITS: Sr. Vice President

By: *Corley Letty*
ITS: Assistant Secretary

DEVELOPER EXTENSION AGREEMENT FOR STREET LIGHTING

WHEREAS, CORLEY MORTGAGE COMPANY, INC.

hereafter called "Developer," wishes to build homes within the boundaries of King County Water District No. 104 and desires to obtain street lighting fixtures, maintenance and electricity from King County Water District No. 104, hereafter called "the District," and Puget Sound Power & Light Co., hereafter called "Puget Power," and

WHEREAS, it is necessary for Developer to install a street lighting system on the real estate hereafter described before the houses on said real estate are sold, and

WHEREAS, it is necessary for the District and Puget Power to promptly receive payment for the electrical service provided whether or not the homes on said real estate are sold,

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, Developer and the District do hereby agree as follows:

Developer shall contract directly with Puget Power for the installation of a street lighting system on the real estate owned by Developer and legally described on Exhibit A annexed hereto. Such street lighting system shall remain the property of Puget Power which shall have the sole obligation to maintain, replace, and repair said system.

Such street lighting system shall be comprised of fixtures mutually agreed upon by Puget Power, Developer, and the District which shall be installed on the aforesaid real estate at locations approved by the District, and Developer agrees to submit plans and specifications for such street lighting system to the District for its approval before executing a final installation contract with Puget Power. The District reserves the right to change lamps, lamp locations and/or equipment when distribution line modernization or replacement by Puget Power is necessary.

The District shall cause Puget Power to furnish lighting service on terms set forth in resolutions of the District now or hereafter in effect. The District shall charge Developer for such service fixed rates established by resolutions of the District now or hereafter in effect. Developer shall notify the District as each lot is furnished with water by the District and shall obtain the signature of the Builder or lot owner on Application for Connection (including Street Lighting) and shall deliver the same to the District office. Thereafter the District shall bill such Builder, lot owner or contract vendee for his proportionate share of the light charges but Developer shall remain primarily liable for all lighting charges for the aforesaid real until 80 percent of the lots as described in exhibit A are furnished with water by the District. Developer shall continue to pay the pro rata share of the charges for each lot which remains unsold.

Developer further agrees that if the pro rata charges allocated to any lot are unpaid sixty (60) days after the due date, such charges shall constitute a lien against said property which shall

8101210672

RECORDS & ELECTIONS
BY THE CLERK
KING COUNTY

JUN 21 4 14 PM '81

81-01/21
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CRSHSL

5.00

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****5.00

11

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Richard C. Gess
Notary Public residing at

STATE OF WASHINGTON,

County of KING

On this 18th day of December A. D. 19 80
before me personally appeared V. P. DeDonato

to be the Vice President of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Candace A. Utley
Notary Public in and for the State of Washington, residing at Kirkland

Security Title Insurance Company of Washington - ACKNOWLEDGMENT - CORPORATION

EXHIBIT A - Legal Description

81C121632

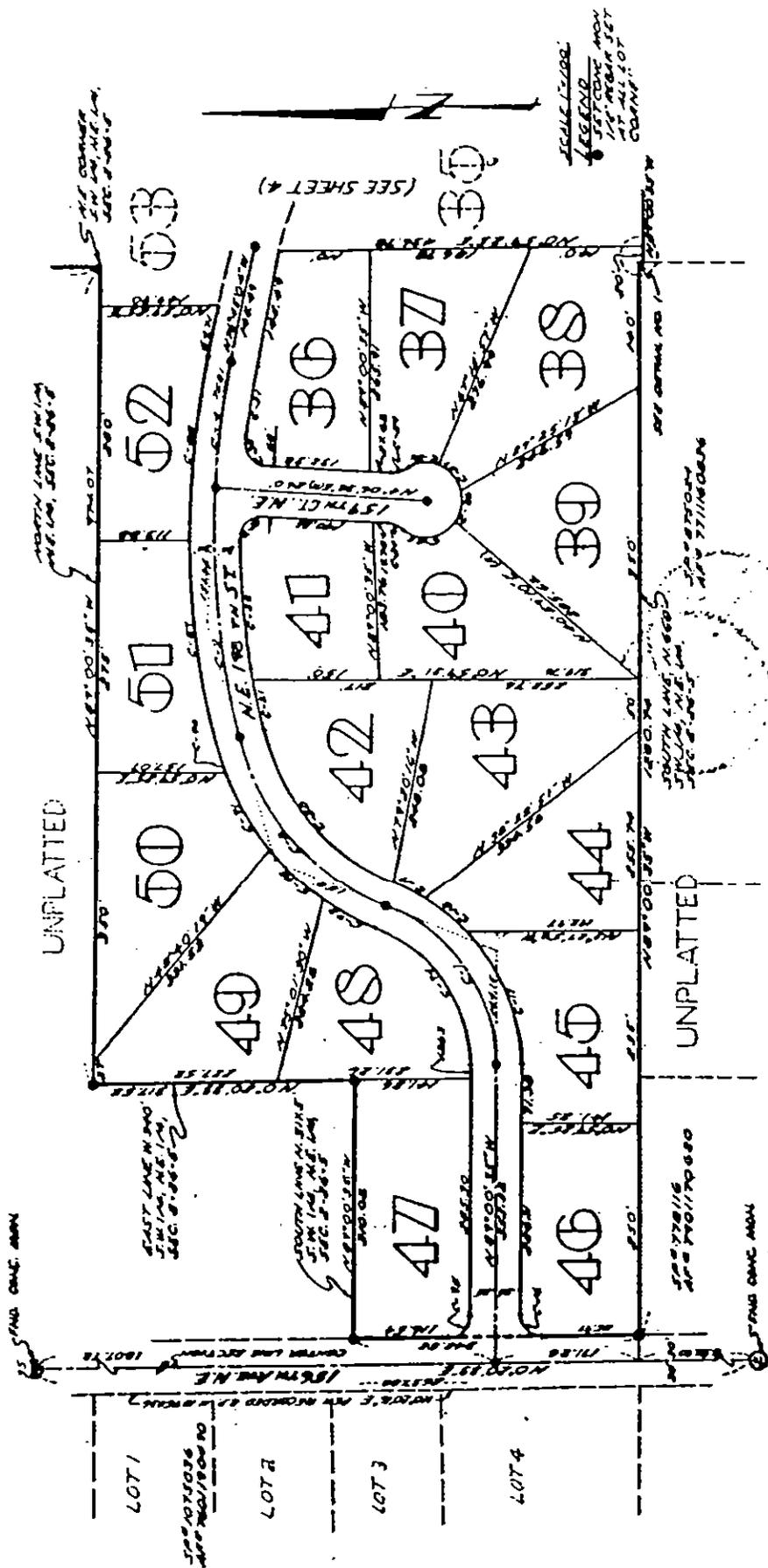
810121019

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 26 NORTH RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 2;
THENCE SOUTH $88^{\circ}42'44''$ EAST ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 30 FEET TO A POINT ON THE EAST MARGIN OF 156TH AVENUE NORTHEAST (JOSEPH WIDDOP ROAD) AND THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH $88^{\circ}42'44''$ EAST, 2581.64 FEET TO A POINT 30 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 2, BEING ON THE WEST MARGIN OF 164th AVENUE NORTHEAST (JOHN SELIN ROAD);
THENCE SOUTH $0^{\circ}55'23''$ WEST, ALONG SAID WEST MARGIN, PARALLEL TO THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 2103.25 FEET, TO THE NORTH LINE OF THE SOUTH 10 ACRES OF THE EAST 25 ACRES OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER;
THENCE NORTH $88^{\circ}47'10''$ WEST, ALONG THE NORTH LINE OF SAID SOUTH 10 ACRES, 766.97 FEET TO EAST LINE OF THE WEST 15 ACRES OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER;
THENCE NORTH $0^{\circ}37'57''$ EAST, ALONG SAID EAST LINE, 132.43 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID WEST 15 ACRES;
THENCE NORTH $89^{\circ}00'35''$ WEST 493.16 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER;
THENCE NORTH $0^{\circ}37'57''$ EAST, ALONG SAID EAST LINE, 2.46 FEET, TO THE SOUTH LINE OF THE NORTH 660 FEET OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER;
THENCE NORTH $89^{\circ}00'35''$ WEST, ALONG THE SOUTH LINE OF SAID NORTH 660 FEET, 1280.74 FEET, TO A POINT 30 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER, BEING ON THE EAST MARGIN OF SAID 156th AVENUE NORTHEAST;
THENCE NORTH $0^{\circ}20'33''$ EAST ALONG SAID EAST MARGIN, PARALLEL TO SAID WEST LINE, 342.52 FEET, TO THE SOUTH LINE OF THE NORTH 317.50 FEET OF SAID SOUTHWEST QUARTER;
THENCE SOUTH $89^{\circ}00'35''$ EAST, ALONG SAID SOUTH LINE, 310.02 FEET TO THE EAST LINE OF THE WEST 340 FEET OF SAID SOUTHWEST QUARTER;
THENCE NORTH $0^{\circ}20'33''$ EAST, ALONG SAID EAST LINE, 317.52 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER;
THENCE SOUTH $89^{\circ}00'35''$ EAST, 974.07 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER;
THENCE NORTH $0^{\circ}37'57''$ EAST, ALONG THE EAST LINE OF GOVERNMENT LOT 2, A DISTANCE OF 994.02 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF GOVERNMENT LOT 2;
THENCE NORTH $88^{\circ}47'11''$ WEST, ALONG SAID SOUTH LINE, 889.14 FEET, TO A POINT 430 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT 2, AS MEASURED ALONG THE NORTH LINE OF SAID SECTION 2;
THENCE NORTH $0^{\circ}20'33''$ EAST, PARALLEL TO THE EAST MARGIN OF SAID 156th AVENUE NORTHEAST 179.16 FEET TO A POINT 150 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 2, AS MEASURED ALONG SAID EAST MARGIN;
THENCE NORTH $88^{\circ}42'44''$ WEST, 400 FEET TO THE EAST MARGIN OF SAID 156th AVENUE NORTHEAST;
THENCE NORTH $0^{\circ}20'33''$ EAST, ALONG SAID EAST MARGIN 150 FEET, OR IF LESS, TO THE POINT OF BEGINNING.

SECTION 2, TWP 26 N., R. 5 E., W.M.
KING COUNTY, WASHINGTON



BLK	LOT	ACRES	OWNER	DATE
C-1	46	1.00	...	...
C-1	47	1.00	...	...
C-1	48	1.00	...	...
C-1	49	1.00	...	...
C-1	50	1.00	...	...
C-1	51	1.00	...	...
C-1	52	1.00	...	...
C-1	53	1.00	...	...
C-2	46	1.00	...	...
C-2	47	1.00	...	...
C-2	48	1.00	...	...
C-2	49	1.00	...	...
C-2	50	1.00	...	...
C-2	51	1.00	...	...
C-2	52	1.00	...	...
C-2	53	1.00	...	...

SCALE 1"=80'
LEGEND
1"=80' DISTANCE
1"=80' AREA SET
1"=80' LOT CORNER
1"=80' CORNER

SHOW TYPE
SINGLE LINE
DOUBLE LINE
NO SCALE

DETAIL NO. 1

Copies: Council members

Rich Leahy

Cindy Baker

Sandy Guinn

Ray Sturtz

Admin File

RECEIVED

MAR 19 2007

City of Woodinville

March 15th, 2007

Woodinville City Council & Planning Commission
17301 133rd Avenue NE
Woodinville, Wa 98072

As we understand it, the city of Woodinville has a commitment to provide a certain amount of growth according to the GMA. We also believe that it has reached its commitment. Then why would the City government be entertaining the notion of changing the existing zoning from R-1 to R-4 when its *tax-paying* residents have vehemently opposed it?

We as homeowners pay a high price to live here...High Taxes! We obviously felt it was worth it – many of us have lived here for over 20 years. But, that quality of life has been changing dramatically with the traffic and congestion and now the city plans to increase this? Why not just change our name, too.....to possibly Woodinkent or Woodrenton.....?

I also have the following questions:

1. With the approval and construction of the Wine village and the Fairfield Properties apartment site by the WAC have these been included in the GMA totals?
2. Auburn and Redmond have increased their *builder impact fees* considerably, is this something that has been discussed by the city?
3. To date, the emphasis has been on water run off, drainage, etc. ...has there been serious discussion with regards to the impact on the wildlife in this area? I haven't seen anything presented regarding the wildlife.
4. Any road improvements are long term suggestions – why are they not short term solutions?

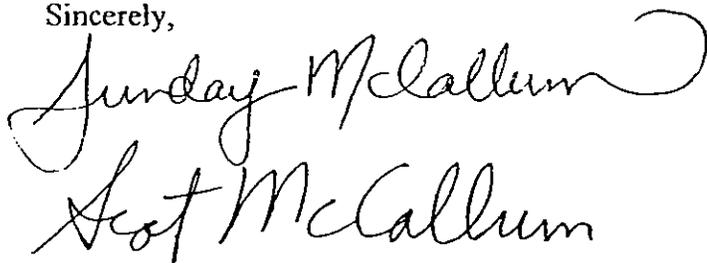
From what we have seen in the press and at public meetings it seems that the people who want to change the zoning are either out of state developers or folks planning to retire and reap financial gain after living here for many wonderful years in a country environment with the protection of R-1 zoning. They do not seem to care what they leave behind in regards to the community and environment that they enjoyed.

Page Two

I have recently read a Woodinville brochure dated from 1995 that states the Planning Board's purpose is to make sure that "...Woodinville's *unique Northwest woodland character be preserved*" Why has the city government lost site of this and why are they not listening to their residents?

We, along with our neighbors, have substantial property holdings and stand to incur a tremendous financial gain by embracing R-4. However, we choose not to jump on the R-4 bandwagon because we would like to see Woodinville maintain its country character, The sole purpose of why we moved here 5 years ago from Seattle.

Sincerely,

Handwritten signatures of Sunday and Scot McCallum. The signature for Sunday McCallum is written in a cursive style with a large loop at the end. The signature for Scot McCallum is also in cursive, appearing more compact and less stylized than the first signature.

Sunday and Scot McCallum
15112 - 176th Ave. NE
Woodinville, WA 98072

City of Woodinville
Woodinville City Council

Public Comments
Submitted 3/19/2007
Dave Henry

Attn: Madam Mayor Von Wald

RECEIVED
MAR 19 2007
CITY OF WOODINVILLE

PATTERN OF BEHAVIOR

is a term that generally describes some type of social or criminal activity or behavior.

The aggressive attack on Christy Diemond at the podium at last Monday night's city council meeting by Madam Mayor Von Wald, where she threatened to have Miss Diamond removed from the podium was such a pattern of behavior.

The constant interruption by Mayor Von Wald while council member Stecker was attempting to sort through a major problem of fiscal irresponsibility within the Parks Department at the most recent city council meeting was another pattern of behavior.

Over the past several months Madam Mayor Von Wald on numerous occasions has attempted to thwart, silence, impede or limit the public comment period.

During the most recent CAP and Planning Commission meetings, a chairperson of the CAP, under the direct supervision of Cindy Baker, threatened a member of our community, Mr. Bob Harmon. He was threatened with removal from a public building, at a public meeting, by a public official, for expressing concern for the continuation of the permit process of Wood Trails. His major concerns were the inaccuracy and omission of critical information regarding the high density Wood Trails project.

At a council meeting early in March, The Planning Director,

Cindy Baker, approached me at the end of a council meeting and informed me that she had retained a private attorney to begin to file a civil slander law suit against me for my comments at the podium.

In May of 2006 Madam Mayor drug out public comment until close to 11:00, in order to delay the expert testimony of Dr. Yates, regarding the seismic activity on the Sewage treatment Plant. This appeared to be a tactic to wear down an elderly gentleman so he would be less effective at the late hour and to take advantage of the decrease in attendance because the members of the community were tired and leaving, and the only audience remaining would be members of the King County Task force. (Pattern of Behavior)

Council Member Brocha has made comments in the past regarding lack of public interest, lack of public comment on certain topics or issues. Yet as recently as this past Monday night's public city council meeting Madam Mayor Von Wald gave the appearance of making a vigorous attempt to shut down the public comment period. (Pattern of Behavior)

Perhaps Madam Mayor Von Wald and Council Member Brocha should attempt to coordinate their strategies.

Transparency, an open form of government, apparently is not the agenda for Woodinville.

So the next obvious question is, who's next to be singled out by the Mayor VonWald or Plannig Director Cindy Baker? Will it be another member of the so called **SEASONED TICKET HOLDERS?** Will it be another elderly community member?

Will other members of our community begin to feel the threats of Government Officials, to silence them?

The First Amendment, what a powerful bit of text. A quick history lesson may be in order-----

CONGRESS SHALL MAKE NO LAW RESPECTING AN

which allows clustering credits or transfer credits, to forever change the quality of life and the quality of a well established, rural, R-1 residential neighborhood.

The misuse of the text of the GMA, by Ray Sturtz and Cindy Baker demonstrates just how far the city and the planning department will go to inflict the city's will over the people.

Don't let this pattern of behavior continue. Show up for the Wood Trails public hearing. Speak at the podium. Voice your concerns.

****In professional sports—Talent trumps bad Behavior****

****In Woodinville politics, Bad government, trumps the people****

Dave Henry
30 year resident
206-940-1203

Public Comments
submitted 03/19/2007
Brad Rich.

City Council Presentation

Monday, March 19, 2007

9:00 AM

MAR 19 2007

City of Woodinville

My name is Brad Rich, and I live at 18046 160th Ave NE in a home which was built in 1964 and is located on the shoreline of Leota Lake. I purchased this home in April of 2006 and have now lived in it approximately 1 year. I have lived with a king county address for approximately 30 years with 17 of those years in Woodinville.

I have never been involved with city government and have largely been ignorant of the processes involved. Approximately 5 weeks ago someone left a message on my answering machine indicating that the city was considering rezoning various properties which could have a negative impact on Leota Lake.

This captured my interest and after reading the Sustainable Development Report, minutes of past City Council meetings and environmental studies relating to the development of various properties I became aware that Leota Lake was not the pristine body of water I was led to believe when I purchased the house, and the lake seems to have greater problems than my neighbors are also aware of. I have spoken with many of my neighbors who believe that the quality of the lake's water is very high and do not have any concerns about swimming or fishing in the lake. This is in contrast to the recent studies done in connection with the Sustainable Development Report that indicate the lake is in danger of dying.

Based upon the above I decided to attend my first city council meeting on March 12th and I also attended hearings relating to the development of certain properties on March 14th and 15th. These meetings and hearings did relate to matters that could have a direct impact on the lake but their purpose was not to specifically address what we should do in response the water quality issues in Leota Lake as raised in the recent studies.

On Tuesday, March 13th I called City Hall and spoke with Jan Groak and indicated who I was and that I wanted to speak with someone that could inform me regarding what specific steps were going to be implemented in response to the recent studies. She indicated that she would check around and have someone call me. Since I did not get a call back I went to City Hall on Friday, March 16th and spoke with Yoshi.

After explaining who I was and what I wanted, Yoshi indicated that the City is currently monitoring the lake, no action is being taken at this time to improve the water quality issues of the lake or solve the water quality problems relating to the lake. I asked who I should talk to regarding what steps will be taken based upon the environmental studies and he suggested that I bring my concerns to city council.

3. Septic System Failure

Concerning the problems of the septic systems the city should bring sewer to the residents of the lake without rezoning the area to R-4 due to the reasons defined in the environmental report.

The general problem with the septic systems is the on-going inspections that are required to verify that they are performing as designed. In the past, this has been voluntary and the inspections have been limited to the septic tanks themselves.

Inspecting the actual operating efficiency of the systems is beyond the ability of most homeowners and most of the septic systems drain fields are not designed in such a way that they can be tested to verify they are still operating effectively. Visually they may appear to be working when in fact channels under the drain fields may have been created over time which send the effluent untreated and directly into the lake.

Another problem with septic systems is that in spite of the best design many owners do not educate themselves regarding the issues and therefore the system fails. For example, I have seen two homes in the development with mound systems. One I have witnessed raw effluent squirt out of it and another I saw a homeowner plant 5 trees on it. So in spite of how well these systems work in theory in practice some owners do not manage the systems properly and neighbors are reluctant to get involved due to the sensitivity of neighbor relations. When homes are sold many times new owners do not have any idea where their drain fields are located, so they make landscaping mistakes.

This issue must be solved in order to restore the health of the lake. Due to the general need of the lake for underground water, putting sewers to homes other than those directly around the lake, could negatively affect the lake, as indicated in the environmental study.

Based upon the above and the recommendations in the environmental study I believe sewers should be connected to the homes around the lake and in the near vicinity but the R-1 zoning be retained.

Other Recommendations

One other recommendation that the city could immediately begin to implement is the blocking of the outlet of the lake to raise the level of the lake. This would have minimal cost but require approval from appropriate governmental organizations. Steps by the city should be taken to gain the necessary approval and install the boards to block the outlet. I visually inspected the outlet this week and would guess this could be done for less than a couple of thousand dollars.

A copy of the recommendations found in the environmental study as related to Leota Lake is attached.

I therefore urge the city to take immediate action to protect the lake. Monitoring the lake only identifies the problems and does nothing to solve it. I would like to have some guidance from the city as to what actions they are planning to take, when they will be taking them and how I can contribute and stay informed as to the progress being made.

Although this issue affects me directly, it also is connected to a much greater eco-system as the environmental study pointed out and by not protecting this part of the eco-system we put all the parts at risk to irreparable harm which includes the salmon spawning Cold Water Creek and the Bear Creek systems.

Thank you for having the patience to listen to me on this subject, given the current growth in the community I know it is difficult solving all the issues raised but without taking immediate steps relating to Leota Lake we run the risk that the tipping point of irreversible environmental damage will be reached and the lake will die. If we let that happen the costs to fix the problem will be on a much greater scale versus the costs of addressing the problems now.

Recap of steps the city can mandate immediately without further study

Listed below are things that can be done immediately without further study and I am sure that individuals with more knowledge than me can recommend addition items:

- A. Prohibit the use of all fertilizers including phosphorus-rich, artificial fertilizers used on lakeside lawns.
- B. Require a minimum of a 30 foot buffer from the lawns to the shoreline planted with native vegetation.
- C. Prohibit the pumping of water from the lake.
- D. Obtain the permits necessary to block the outlet of the lake in order to raise its level during the summer months.
- E. Mandate R-1 zoning around the lake area and bring in sewer to residents in the vicinity around the lake.

Woodinville Sustainable Development Project: Environmental Report on R-1 Area

- Regular maintenance of septic systems, including upgrading drain fields to enhance nutrient retention;
 - Minimizing the use of fertilizer, particularly phosphorus-rich, artificial fertilizers used on lakeside lawns;
 - Management of aquatic plants (all harvested material should be removed from the lake, to avoid releasing nutrients and metals taken up by the plants back into the lake);
 - Other landscaping issues, including maximizing native vegetation and minimizing lawns near the lakeshore to enhance nutrient retention;
 - Stopping all irrigation pumping from the lake, with or without a permit, to maximize water retention and volume in the lake, thereby maximizing groundwater seepage to Cold Creek;
 - Limiting the size of docks on the lake and designing them to increase the amount of light reaching the water, which will improve the diversity of plant and animal communities near the shoreline; and
 - Avoiding the use of laundry detergents that contain phosphorus, particularly for lakeside property owners.
- Work with King County and lakeside residents to improve monitoring of Lake Leota to better understand its status and trends and to help prioritize management actions. This could include, in order of increasing cost:
 - Monitoring oxygen levels in the lake's water column (particularly in deeper water) to evaluate oxygen deficits each summer and fall (the cost for this would be very low);
 - Monitoring days of anoxic sediments and the extent of the lake bottom that is anaerobic at the peak of summer/fall algae blooms each year, which would aid in evaluating the lake's trophic state;
 - Updating Lake Leota's bottom contour map to permit more accurate measures of the lake's volume;
 - Monitoring lake sediments for metals concentrations on a periodic basis; and
 - Monitoring surface channel inflows to establish water, sediment, nutrient and metals budgets for the lake.

A lake management plan could also help the City and the community further evaluate the potential benefits of:

- Connecting lakeside homes to sewer service – would reduce nutrient input by replacing septic systems with sewer directly around the lake and could create a positive net benefit to water quality even if the R-1 density was amended to R-4. However, modifying existing septic systems to provide extra nutrient removal could potentially provide similar benefits without increasing density.
- Dredging lake sediments – would require state and potentially federal permits.

TO CITY COUNCIL, CITY PLANNERS, CAP MEMBERS
FROM: Bob Harman 14949 NE 202nd ST; harmanhouse@verizon.net
TOPIC: STATE vs. CITY CRITICAL AREA CRITERIA

RECEIVED

APR 16 2007

City of Woodinville

The Department of Ecology wetland expert, Dr. Richard Robohm (425 649-4447), said "I sent a letter to Woodinville Director of Community Development in September 2004 urging them to adopt Ecology's rating system and to better protect wetlands, but they followed a different course" The city **uses endangered species** while the state uses **endangered habitat and/or endangered species** as criteria for evaluating areas.

Why would a city next to larger cities such as Seattle, Bothell, & Kirkland expect to find endangered wildlife? This criterion can only favor developers. For example, because of the lesser importance of Chinook salmon the Little Bear Creek is not rated as high as the Cold Creek, or the Sammamish River. This creek has an abundance of Sockeye Salmon and Cutthroat trout. Fishermen are delighted to catch any one of these fish. A CAP member, Matt Schultz, said that according to a U of W salmon expert, Chinook salmon is on the decline in Little Bear Creek. He emphasized that developments that bring changes to the entire habitat is what should be used for SUSTAINABLE DEVELOPMENT BASIN EVALUATION FOR FUTURE R-4 CONSIDERATIONS.

WHAT'S THE MAJOR POINT?. The city should use the state's criteria and not let the boundaries of a development be the only area that is used to determine whether any EIS STANDARDS ARE COMPLETED. The CITY CRITICAL ORDINANCE says to "USE BEST AVAILABLE SCIENCE". Scientific studies must consider HABITAT IMPACTS UPON OR ADJACENT TO DEVELOPMENT SITES.

Development sites are presently off limits in the WOODIN CREEK WETLAND and the GOLF COURSE CREEK WETLAND (see table). These are the two best TREE SHADED WETLANDS the city has, especially the GOLF COURSE WETLAND CANYON THAT IS DEEPER WITH SLOPE GROUND WATER DISCHARGES THAT PROVIDES THE ONLY YEARLONG WILDLIFE DRINKING WATER. These areas must be considered when evaluating their potential loss or damage from any developments.

THIS CONCEPT OF EVALUATING ALL HABITATS UPSTREAM, DOWNSTREAM, LAND IMPACTS ARE ALSO IMPORTANT IN YOUR CITY SHORELINE MANAGEMENT ORDINANCE (Sammamish River-Little Bear Creek). Both Chuck Price and Deb Crawford have expressed frustration with the planning criteria & participations. They want to make it clear and easier for developers & residents effected to know what the requirements are. IT SOUNDS LIKE THE BUSINESS AREA COULD BENEFIT FROM A LIKE "BUSINESS CAP STUDY". The Sustainable Development CAP study was successful in getting needed inputs from many sources. The business area of Woodinville would benefit from a similar study to insure the beauty and character that business owners and residents would like to maintain.

COMPARISON OF THE GOLF COURSE BASIN WETLANDS & WOODIN CREEK WETLANDS

	* TREE SHADED CANYON WETLAND	
VEGETATION	*GOLF COURSE	*WOODIN CREEK
Skunk Cabbage	common	rare
Piggy Back plants	common	common
Moss covered trees	common	very common
Salmonberries	common	common
Stinging Needle	common upper slope	present
Devils Club	present	not observed yet
Willows	common upper slope	present
THIS CONNECTS WITH R-1 FLAT CITY SUNNIER WETLANDS		
Blackberry Bushes	common-abundant	not present in Woodin Ck.
Salmonberries	abundant	
Cottonwoods	present	
Alders	common	
Willows	common	
WILDLIFE		
Deer(feces, bedded grass)	present; R-1 observations	none? road
Mountain Beaver Holes	common	present ?
Birds (no survey yet)	common	common
Salmon-Fish	none (drain pipe)	none (drain pipe)
Contributions Fish	yes deep G.W. cold water	none surface warmer water
CANYON CHARACTERISTICS		
Shaded Canyon Length	1,200ft ?	1500ft ?
Degree Human Isolation	highly isolated	road but creek away
Canyon Depth	very deep	moderate depth
Slopes	very steep >100%	>40%
Ground Water	abundant	rare
Ground Water Erosion	common	not observed yet
Slumping	common, soil creep	present(probable)
Creek Bed Sediment	cobbles-gravel-sand	cobbles-gravel-sand
Creek Bed Erosion	common	very common
Slope Erosion	tree-plant protection	tree-plant protection
Downstream Condition	Industrial drains-L.B. Ck	City drains-ditch-river
Pollution (no survey)	minor ? R-1 septic	present-up slope homes-road
Landslides	present	probably present
CREEK FLOW DISCHARGE RATES		
	GOLF COURSE CREEK	WOODIN CREEK
Perennial Creek	yes	no ? Ground Water rare
Maximum estimated	$1/2 (24\text{ftwide}(1\text{ftbank})(2\text{ft}/\text{sec}))=24\text{cfs}$	$6\text{ftwide}(1\text{ftbank})(3\text{ft}/\text{s})=18\text{cfs}$
April 7 2007	$2\text{ftwide}(1.5/12\text{ftdeep})(1\text{ft}/\text{s})=0.25\text{cfs}$	$2\text{ftwide}(1.5/12\text{ftdeep})(1\text{ft}/\text{sec})= .25\text{cfs}$
varies	GW Gully	Entrance canyon 171st ST
		$2.3\text{ftwide}(1.5/12\text{ftdeep})(1\text{ft}/\text{sec})=0.28\text{cfs}$
	Industrial Park Bridge	Sammamish River Park
	$2\text{ftwide}(2/12\text{ftdeep})(1\text{ft}/\text{sec})=.33\text{cfs}$	$8\text{ftwide}(1.5/12\text{ftdeep})(1\text{ft}/\text{sec})= 1.0\text{cfs}$
NOTE THIS CANYON HAD A REDUCED HIGHER MAX	NO DATA AT LITTLE BEAR CREEK	NOTE CITY INCREASES INPUT FROM THE CANYON RIVER EXIT
WETLAND CLASSIFICATION	1 ?	1-2 ?

Copy: City Clerk's Office

Book 2 of 2

City of Woodinville

Closed Record Proceedings
Ex Parte Communication Disclosures
Wood Trails/Montevallo

July 25, 2007

Chapter

10



You are here > [Home](#) > [News](#) > [Of Special Interest](#) > [Montevallo / Wood Trails](#)

Montevallo / Wood Trails Preliminary Plan and Rezone Applications

UPDATE 05/17/07: HEARING EXAMINER ISSUES WOOD TRAILS / MONTEVALLO DECISIONS

On Wednesday, May 16, 2007, City of Woodinville Hearing Examiner pro tem Greg Smith issued his Findings, Conclusions and Decision regarding the preliminary plat applications and rezone requests for the proposed Wood Trails (ZMA2004-053 and PPA2004-054) and Montevallo (ZMA2004-094 and PPA2004-093) developments. The Hearing Examiner conditionally approved the preliminary plat applications and recommended approval of the applicant's rezone requests for both projects. The Hearing Examiner also approved a reduced density transfer of nine residential density credits from the Wood Trails project site to the Montevallo project site.

Pursuant to applicable regulations, the City will issue and distribute a formal Notice of Decision regarding each decision. Copies of the Hearing Examiner's decisions are available for inspection and copying at City Hall upon request, and may be downloaded from this website as indicated below:

[Wood Trails Findings, Conclusions and Decision](#) * Attached

[Montevallo Findings, Conclusions and Decision](#) * Attached

[Hearing Examiner Appeal Form](#) * Attached

UPDATE 05/08/07: Notice of Extension of Hearing Examiner Decisions. Pursuant to WMC 17.15.080(6) and WMC 17.09.060, the City of Woodinville Hearing Examiner pro tem has postponed the date by which the Examiner's written decisions regarding the Wood Trails (WOOD TRAILS REZONE ZMA2004-053 AND PRELIMINARY PLAT PPA2004-054) and Montevallo (MONTEVALLO REZONE ZMA2004-094 AND PRELIMINARY PLAT PPA2004-093) development proposals will be issued. The revised deadline for issuance of these decisions is May 16, 2007. The reason for the postponement is the voluminous size of the administrative record, the Hearing Examiner's review of which has required additional time. The applicant for both the Wood Trails and Montevallo proposals, Phoenix Development LLC, has consented to this deadline extension.

UPDATE 04/11/07: Oral testimony on the Wood Trails and Montevallo rezone and preliminary plat applications has been closed. The Hearing Examiner will accept written comment (only) up to 5 p.m. on April 19, 2007. The applicant (Phoenix Development) may submit by April 26 a rebuttal to any written comments. The Hearing Examiner has ten (10) working days (by May 10) to complete his findings, recommendation and/or decision unless the applicant agrees to allow additional time.

UPDATE 3/26/07: Errata index sheets and exhibits for the Wood Trails and Montevallo Public Hearing exhibits have been posted below.

UPDATE 3/20/07: To purchase video from the March 14 Wood Trails Public Hearing and/or March 15 Montevallo Public Hearing, go to FedEx-Kinkos, 13620 NE 175th Street, Woodinville. Cost: approx. \$15

UPDATE 3/19/07 : News Release "Wood Trails Public Hearing Continued to April 5; Testimony for Montevallo Will Also Be Accepted"

UPDATE 3/16/07 : Check the Legal Notice Page for "Notice of Continuation of Public Hearing" for Wood Trails.

UPDATE 2/27/07: Check the Notices Page for "Notice of Continuation of Public Hearing" for Wood Trails and Montevallo preliminary plat and rezone applications. Wood Trails public hearing is continued to March 14, 2007, 7 p.m., Carol Edwards Center. Montevallo public hearing is continued to March 15, 2007, 6 p.m., Carol Edwards Center Gym.

UPDATE 2/23-24/07: The Staff Reports to the Hearing Examiner and associated exhibits are posted below as a courtesy. The Staff Reports are approximately 50 pages each. The exhibits are approximately 500 pages. For ease of navigating through the documentation, you are encouraged to print the Exhibit List. Exhibits include application forms, supporting documentation, public comments and public notices.

If you attend the hearings, please listen carefully to the instructions the Hearing Examiner gives regarding public testimony.

For specific questions, contact Susie McCann, Acting Manager of Plan Review and Inspection, 425-489-2754, ext. 2272.

Staff Report to Hearing Examiner
RE: **Wood Trails** Preliminary Plat &
Rezone Application
Wood Trails Staff Exhibit List (2
Report pages)
(41 pages)
Exhibits 2 through 51 (575 pages)
March 14, 2007 Hearing

Exhibit List

Exhibits 52 - 101 (442 pages)
UPDATE March 23, 2007
The following changes have been
made to the Web site posting for
the Wood Trails Public Hearing

Staff Report to Hearing Examiner
RE: **Montevallo** Preliminary Plat &
Rezone Application
Montevallo Staff Exhibit List (2
Report (34 pages) pages)
Exhibits 2 - 54 (699 pages)
March 15, 2007 Hearing

Exhibit List

Exhibits 55 - 82 (373 pages)
UPDATE March 23, 2007
The following changes have been
made to the Web site posting for the
Montevallo Public Hearing exhibits.

exhibits.

Errata Index (insertions/additions)
Exhibits 80 and 81 (pages out of order)
Exhibit Index (updated)
Exhibit 98 (add cover letter)
Exhibit 101 (duplicate number)
Exhibit 84 - Ordinance No. 431 (added)

UPDATE April 3, 2007

Errata Index
Exhibit Index list (clarifications)
Exhibit 6
Exhibit 12
Exhibit 59
Exhibit 72
Exhibit 73
Exhibit 85
Exhibit 90

UPDATE April 5, 2007

Exhibit Index list (update)
Exhibits 102 - 125 (613 pages)
Exhibits 126 - 152 (499 pages)

UPDATE April 13, 2007

Errata Index
Exhibit 102 inserted page 69
Exhibit 144 posted

2nd UPDATE April 13, 2007

Exhibit Index list (update)
Exhibit 153
Exhibit 154 (36 pages)

UPDATE April 16, 2007

Exhibit Index list (update)
Exhibit 155 (373 pages)
Exhibit 156

UPDATE April 17, 2007

Exhibit Index list (update)
Exhibit 157

UPDATE April 18, 2007

Exhibit Index list (update)

Errata Index (insertions/additions)
Exhibit 64 (added)
Exhibit 68 (duplicate Pg. 21 removed; Pg. 22 added, 2 pages removed)
Exhibit 72 (added)
Exhibit 74 (explanation page added)
Exhibit 76 (explanation page added)
Exhibit 77 (Pages 98, 130, 131 added. Exhibit number added to page 152)

UPDATE April 5, 2007

Errata Index
Exhibit Index list (clarifications)

UPDATE April 13, 2007

Exhibit Index list (update)
Exhibit 83
Exhibit 84

UPDATE April 16, 2007

Exhibit Index list (update)
Exhibit 85
Exhibit 86

UPDATE April 17, 2007

Exhibit Index list (update)
Exhibit 87

UPDATE April 18, 2007

Exhibit Index list (update)
Exhibit 88

UPDATE April 19, 2007

Exhibit Index list (update)
Exhibit 89 - 92
Exhibit 93

UPDATE April 24, 2007

Exhibit Index list (update)
Exhibit 94

UPDATE May 1, 2007

Exhibit Index list (update)
Exhibit 95
Exhibit 96

Exhibit 158

UPDATE April 19, 2007

Exhibit Index list (update)
Exhibit 159
Exhibit 160
Exhibit 161
Exhibit 162
Exhibit 163

UPDATE April 24, 2007

Exhibit Index list (update)
Exhibit 164

UPDATE May 1, 2007

Exhibit Index list (update)
Exhibit 165
Exhibit 166

UPDATE May 16, 2007

Page 24 of Exhibit 165

The City of Woodinville video taped the public hearings of Wood Trails (March 14 and April 5, 2007) and Montevallo (March 15, 2007). DVDs of these public hearings are available for review or purchase. Also available are other DVDs and CDs submitted by the public and staff on various topics and placed on the record at the Wood Trails and Montevallo public hearings.

The DVDs and CDs may be purchased for \$29.95 each at Kinko's or may be viewed at the City of Woodinville's Development Services counter. Each DVD and CD were assigned a specific exhibit number. Please refer to specific exhibit number when inquiring about a specific DVD or CD.

Kinkos is located at 13620 N.E. 175th Street, Suite 110, Woodinville, WA

City of Woodinville's Development Services is located at 17301 - 133 rd Avenue NE, Woodinville, WA

View summary of DVDs/CDs submitted.

UPDATE 2/1/07: Public Hearings: Preliminary Plat and Rezone Applications for the Wood Trails and Montevallo Subdivisions, February 28 and March 1, 2007. The Public Hearings on the Preliminary Plat and Re-zone applications for the Wood Trails and Montevallo Subdivisions is scheduled for Wednesday, February 28 and Thursday, March 1, 2007, 7 to 10 p.m. at the Carol Edwards Center Gymnasium, 17401-133rd Avenue NE. Legal notices are published in the City's official newspaper, The Woodinville Weekly, 15 days prior to a Public Hearing (not including the date of the hearing). As a

courtesy, public hearing notices are posted on the [Notices page](#).

[Memo from the Interim Development Services Director Concerning Appeals \(12/18/06\)](#)

[Woodinville - Spokane Interlocal Agreement for hearing Examiner Services \(19 pages\) \(12/18/06\)](#)

[Planning Director Interpretation Regarding Final Environmental Impact Statement Appeal Procedures \(11/5/06\)](#)

FINAL ENVIRONMENTAL IMPACT STATEMENT

Volume 1

[EIS Cover Page \(1 page\)](#)

[EIS cover letter \(4 pages\)](#)

[Table of Contents \(8 pages\)](#)

[Fact Sheet \(4 pages\)](#)

[Abbreviations / Acronyms \(3 pages\)](#)

[Chapter 1 Summary \(46 pages\)](#)

[Chapter 2 Alternatives \(54 pages\)](#)

[Chapter 3.0 Effected Environment \(2 pages\)](#)

[Chapter 3.1 Earth \(22 pages\)](#)

[Chapter 3.2 Water \(58 pages\)](#)

[Chapter 3.3 Plants & Animals \(22 pages\)](#)

[Chapter 3.4 Land Use \(32 pages\)](#)

[Chapter 3.5 Transportation \(94 pages\)](#)

[Chapter 3.6 Public Services \(8 pages\)](#)

[Chapter 4 Response to Draft EIS Issues \(99 pages\)](#)

[Chapter 5 References \(4 pages\)](#)

[Chapter 6 Distribution List \(92 pages\)](#)

[Chapter 7 Additional Information \(50 pages\)](#)

[APPENDIX Table of Contents \(3 pages\)](#)

Volume 2

[APPENDIX A Montevallo Geotechnical Engineering Study \(56 pages\)](#)

[APPENDIX B Montevallo Geotechnical Report Addendum \(24 pages\)](#)

[APPENDIX C Wood Trails Geotechnical Engineering Study \(89 pages\)](#)

[APPENDIX D Wood Trails Geotechnical Report Addendum \(89 pages\)](#)

[APPENDIX E Wood Trails Preliminary Technical Report \(Drainage\) \(72 pages\)](#)

[APPENDIX F Wood Trails Deviation from Standards Request \(Drainage\) \(45 pages\)](#)

[APPENDIX G Montevallo Preliminary Technical Report \(Drainage\) \(30 pages\)](#)

[APPENDIX H Montevallo Preliminary Technical Report \(Drainage\) Revision \(43 pages\)](#)

[APPENDIX I Wood Trails Wetland and Stream Report \(5 pages\)](#)

[APPENDIX J Montevallo Wetland and Stream Report \(20 pages\)](#)

[APPENDIX K Wood Trails / Montevallo Wildlife Habitat Report \(25 pages\)](#)

[APPENDIX L Transportation Analysis Components \(20 pages\)](#)

Volume 3

[APPENDIX M Earth Resources and Groundwater Documentation \(94 pages\)](#)

[APPENDIX N Updated Wetland Mitigation Plans \(10 pages\)](#)

[APPENDIX O Updated Transportation Analysis Exhibits \(60 pages\)](#)

[APPENDIX P Comments on the Draft EIS \(216 pages\)](#)

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**BEFORE THE HEARING EXAMINER
FOR THE CITY OF WOODINVILLE**

In the Matter of the Application of)	FILE NO. ZMA2004-053 and
	)	PPA2004-054
Phoenix Development for the Wood Trails)	
)	
Rezone and Preliminary Plat Application	)	FINDINGS, CONCLUSIONS, AND DECISION

SUMMARY OF PROPOSAL

Proposal: The applicant seeks approval of a rezone from R-1 to R-4 along with a preliminary plat approval to allow the subdivision of approximately 38.7 acres into 66 single-family residential lots with a request for surplus density of 19 lots to be transferred to another site. There will also be 21.9 acres of open space.

Decision: The Hearing Examiner recommends approval of the rezone and also approves the preliminary plat with a reduced density transfer.

SUMMARY OF RECORD

Hearing Date:

This matter was scheduled for hearing on February 28, 2007. Because of a possible defect in the public notice and also because the staff report was not available the required number of days before the hearing, the matter was continued until March 14, 2007. It was continued again until April 5, 2007. No testimony was taken on February 28th, but testimony was taken on both March 14th and April 5, 2007.

Testimony:

A full list of those who provided oral testimony is attached to this decision. At the hearings on this matter, the applicant, Phoenix Development, was represented by G. Richard Hill, Attorney at Law; McCullough Hill, PS, 701 5th Avenue, Suite 7220; Seattle, WA 98104. Some of the citizens who testified were organized in a group called "Concerned Neighbors of Wellington" and they were represented by J. Richard Aramburu, Attorney at Law; Aramburu-Eustis; 505 Madison Street, Suite 209; Seattle, WA 98104.

Exhibits:

A full exhibit list is attached to this decision. The record remained open until April 26, 2007, to allow further information to be submitted.

PROCEEDURAL ISSUES

Several procedural issues were brought up during the course of the Hearing Examiner's consideration of this matter both in testimony and through exhibits. The following findings and conclusions are hereby made on some of those procedural issues.

1. An objection was made to the consolidation of the request for the rezone with the application for the preliminary plat. The Woodinville Municipal Code (WMC) states at WMC 20.80.020 (3) that, "unless the applicant requests otherwise, a subdivision or short subdivision application shall be processed simultaneously with application for variances, conditional uses, street vacations, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing." The applicant did not request separate processing of these two matters and the Hearing Examiner concludes that the rezone qualifies as a quasi-judicial action under the ordinance. Therefore it was proper for these two actions to be heard together. This is in accord with RCW 58.17.070.

2. The Concerned Neighbors of Wellington (CNW) argue that the rezone application should not be considered vested and should be considered under the regulations in effect at the time of the hearing rather than under previous regulations. The City and Phoenix contend that the rezone and preliminary plat applications were deemed complete on July 8, 2004, and a letter was sent to that effect. Exhibit #13 and Exhibit #20. The Hearing Examiner concludes that the letter established vesting on that date and the applications are therefore to be considered under the codes and regulations in effect on July 8, 2004. This is consistent with the process set forth in RCW 36.70B.070. See also *Schultz v. Snohomish County* 101 Wn.App 693, 701 (2000). This is also consistent with the Supreme Court's decision in *Association of Rural Residents v. Kitsap County*, 141Wn.2d 185, 193, where the Court held that when a preliminary plat application vested, the accompanying planned unit development application vested also because it was the entire application that vested not just the preliminary plat. Planned unit developments are considered rezones under Washington law. *Lutz v. Longview*, 83 Wn.2d 566 (1979). Therefore the applicant has the right to have the entire application heard under the rules in effect on July 8, 2004, when the City determined that the application was complete.

3. This application was heard in the same time frame as the application for the Montevallo rezone and preliminary plat. The two projects were combined for the preparation of an environmental impact statement but were separate applications, filed on different dates, and were considered at separate hearings. As a courtesy to those who came to testify, the Hearing Examiner allowed testimony at each hearing on either proposal. They were not consolidated, however, into one application and are being treated by the City as separate applications. This is allowed under WMC 20.08.020(1) which would require their consolidation if the two properties were contiguous. They are not contiguous so consolidation was not required.

4. CNW objected several times throughout the proceedings about possible defects in the public notice. The first objection resulted in both plat hearings being continued from February 28th and March 1, 2007, to March 14th and 15, 2007, with the Wood Trails proposal being continued again until April 5, 2007. The main objection was to the misidentification of the Wood Trails property, but other objections were made, also. One objection was that the final hearing on April 5, 2007, was moved, at the last minute, from the Woodinville City Council Chambers to the Carol Edwards Center Gymnasium which is approximately a block away. This was done because of the size of

the crowd. The combined hearings lasted for almost 15 hours. A large number of people testified and many people testified more than once. The two proposals have been in the public's eye for an extended period of time and it would be difficult for the Hearing Examiner to conclude that anybody was unable to present written or oral testimony because of the alleged defects in the public notices. In fact, no one has come forth with any convincing argument that they were prejudiced by any defect in notice.

5. CNW also alleges that this zoning application cannot be approved because it is an illegal spot zone. Washington Case Law provides a concise definition of illegal spot zoning:

Spot zoning is an action by which an area is carved out of a larger area and specially zoned for use totally different from, and inconsistent with, the surrounding land and not in conformance with the comprehensive plan. Save a Neighborhood Environment v City of Seattle, 101Wn.2d 280 (1984).

The proposal's compliance with the comprehensive plan will be examined later in this decision. The Hearing Examiner concludes, however, that this is not an illegal spot zone because the use, detached single-family residential is not totally different from and inconsistent with surrounding properties which are also developed with detached single-family residential uses. The difference is density, not use. The Hearing Examiner finds that CNW has drawn too fine a line in attempting to find incompatibility. Both R-1 uses and R-4 uses are considered low density residential under Woodinville's Comprehensive Plan and would be considered as such under virtually every other comprehensive plan in any urban area in the State of Washington. Therefore, the Hearing Examiner concludes that this re-zone is not an illegal spot zone.

6. CNW argues that the hearing on this matter and any decision is premature because final plans and certain studies have not yet been completed. As an example, the applicant submitted a conceptual plan at the hearing on March 14, 2007, demonstrating how the project may look if all proposed conditions of approval recommended by staff were imposed. CNW argued that the proposal is not in final form, and, therefore, the hearings were premature.

This proposal is for preliminary plat. Plats are a two-step process with the preliminary plat being the initial step. A preliminary plat is defined in the State Law as:

"A neat and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of the subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of the subdivision".

A final plat is defined as:

"The final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this chapter and in local regulations adopted under this chapter. RCW 58.17.020(4)(5)".

CNW argues that all studies and final design elements should be in place prior to this approval. That is not the way that the two-step process works, however. Many of the preliminary studies are

set forth in the Final Environmental Impact Statement but final design takes place after the preliminary plat has been approved and before the final plat is signed by the City. The Hearing Examiner finds that there is sufficient information in the record to adequately evaluate the preliminary plat application.

7. The record in this case is voluminous. The public hearings on this project and the Montevallo project lasted for almost fifteen hours and there are literally thousands of pages of exhibits. Many issues were raised in public testimony and in the written submittals by both CNW and Phoenix Development, as well as by City staff. Because of the volume of comments, the Hearing Examiner cannot address every issue raised. The Hearing Examiner will, however, address relevant issues that are necessary for the issuance of a decision pursuant to the regulations. However not every comment will be addressed.

GENERAL FINDINGS

1. The Wood Trails property is located north and west of the intersection of NE 195th Street and 148th Avenue NE. It is west of the terminus of NE 195th, NE 198th, NE 201st, and NE 202nd Street. It is located in the NE quarter of Section 3, Township 26th North, Range 5, Willamette Meridian, King County. A full legal description is in the record in Exhibit #4. The property consists of approximately 38.7 acres. Exhibit #1, page 7.

2. The Wood Trails site topography is varied, with the overall slopes descending to the west. Elevations on the site range from approximately 250 feet in places along the western edge of the property to 430 feet at the eastern boundary. The most distinguishing site features include a series of east/west trending ravines with relatively moderate to steep side slopes. The ravine areas of the site generally contain slopes of 40% or steeper. Some relatively gentle sloping areas are located along the margins of the ravines, and throughout the easterly portions of the site. Moderately sloping areas are located along the westerly margins of the property. Exhibit #39, page 3.1-2.

3. To the north of the site is an undeveloped tract designated for future development; to the east and south the property is zoned R-1 and developed primarily with single-family homes on large lots, between one-half and one and one-half acres. To the west, the property is zoned Industrial and is developed with industrial uses. See Exhibit #39, pages 3.4-2 through 3.4-11.

4. The applicant proposes to subdivide the property into a total of 66 lots. The lots range in size from 5,060 square feet to 13,787 square feet with an average of 6,930 square feet. The proposal is to locate the lots on site in three groups. Thirteen lots would be located on the south side of the site near the intersection of 148th Avenue NE and NE 195th Street; in the middle of the site on the eastern side, there is to be twenty lots located along 148th Avenue NE extended and in the northeastern portion of the site there are to be thirty-three lots located near the western terminus of NE 202nd Street. Exhibit #1, page 8.

5. A conceptual preliminary plat of Wood Trails with the applicant's depiction of the proposal as complying with conditions of approval in the staff report is in the record as Exhibit # 65

6. The applicant also seeks to transfer development rights from excess density in the Wood Trails plat to the Montevallo plat. The applicant seeks a density transfer of nineteen units. The

City has recalculated the density figures and has determined that nine units may be transferred. See Exhibit #1, pages 22 and 23.

7. The City issued a Determination of Significance under the State Environmental Policy Act (SEPA) on October 11, 2004. A Draft Environmental Impact Statement (DEIS) was issued on January 17, 2006, and a Final EIS (FEIS) was issued on December 13, 2006. See Exhibits #28, 34, and 39.

FINDINGS RELATED TO THE REZONE

8. The proposal vested in July of 2004 and is governed by the 2004 Comprehensive Plan. The plan designates this site as low density residential which includes zoning designations of R-1 (1 unit per acre) through R-4 (4 units per acre). The property is currently zoned R-1 and the applicant seeks a rezone to R-4. Exhibit #,1 page 13.

9. The Woodinville Water District will provide sewer and water services to the proposed subdivision. Each lot in the development will be connected to the District's sewer and water systems, pending construction of site collection and distribution systems by the applicant. See Exhibits # 7, 8 and 165, page 17.

10. R-4 as proposed, is designated as low density residential in the relevant comprehensive plan. Other relevant plan policies cited include:

- a. Land Use Policy LU-1.1; preserve neighborhood character, while accommodating for GMA Growth Forecasts.
- b. Land Use Policy LU-1.2; guide growth to areas with capacity, where impacts will be minimized, and where growth will help areas appearance or vitality.
- c. Land Use Policy LU-1.3; phase growth and municipal services together.
- d. Land Use Policy LU-2.2; connect development, open space, recreation areas by planned street, path, and utility corridor networks.
- e. Land Use Policy LU-3.1; development should compliment existing residential development patterns.
- f. Land Use Policy LU-3.2; preserve neighborhood natural environment.
- g. Land Use Policy LU-3.4; provide controls to minimize encroachment by incompatible land uses.
- h. Land Use Policy LU-3.7; permit a range of densities to encourage a variety of housing types to serve a range of incomes.
- i. Housing Policy H-1.1; allow a variety of housing types and lot sizes.

- j. Community Design Policy CD-1.2; preserve views, natural features, and landmarks.
- k. Community Design Policy CD-2.2; encourage native vegetation in residential, commercial, industrial areas.
- l. Community Design Policy CD-2.3; use trees and landscaping to buffer surrounding land uses.
- m. Community Design Policy CD-2.4; require street trees in all development.
- n. Community Design Policy CD-2.5; require developments to retain existing significant vegetation, where feasible, through regulations in the Woodinville Zoning Code.
- o. Community Design Policy CD-3.1; integrate existing development into the character of surrounding area.
- p. Capital and Public Facilities Policy CF-3.1; require the City or other service providers to establish capital facilities service standards.
- q. Environmental Policy ENV-3.1; encourage urban forest preservation.
- r. Environmental Policy ENV-3.2; protect critical habitat areas.
- s. Environmental Policy ENV-3.3; maintain a standard of no net loss of critical habitat functions and values.
- t. Environmental Policy ENV-3.4; maintain critical area connectivity.
- u. Environmental Policy ENV-3.7; encourage native plant use.
- v. Environmental Policy ENV-4.1; protect public safety and potential seismic, flood hazard and slide hazard areas.
- w. Environmental Policy ENV-4.2; minimize the adverse affects of development on topographic, geologic and hydrologic features and native vegetation. City of Woodinville Exhibit #1 pages 13-19.

11. A majority of the Wood Trails site has been identified by the King County (1990) Sensitive Areas Map folio as an erosion hazard area. Further, multiple localized areas on the Wood Trails site have slopes exceeding 40% and therefore meet WMC criteria for identification as a landslide hazard. Exhibit #1, page 9.

12. The staff report sets forth an analysis of the City's housing allocation under the Growth Management Act (GMA) for the planning period from 2001 to 2022. The allocation comes from the overall King County carrying capacity allocation attributed to Woodinville. Staff's conclusion is that the residential zones have the capacity necessary to meet the housing allocation now without further zone changes to higher density. Exhibit #1 pages, 5 and 6.

13. There was evidence presented by CNW, both in oral testimony and in writing, that there are large numbers of single-family detached homes for sale on lots approximately the size proposed by Phoenix for Wood Trails, within ten miles of this area and therefore there is no need for more of these on this site. While many of the lots identified were in communities other than Woodinville and also related to resale of existing homes rather than new homes, the data is relevant to the Hearing Examiner's decision. See Exhibit #161, pages 11 and 12.
14. Phoenix counters with an analysis of the remaining R-4 zoning in the City and argues that the City has used a flawed capacity analysis as it relates to properties zoned R-4 and available for new development. Phoenix argues that R-4 land developed between 2002 and 2007 has not been removed from the City's inventory of available R-4 land and that the remaining vacant and redevelopable R-4 lands have not been adjusted to affect new critical area boundaries, buffers and stormwater detention requirements adopted after 2002. Phoenix Development's expert states that the available land with R-4 zoning was 2.7% of the entire City in 2001 and it is less today because of development that has occurred and because of the increased critical area buffers. See Exhibit #165, pages 63 through 67. The land zoned R-1 represents approximately 30% of the total area of the City and approximately 50% of the residentially zoned land. Exhibit #1, page 7. See also Exhibit #128.
15. There was considerable oral and written testimony regarding the site itself and whether it is suitable for the proposed development. The City directed the preparation of an EIS for this development and the Montevallo development. The technical appendices to the DEIS include two geotechnical engineering studies in Appendix C and D, a drainage report in Appendix E, a wetland and stream report in Appendix I and a wildlife habitat report in Appendix K. Responses to public comment on the geotechnical report, submitted after the EIS was finalized are in the record as Exhibit #'s 131 and 165, pages 21 through 23.
16. CNW has also submitted a substantial amount of information, which is set forth in the record as Exhibit #101, Volumes 1 and 2. Volume 1 included sections on infrastructure, transportation, stormwater and sanitary sewer. Volume 2 included sections on zoning, a buildable land survey, well established subdivisions, impacts, environment, critical areas, wildlife, hydrology and preliminary plat details. The resumes of the members of CNW who prepared the information were also set forth and showed that the preparers had creditable credentials in scientific pursuits.
17. Phoenix Development responded to some of the information in Volumes 1 and 2 submitted by CNW. See Exhibits 128 through 143.
18. The geotechnical studies found in Appendix C and D of the EIS, conclude that while there are steep slopes on the Wood Trails site, the upland areas where development is proposed are not a landslide hazard area. This is based on subsurface explorations including forty-five test pits and two borings, one to forty-nine feet. See, for example, Exhibit #131, page 2. These are site-specific studies showing that the area of the Wood Trails site which is to be developed with roads and housing exhibiting good stability and soil strength characteristics. See Exhibit #131, page 4.
19. The geotechnical reports also studied the erosion issue. WMC 21.24.290.2A classifies erosion areas within the City of Woodinville. As stated in the geotechnical reports, however, site-specific investigations with the knowledge of the proposed development activities provides a more thorough evaluation of a potential erosion hazard. The reports state, that based on the site-specific evaluations, the upland areas where the development will occur, exhibit little evidence of wide spread erosion. As the site is developed, the City will require the use of best management

practices (BMP) so that soil erosion can be managed and impacts minimized. The open space areas of the site will retain their native vegetation, and a tree retention plan has been prepared. See Exhibit #39, page 3.1-18 and Exhibit #131, page 5.

20. The materials submitted by CNW, take issue with the applicant's conclusions. Those materials show mapping of the site and indicate areas where landsliding or erosion are most likely. Their conclusion is that the landslide and erosion hazards are sufficient to disallow the R-4 zoning. Their conclusions would make any development of the site questionable, however. Exhibit #101, Volume 2 (Critical Areas).

21. The Hearing Examiner finds the evidence presented by Phoenix to be credible on this issue. After completing the analysis on 45 test pits and two borings on site, in the areas where development will actually occur, the stability of the site for development has been established by the applicant. See Exhibit #131, pages 2 through 5.

22. Seismic hazards were also presented as an issue. A relatively recent study by the U. S. Geological Service (USGS) studied a hypothesized southeastward extension of the South Whidbey Island Fault Zone. One conclusion was that strong evidence suggests that two fault strands in the Maltby-Woodinville area slipped multiple times in the Holocene (present day to approximately to 11,500 years ago). The study concludes that the overall hazards posed by the South Whidbey Island Fault Zone remain in question. The geotechnical report states that the definition in the Woodinville Municipal Code defining seismic hazard areas does not apply to the subject site. The City apparently does not disagree. The Hearing Examiner finds that the evidence of potential seismic hazards is speculative and should not be used to prohibit this development. See Exhibit #131, page 6, WMC 21.24.290.2c. Exhibit #165, page 24 and Exhibit #1, page 19.

23. Considerable information and comment was submitted on storm drainage controls for the site including information related to possible impacts to Little Bear Creek. See Exhibit #101, Volume 1 (Stormwater Drainage); Volume 2 (Critical Areas) and Exhibit #39. Storm drainage was studied extensively in the DEIS and FEIS. See Exhibit #34, Appendix E and Exhibit #39, pages 3.2-1 through 3.2-37. The analysis follows the King County Surface Water Design Manual (KCSWDM), which was used by the City at the time this plat application was filed. The analysis was based upon the KCSWDM and the analysis was accepted by the City with some modifications. Those modifications include a detention vault instead of a detention pond because of possible erosion hazards and also an upgrade to the proposed piping system if needed. Water quality impacts to Little Bear Creek were also studied. See Exhibit #134; Exhibit #165, pages 68 through 70; and Exhibit #1, pages 19 and 28.

24. It is clear that any development of the site is going to create more impervious surfaces requiring storm drainage to be adequately managed. The applicant has confirmed that the site is not suitable for infiltration and therefore proposes a tight-line piping system to a detention vault located at the bottom of the slope. That will manage the storm drainage from the developed portion of the site but the twenty-one acres of land left in open space will still produce natural storm drainage. As stated, the applicant will comply with the KCSWDM regulations, which were in effect when the plat was filed. This includes treatment of the storm drainage, which is channeled to the detention vault. While the protection of Little Bear Creek must be of area wide concern, there is no evidence submitted that convinces the Hearing Examiner that complying with the King County regulations and controlling stormwater as proposed, will have any measurable effect on

Little Bear Creek. That matter was studied extensively by the applicant in the EIS. See Exhibit #39, page 3.2-1 through 3.2-11. See also Exhibit #134 and Exhibit #165, pages 68 through 72.

25. Materials submitted by CNW dispute the applicant's analysis of wildlife on the site. See Exhibit #101, Volume 2 (Wildlife). Members of CNW have spotted numerous types of birds and other fauna in their yards, adjacent to the site and on the site. They claim that the applicant has not done enough to protect wildlife habitat on site. Wildlife was studied for the EIS and that study is found in Exhibit #34, Technical Appendix K. A summary of that technical report is set forth in the FEIS, Exhibit #39, pages 3.3-1 through 3.3-7 and 3.3-11 through 3.3-14. The conclusions are that while some urban tolerant wildlife no doubt use the site because of its forested terrain, that there is no priority wildlife habitat, or endangered or threatened species on site. The western portion of the site is to be left in open space, in its natural condition and will still provide wildlife habitat, migration opportunities and the applicant will take measures to improve the foraging for wildlife on site. See Exhibit #133 and Exhibit #165, pages 18, 19 and 20. The Hearing Examiner finds that the applicant has presented credible evidence regarding wildlife habitat protections.

26. The proposal is reasonably compliant with the Woodinville Comprehensive Plan. The Hearing Examiner hereby adopts and incorporates the discussion of Comprehensive Plan Policies set forth in Exhibit #1, pages 13 through 19; Exhibit #39, pages 3.4.22 through 3.4.28 and Exhibit #19, pages 6 through 11. Specifically the Hearing Examiner finds that the zone change will allow the development of low-density detached single-family homes in an area designated in the comprehensive plan as low density residential. While arguments have been made that the adjacent neighborhood is much less dense, R-4 is still classified as low density. In addition, this development only borders the R-1 on one side and buffering, as has been recommended by the City, can alleviate impacts from a slight difference in density. The site will be served with City water and sewer and the street network will be improved. Much of the site will be left in a Native Growth Protection Area (NGPA) which will provide habitat and open space. It presents a range of densities, which encourages a variety of housing types to serve a variety of income levels. It preserves much of the natural features of the site, such as the steep slopes and will preserve trees in accordance with the City's Tree Retention regulations. Exhibit #1, pages 13 through 19.

Criteria for a Rezone

WMC 21.44.070 sets forth the zone reclassification criteria. It states: "a zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the comprehensive plan and applicable functional plans and complies with the following criteria:

- 1) There is a demonstrated need for additional zoning of the type proposed;
- 2) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties; and,
- 3) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

In addition, in WMC 21.04.080, which describes the residential zones, it states:

(1)(a) providing, in the low density zones (R-1 through R-4), for predominately single-family detached dwelling units. Other development types such as

duplexes and accessory units, are allowed under special circumstances. Developments with densities less than R-4 are allowed only if adequate services cannot be provided; (emphasis added)

The courts have held:

Rezones are not presumed valid. The applicant has the burden of showing that either conditions have changed since the original zoning or that the proposed rezone implements policies of the comprehensive plan and that the rezone bears a substantial relationship to the public health, safety, morals or welfare. General conformance with the Comprehensive Plan, not strict conformance is all that is required. The requirements of local ordinances must also be satisfied. Woods v Kittitas County 130 Wn App 573 (2005).

Conclusions on Rezone Application

1. Based on the findings by the Hearing Examiner as stated above, the Hearing Examiner concludes that the proposal is generally consistent with the City's Comprehensive Plan. See Exhibit #1, pages 13 through 18 and Exhibit #39, pages 3.4-22 through 3.4-28. A proposed rezone that furthers the goals of the local Comprehensive Land Use Plan, bears a substantial relationship to the public health, safety, morals or general welfare. Henderson v. Kittitas Co. 124 Wn.App. 747, 756 (2004)

2. The Hearing Examiner concludes, based upon the findings above that the criteria for a rezone have been met. They are:

A. There is a demonstrated need for additional zoning of the type proposed.

This criterion is a many faceted criteria. The City has analyzed it according to its GMA growth allocation from King County and found that Woodinville could meet its housing allocation without this rezone. The applicant's expert criticized the City's study as not fully analyzing the amount of actual R-4 Zoning there was in the city for development. Most of the housing development that has occurred since 2002 has been in apartments and condominiums rather than single-family residential uses. As the applicant's expert demonstrated, if the amount of R-4 developed between 2002 and 2007 were removed from the available R-4 land totals, the amount of R-4 available for new development or redevelopment would be much less than the existing amount cited by the City which still was only 2.7% of the land area of the City. The R-1 Zone by contrast, makes up nearly 30% of the City's zoning. Clearly more R-4 Zoning is needed to create a diversity of building sites availability by establishing more areas where detached single-family can be constructed at lower densities than R-1 densities. In addition, the Growth Management Hearings Board has held that Woodinville is not to perpetuate one-acre lots that will effectively thwart urban development. Urban develop being defined by the Board as four units per acre. See Hensley v Woodinville CPSGMHB Case number 96-3-0031 (February 25, 1997).

The Growth Hearing Board has held that a minimum urban density is four units per acre. The Supreme Court held in the case of Viking Properties v. Holm 155 Wn.2d. 112 (2005) that the Growth Boards don't have the authority to make "Bright line tests". The

Boards do have authority, however, to determine whether a City is in compliance with GMA. RCW 36.70A.280. One of the goals of GMA is to encourage urban development within urban areas and reduce sprawl. RCW 36.70A.020. The Hearings Board in the Hensley case, as cited above, have determined that one acre zoning will effectively thwart urban development. Therefore, the fact that the City has 30% of its zoning in R-1 and only 2.7% in R-4 clearly demonstrates the need for more R-4 zoning. Therefore, the Hearing Examiner finds that this criterion has been met.

B. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties.

The uses to the west are industrial but the steep slope's natural vegetation will create an appropriate buffer between the R-4 and the industrial uses. To the north is Snohomish County and the land has a rural designation and is outside the City and any urban growth area. The adjacent zoning to the east and south is R-1. As stated above, both R-1 and R-4 are designated in the low-density residential category and this site will be developed with single-family residential uses although at a higher density than the R-1. While there was considerable argument made that the R-4 would not be compatible with the R-1, both are detached single-family uses and both are considered low-density zoning by the City. See WMC 21.04.080(1)(a).

In addition, the Woodinville code in place when this application vested, clearly stated that this property could not be developed as R-1 because utilities are available. This would put the applicant in a Catch-22 position of having property that could not be developed with either R-4 or R-1. The code has since been changed, but the old code still applies. It should also be noted that pursuant to WMC 21.08.030, the R-1 through R-4 are located in what's known as the Residential Low Density Zone. Therefore the Hearing Examiner must find that the zone reclassification to R-4 is consistent and compatible with the zoning of the surrounding properties.

C. The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

As noted above, the property was studied extensively in the DEIS and FEIS. Both the applicant's experts and the City's reviewing experts concluded that the site was suitable based on the characteristics of the site. The extensive study of geotechnical aspects, stormwater drainage, landslide hazards and erosion hazards convinces the Hearing Examiner to conclude that the site is suitable. The soils in the upper portion of the site have the strength to be developed with single-family dwelling units at the proposed density and the steeper portions of the site will be retained in their natural state as open space. Stormwater can be accommodated and with the conditions of approval as set forth in this decision, the site is suitable for development.

FINDINGS RELATED TO THE PRELIMINARY PLAT

1. The Hearing Examiner hereby adopts and incorporates all findings and conclusions from the previous section relating to the general findings and the rezone request.

2. The preliminary plat as filed is set forth in the record as Exhibit #11. The applicant also submitted a conceptual Wood Trails site plan which depicts recommended conditions of approval from the staff report. That is in the record as Exhibit #65. The Wood Trails plat with data information is set forth in Exhibit #64.
3. Wood Trails as proposed meets the R-4 zoning criteria for depth, front and side lot lines and building setbacks as they were set forth in the subdivision code when this proposal was vested. Exhibit #1, page 20. The proposed lot and street layout will be in conformance with the Woodinville Municipal Code. See WMC 20.06.040 and 20.06.130. Exhibit #1, page 20.
4. The Wood Trails proposal is for detached single-family residential uses which is allowed in the zoning code. WMC 21.08.
5. This preliminary plat proposes sixty-six lots with approximately 21.9 acres of open space protected in perpetuity as a Native Growth Protection Area (NGPA). The gross density is set forth in the application as 1.7 units per acre. Exhibit #19, pages 2 and 3.
6. Wood Trails contains a wetland that is being eliminated for the installation of a drainage vault. The wetland will be relocated to the NGPA area located on Tract A and it will be enhanced/enlarged on a two to one basis. Exhibit #1, page 21.
7. The applicant has asked for the right to transfer residential density to the Montevallo receiving site. Under the applicant's analysis, nineteen credits can be transferred. Staff has analyzed the applicant's calculation and revised them based on conditions of approval, such as additional roadway improvements and determined that nine density transfer credits should be allowed. See Exhibit #1, pages 22 and 23. The preliminary plat will be served by public water and sewer service from the Woodinville Water District. Exhibit #165, page 17.
8. Comments from the Woodinville Fire and Life Safety Deputy Chief and also the Chief of Police for Woodinville indicated neither agency found any significant impacts on their operations from the development of the site. Exhibit #39, pages 7.2 and 7.3.
9. The internal roadways will be constructed to full standards and will connect with existing rights-of-way. Four east west streets will serve the plat. NE 195th Street, NE 198th Street, NE 201st Street, and NE 202nd Street. The connections to those streets will also be constructed to full standards. Those four streets connect to 156th Avenue NE to the east. Staff has noted that road section "B" as depicted on the plat, will be allowed to be built to a reduced standard because of environmental and grade constraints and to allow for a reduction in impervious surface. Exhibit #1, page 25.
10. The transportation network and the project's impacts on that network were studied extensively in the EIS. See Exhibit #39, section 3.5. Traffic safety was studied in Exhibit #39, section 3.5.1.8 and the conclusion was that safety should not be a big concern despite the limitations of the roadways serving the plat. The traffic study also did a Level Of Service (LOS) analysis and found that all of the intersections would still be within acceptable LOS standards. Exhibit #39, table 3.5-6 on page 3.5-56. The traffic analysis in the FEIS received a peer review from Parametrix a consultant to the City's Public Works Department and Parametrix agreed with the traffic analysis that had been performed by Transpo Group and Pertteet Engineering. See Exhibit #39-Additional Information located in the back of the FEIS.

11. Many issues were raised both during the hearings and in written testimony regarding the transportation system. Those concerns related to sight deficiencies on existing roadways, inferior road widths and lack of sidewalks on the four streets that provide access to this plat and a concern that the consultant used inadequate traffic growth figures. See Exhibit #101, Volume 1 (Transportation). The Transpo Group who did the EIS analysis responded to that information. See Exhibit #129. CNW responded again at Exhibit #161 and Transpo responded one more time at Exhibit #165, pages 14 through 16. The Hearing Examiner understands that the four roads which access Wood Trails are not built to City standards, have some sight distance deficiencies and very few sidewalks. The Hearing Examiner is not convinced, however, that will result in a significant number of accidents or other safety concerns. The people who now drive these roads are obviously careful because the accident reports are minimal. There was no convincing evidence submitted that people living in Wood Trails will drive otherwise. Further, the applicant's consultant has suggested mitigating measures in the way of signage and other traffic calming devices which could result in safer roadways if found necessary by the City. See Exhibit #129, page 2. The applicants consultant, the Transpo Group and the City's consultant, Perteet Engineering have followed standard methodology in conducting these traffic studies. They were given a peer review and the Hearing Examiner finds them to be credible.
12. The City of Woodinville requires payment of a Traffic Impact Mitigation Fee (TIF) for each dwelling unit created. TIF fees are determined by the zone in which the site is located. This site is in the Leota Zone. TIF fees are paid at the time a building permit for a dwelling unit is issued. The amount of the fee will be determined by the applicable fee ordinance at the time the complete building permit application is submitted to the Development Services Department. See Chapter 3.39 WMC and Exhibit #1, page 26.
13. Students who reside in the Wood Trails plat will attend schools in the North Shore School District #17. They would attend the Wellington Elementary School, the Leota Junior High School or the Woodinville High School. Staff states that enrollment in the North Shore School District; particularly in the eastern portion of the district where the plat is located, is experiencing slow growth and declining enrollment. Therefore, adding some number of students to the schools would not have a significant adverse impact on those schools. The applicant has submitted a North Shore School District school walk safety assessment. Exhibit #9. The school district reviewed the proposed subdivision and suggested that the area along NE 198th Street meets acceptable standards. Exhibit #1, page 26.
14. There are no existing City of Woodinville parks, recreation facilities or properties in the West Wellington Neighborhood or within close walking distance. This plat, however, is subject to the Park Impact Fee Ordinance, Chapter 3.36 WMC. A park impact fee will have to be paid to contribute to future park improvements.
15. There are no transit stops within what would be considered walking distance from this proposed plat. There is transit service to Woodinville, however. King County Metro operates two transit routes in the vicinity of the project site. A park and ride lot is located in the downtown area. Exhibit #39, page 3.5-30.
16. The applicant has submitted a preliminary tree retention map which is in the record as Exhibit #12. Staff has found that the proposal complies with landscape and tree retention standards of WMC 21.16.130 through 200. A final plan will also be required.

17. The applicant has requested several deviations from standards set forth in Woodinville's codes and regulations. Those requests and the City's response are set forth in Exhibit #1, pages 10 and 11. The proposed deviations which have been granted by the City include:

- a. The first request is to divert stormwater away from the natural discharge point and connect pond outfall to a closed pipe system. This was approved by the City with the conditions that an analysis of the conveyance systems sizing must be made to reduce impacts on the existing system. If the existing stormwater system cannot accept flows, that system must be upgraded.
- b. The applicant has requested a deviation to reduce right-of-way width standards. This was not allowed except for road section "B". That will be allowed to be built to a reduced standard because of environmental and grade constraints and a reduction in impervious surface.
- c. The applicant's road "B" is a modified loop cul-de-sac. The City has found that it meets the design criteria for a deviation from the standard that streets be no longer than 150 feet.
- d. The City has approved the elimination of a Class 3 wetland at the bottom of the slope in order to provide an area for a detention facility. Mitigation will be required on a two to one basis on Tract A, prior to any final plat approval.
- e. The applicant requested a deviation to allow the installation of utilities in steep slope areas. The City will allow it upon a showing of proper design and anchorage of utilities within a combined trench. Stormwater pipes must be anchored on the surface.

No other deviations were approved by the City. See Exhibit #1, pages 10 and 11.

Conclusions on Preliminary Plat Application

Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide preliminary plat applications pursuant to Woodinville Municipal Code (WMC) Section 20.08.030.

Criteria for Review

To approve a preliminary plat, the Hearing Examiner must find that the following criteria set forth in WMC 20.06.020 are satisfied:

- A. **Goals and Policies.** The proposal conforms to the goals, policies, criteria and plans set forth in the City of Woodinville comprehensive plan, community urban forestry plan, and parks, recreation and open space plan;
- B. **Development Standards.** The proposal conforms to the development standards set forth in WMC Title 21, Zoning Code;

- C. Subdivision Standards. The proposal conforms to the requirements of WMC 20.06.020 – Review and Approval Criteria for Subdivisions, WMC 20.06 – Subdivisions and WMC 17.09.020 – Project Permit Application;
- D. Proposed Street System. The proposed street system conforms to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;
- E. Utilities. The proposed subdivision or short subdivision will be adequately served with City approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
- F. Layout of Lots. The proposed layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
- G. Geologically Stable Soil. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
- H. Safe Walking to School Procedures. Safe walking to school procedures, as established by the City, have been met;
- I. Tree Preservation. Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

Conclusions Based on Findings

1. With conditions, the proposal meets "Criteria A." because it conforms to the goals, policies, criteria, and plans set forth in the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation and open spaces plan. Subdivision development will occur in an area zoned for low-density residential development and surrounded by existing low-density residential development except for the area to the west which is zoned industrial. In the FEIS developed for the proposed subdivision, the mitigation suggested will become conditions of approval. Significant trees will be preserved and the applicant shall establish a Native Growth Protection Area (NGPA) to preserve open space and steep slopes. See also the Findings and Conclusions on the Comprehensive Plan Compliance set forth under the Zoning Section. Conditions of approval are necessary to insure that erosion and sedimentation resulting from subdivision development is adequately controlled using Best Management Practices and that stormwater is adequately controlled and disposed of.
2. As proposed, the proposal meets "Criteria B." because the lots in the plat are consistent with the density and dimensional standards of the R-4 zoning district and would be compatible with surrounding development. With an approval of a rezone to R-4, the proposed subdivision density is consistent with the density provisions of the City code. No lot is to be less than the minimum lot size or minimum lot width. The proposed subdivision while being slightly more dense than the

properties to the east, will still result in low density detached single-family residential development, which is consistent with uses on the lands to the east.

3. With conditions, the proposal meets "Criteria C." because the proposal is consistent with the subdivision standards set forth in WMC Chapter 20.06, including those pertaining to lot standards, easements, water supply, sewage disposal, storm drainage, watercourses, street right-of-way widths, street lighting and recreation. Subdivision lots will meet minimum lot size and width standards for the R-4 zone. Woodinville Water District will provide water and sewer service to the proposed subdivision. Stormwater runoff from the subdivision will be collected and impounded on site and then routed off-site in accordance with applicable stormwater regulations. The preliminary plat map is consistent with R-4 zoning. The applicant shall pay a park mitigation fee to the City upon the issuance of a building permit for each dwelling.

Certain conditions of approval are necessary to ensure the proposed subdivision meets the code and those conditions will be in place for this plat.

4. With the deviations granted by the City engineer, the proposal meets "Criteria D." because the proposed street system conforms to the City of Woodinville standards and provides for the safe, orderly, and efficient circulation of traffic. The streets in the plat conform to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and are laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic.

5. The proposed subdivision meets "Criteria E." because it will be served with water and sewer by the Woodinville Water District.

6. The proposal meets "Criteria F." because the layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings maybe reasonably sited and that the least disruption of the site, topography, trees and vegetation will result. The eastern upper portions of the site are the flattest and will be where development occurs and the steep slopes will be left in open space. Trees will be retained in accordance with code requirements, and a Natural Growth Protection Area (NGPA) will be established. A landscape plan and tree retention plan has been submitted and will be a requirement with final plat submission.

7. A geotechnical study concluded that the site soils are suitable for urban residential development. The design of the lots and the stormwater system considered site grades and topography. Therefore, the proposal meets "Criteria G."

8. Safe walk to school procedures have been complied with, meeting "Criteria H."

9. "Criteria I." has been met because tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

DECISION

Based on the preceding Findings and Conclusions, the Hearing Examiner recommends that the rezone from R-1 to R-4 be approved by the City Council and also approves the subdivision of this property into 66 residential lots with a density transfer of 9 lots to the Montevallo plat. The

property shall be developed substantially in accordance with plans submitted and as modified by these conditions of approval. This approval is granted subject to the following conditions:

GENERAL

1. The City Development Services Director shall have the authority to direct the developer or his on-site representatives to immediately cease activities and redirect their attention to resolving any problem, particularly any environmental degradation, which in the director's opinion needs immediate resolution. Failure of the developer or his representative to redirect such labor and equipment shall result in immediate project closure and resolution of the problem by the City. The developer will be billed for such City time and materials involved in resolving the problem, which shall include a penalty of 10% of the assessed cost. Such bill shall be paid prior to the City removing the closure.
2. Mail routes and mailbox locations shall be approved by the postmaster. Mailbox locations shall also be approved by the City Engineer to insure they do not interfere with traffic sight distances.
3. The Natural Growth Protection Area (NGPA), the landscape strips and any other private common areas shall be maintained by a homeowners association. A set of covenants, conditions, and restrictions (CC&Rs) prepared for the proposed development is subject to review and approval by the City of Woodinville, and shall be recorded with the King County Auditor's Office prior to the recording of the final plat. The CC&Rs shall address the duties and responsibilities of the homeowners association with respect to common areas. This includes, but is not limited to the levying and collection of assessments, and the operation, maintenance and preservation of all common areas and facilities and shall also provide for the administration and enforcement of these duties and responsibilities. The City shall be kept informed of all names and addresses of current association officers.
4. The final plat shall include a clause requiring property owners and the homeowners association to maintain, in a uniform manner, City right-of-way/easements located between their property lines and the back of adjacent sidewalks. The City shall have the authority to enforce such maintenance. If, upon being informed by the City to perform such maintenance and said property owner does not comply, the City shall have the option of maintaining the right-of-way/easement and shall bill the property owner for all associated costs including administrative costs. If City invoices are not paid within ninety (90) days, the city shall have the option of attaching a lien against said property.
5. Maintenance bond(s) amounts must be approved by the Public Works Director and bonds shall be submitted to the City prior to final plat approval. The maintenance bond shall be for a minimum of two (2) years. At the end of the bonding period, the City shall inspect the installed infrastructure. Any infrastructure that appears defective or has deteriorated beyond normal expectation for the bonding period shall, at the City Engineer's direction, be repaired or replaced to the satisfaction of the City.
6. A maximum of nine (9) dwelling units are eligible to be transferred from the Wood Trails (sending site) in accordance with the WMC 21.36.030 and WMC 21.36.050 (Transfer of Residential Density Credits) to the proposed Montevallo project site, which is being processed under a separate permit number.

7. Plat plans shall include City signature block.

ENVIRONMENTAL – Reference Final EIS (Exhibit 39).

1. The wetland relocation and class must be shown on the plat drawing. The site receiving the wetland must submit an application for environmental review (separate Land Modification Permit). The restored wetland will be replaced on a 2:1 ratio on Tract A prior to issuance of the first home certificate of occupancy. The restoration plan shall be submitted with the engineering plans.
2. The geotechnical Engineering Study does not address the utility installation in the geological hazard area. Applicant's geotechnical engineer shall provide a comprehensive geotechnical report and recommendations for the application of utilities, infrastructure, and housing.
3. The Natural Growth Protection Area (NGPA) is to be dedicated to the homeowners association. The boundary of the NGPA shall be delineated by an approved fence (split-rail) with signage approved by the City. The signs shall be located every 100 feet along the NGPA boundary; additionally, there shall be a sign centered along each lot line adjacent to the NGPA.
4. Anywhere on the slope where infiltration or dispersion is proposed within 50 feet of the top of the slope, piping to a detention facility shall be required because of erosion hazards.
5. The applicant shall comply with the suggested mitigating measures set forth in the FEIS Exhibit #39.

FIRE

1. Road width and construction for Fire Department access must meet City of Woodinville Transportation design requirements (TISS).
2. Curb turning radius shall be a 25-foot curvature.
3. Fire Department access roads with dead-ends over 150 feet shall have an approved turn-around per City of Woodinville Transportation Infrastructure Standards and Specifications (TISS).
4. Fire hydrants shall be installed in compliance with requirements of the City Engineer and the Fire Marshall. Hydrant spacing shall be in accordance with Uniform Fire Code, Appendix III-A and B.
5. A current hydrant flow chart is required at the closest hydrant to each structure at the time of building permit submittal for that structure. Fire flow will be calculated based on the square footage of each structure. Homes not meeting minimum fire flow requirements shall be provided with an automatic fire sprinkler system.
6. Homes served by access roads greater than a 15 percent grade shall be provided with an automatic fire sprinkler system.
7. City "No Parking" signs shall be provided for one side of any street less than 28 feet wide.

8. Any road used for fire department access which is 28 feet or less in width shall have parking on one side of the street only. Any road used for fire department access 26 feet or less shall have no parking on either side of the street. Note: This requirement is not to be construed as an approval of any deviation request for roads narrower than that required by the City of Woodinville Transportation and Infrastructure Standards. Example: A deviation is noted on Road B

9. Homes 5,000 square feet or greater in size shall be provided with an automatic fire sprinkler system per International Fire Code (IFC) pending site development.

IMPACT FEES

1. This project ~~is subject~~ to the following impact fee Ordinances:

- a. Transportation Impact Fee (TIF) Ordinance codified at Chapter 3.39 WMC
- b. Park Impact Fee (PIF) Ordinance codified at Chapter 3.36 WMC

LANDSCAPE & TREE RETENTION

1. The applicant shall develop the same size lots immediately adjacent to the site on the east, compatible with adjacent existing Wellington neighborhood lots ~~or~~ plant a 50 foot (this is an increased width) Type I Full Screen Buffer per Chapter 21.16.040(1).

2. This project shall comply with City street tree requirements. Street trees shall be provided as follows, per WMC 21.16.050:

a. The trees shall be owned (unless in the City right-of-way) and maintained by the homeowners association. Ownership and maintenance shall be noted on the face of the final recorded plat.

b. The species of trees retained shall be reviewed and approved by the City of Woodinville Development Services Department. If located within the right-of-way, trees shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers or which are not compatible with overhead utility lines.

c. Street trees shall be located within the street right-of-way and planted in accordance with WMC 2.24.090, City of Woodinville Public Infrastructure Standards and Specifications, Landscaping Section 7, Details 341, 342, and in accordance with the Public Tree Care Standards Manual.

d. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, the performance bond must be replaced with a maintenance bond, per WMC 21.24.150, held for a period of up to five (5) years. The duration of maintenance/monitoring obligations shall be established by the Planning Director, based upon the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures. After the

maintenance period has ended, the maintenance bond may be released after the City of Woodinville Development Services Department has completed a second inspection and determined that the trees have been kept healthy and thriving. A detailed tree retention plan shall be submitted with the engineering plans for the subject plat. The tree retention plan (and engineering plans) shall be consistent with the requirements of WMC 21.16.140;

3. No clearing of the subject property is permitted until the final tree retention and grading plan is approved by the City of Woodinville Development Services Department. Flagging and temporary fencing of trees to be retained shall be provided, consistent with WMC 21.16.160;
4. The placement of impervious surfaces, fill material, excavation work, or the storage of construction materials is prohibited within the fenced areas around preserved trees, except for grading work permitted pursuant WMC 21.16.160;
5. A note shall be placed on the final plat indicating that the trees shown to be retained on the tree retention plan shall be maintained by the future owners of the proposed lots, consistent with WMC 20.06.175 20.06.190 and 21.16. (Note that the tree retention plan shall be included as part of the final engineering plans for the subject plat.);

SURFACE WATER

1. Detention Pond Tract D – The City requires the installation of a detention vault instead of a detention pond because of erosion hazards and close proximity to adjacent industrial buildings that could pose a safety concern. Measures shall be taken to limit erosion along the slopes above the vault to stabilize the site. Example: installation of erosion control mats, hydroseeding, or other appropriate permanent vegetation.
2. Tract D shall be dedicated to the City of Woodinville for maintenance of the vault.
3. Allowable impervious areas on each lot must be labeled on the plat drawing.
4. Stormwater shall be conveyed by using continuous fused HDPE pipe on the hillside and constructed per standards; including anchoring to the surface to reduce erosion impacts.

TRANSPORTATION

1. A transportation impact fee is required. This project is subject to Transportation Impact Fee (TIF) Ordinance 3.39. TIF fees are paid at the time of building permit issuance. The fee amount shall be the amount in effect as of the date of the filing of a complete building permit application for each dwelling unit. The applicant shall submit a completed TIF Worksheet with each (new dwelling) building permit.
2. All street names shall be shown on the plat plans (Example: 156th Avenue NE).
3. Bollards shall not be installed in any public right-of-way.
4. All north/south roads will be constructed to full standards. Connections from existing rights of way (NE 195th St, NE 198th St, NE 201st St, and NE 202nd) will be constructed to full standards. Only road section "B" will be allowed to be built to a reduced standard because of environmental and grade constraints and a reduction of impervious surface. Note: Density will

- be calculated using full roadway standards – including Road B. (Exhibit 11).
5. The proposed roads shown on the plat drawings must satisfy City standard for high density residential streets (TISS Detail 104A and 104B).
 6. Street layout/geometry must satisfy City TISS requirements.
 7. The Geotechnical Engineering Study does not address the proper road pavement section. City standard roadway section (TISS Detail 104B) for High Density Residential Streets must be used.
 8. All right-of way must be shown with dimensions and labeled on the plat drawing.
 9. The City Limits must be shown on the plat drawing.
 10. According to a site traffic impact analysis of the City of Woodinville Public Works Department (Exhibit #38), Chapter 3.5, Transportation, in the Final Environmental Impact Statement issued on December 12, 2006, the City projected additional peak period traffic generated by this project. Accordingly, this project is subject to the City of Woodinville Transportation Impact Fee Ordinance codified at Chapter 3.39 WMC.
 11. All required improvement shall be completed before final plat approval.
 12. Drawings of record shall be approved and signed by the Public Works Director prior to final plat approval.
 13. The City Engineer shall approve all plans for city infrastructure and shall approve such installation prior to acceptance by the City.
 14. Maintenance bond(s) amounts are to be approved by the Public Works Department and bonds shall be submitted to the City prior to final plat approval. The maintenance bond shall be for a minimum of two (2) years. At the end of the bonding period, the city shall inspect the installed infrastructure. Any infrastructure that appears defective or has deteriorated beyond normal expectation for the bonding period shall, at the City Engineers direction, be repaired or replaced to the satisfaction of the City.

This includes:
 - a. Landscape – 2-Year Maintenance Guarantee
 - b. Lighting – 2-Year Maintenance Guarantee
 - c. Site Improvements – 2-Year Maintenance Guarantee
 - d. Wetland – 5-Year Maintenance Guarantee
 15. Street lighting shall be in compliance with city standards as approved by the City Engineer.
 16. Future connectivity points (manholes and lateral connections) shall be provided per Woodinville Water District (at all street connections at property boundaries).
 17. City of Woodinville recommends that sewer laterals be placed at every other property edge along 202nd Street between Wood Trails and Montevallo developments as a mitigation measure

of street impacts.

18. All other utilities shall be placed underground within the development.

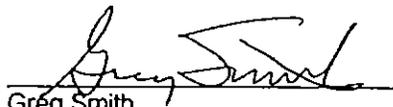
19. The final plat must show proper design and anchoring of utilities within a combined trench. They must meet the requirements for steep slopes and erosion hazard areas.

OTHER CONSIDERATIONS:

Preliminary approval of this application does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body. This may include, but is not limited to the following:

- a. Forest Practice Permit from the Washington State Department of Natural Resources.
- b. National Pollutant Discharge Elimination System (NPDES) Permit from WSDOE.
- c. Water Quality Modification Permit from WSDOE.
- d. Water Quality Certification (401) Permit from U.S. Army Corps of Engineers.

DATED this 16th day of May 2007.



Greg Smith

City of Woodinville Hearing Examiner pro tem

Testimony Listing:

Spoke 03/14/2007 Spoke 4/05/2007 Spoke 03/15/2007

Shading represents difficulty in reading sign in sheet

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Ray Coglas Earth Solutions NW 2881 152nd Avenue NE Redmond, WA 98052	3/14/2007	4/5/2007	
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**Wood Trails PPA and ZMA Exhibit Index List –
Revised 05/01/2007 by Sandy Guinn**

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1	Wood Trail Staff Report, including referenced to all applicable codes, comprehensive plan, regulations. Exhibits 2 through 51 are exhibits to the staff report (Exhibit 1).	41
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3	PPA WT Title Report	54
4	PPA WT Legal Description	1
5	PPA WT Vicinity Map	1
6	PPA WT Density	2
7	PPA Certificate of Water Availability	5
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9	PPA Northshore School District Walk Safety Assessment	3
10	PPA Development Consistency Checklist	4
11	PPA WT Preliminary Plat Plan	9
12	PPA WT Preliminary Tree Retention Map (duplicate of page 3 of Exhibit 11 to staff report)	1
13	PPA - Letter of Completed Application	2
14	PPA Signed Notice of Application	2
15	PPA Proof of Publication - Notice of Application	1
16	PPA Affidavit of Site Posting Notice	4
17	WT General Application ZMA 2004-053	4
18	ZMA Application SEPA Checklist	15
19	ZMA Project Description and Rezone Analysis - Triad	26
20	ZMA Letter of Complete Application	2
21	ZMA Signed Notice of Application	2
22	ZMA PPA Proof of Publication – Notice of Application	1
23	ZMA Property Owner Radius Map and Mailing List	5
24	ZMA State of Washington Department of Community, Trade and Economic Development – Reviewing and approval letter with list of reviewing agencies.	2
25	SEPA Application SEP2004-055	3
26	SEPA Environmental Checklist	15
27	SEP Letter of Complete Application	2
28	Scoping EIS – Signed Notice of Determination of Significance	3
29	Proof of Publication - Scoping EIS - Notice of Determination of Significance	2
30	Signed Notice of Revised EIS Scope 12/20/04	2
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32	Signed Notice of Draft Environmental Impact Statement (DEIS) - Availability Notice	2
33	Proof of Publication - Final Environmental Impact Statement (DEIS) - Availability Notice	1

34	Cover Sheets for Volume One and One Appendices of the Draft Environmental Impact (DEIS) – Report and Appendices A-L. Draft available for review at City of Woodinville's Development Services's counter. SEE MONTEVALLO EXHIBIT #35	2
35	Signed Notice of Official Director's Interpretation Regarding Appeals Procedure of Final Impact Statement (FEIS) 11/6/06	11
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39	Cover sheets for Volume One and Two Appendices of the Final Environmental Impact Statement – Report and Appendices A-P. Draft available for review at City of Woodinville's Development Services's counter. SEE MONTEVALLO EXHIBIT #40	3
40	Applicant's Requests for Deviation From Standards on project	31
41	Wood Trails Area Property Owners; Party of Record; and Agency Distribution Lists	12
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47	Applicant's Consent Letter for Separate Public Hearings	1
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56	Email sent March 13, 2007 from Julia Poole to Susie McCann; Cindy Baker; Fred Green; Barbara Poole with cc to Council	1
57	Email dated March 13, 2007 from Leroy Kuebler to Cindy Baker	1
58	Email dated March 13, 2007 from Patricia Zulauf to Susie McCann	1
59	Letter dated March 14, 2007 from Cindy Baker, Interim Development Services Director, City of Woodinville to Fred Green, President, Concerned Citizens of Wellington with attachments	7
60	Letter dated March 12, 2007 from Jeff Glickman (with attachments) to Mr. Richard Leahy, City Manager	10

61	Letter dated March 12, 2007 from Richard Block, Peter Tountas, Christy Diamond, Susan Huso, Dave Henry, and Emma Dixon to Mr. Richard Leahy, City Manager, City of Woodinville	7
62	Email dated March 14, 2007 from Adele Traverso to Jennifer Kuhn and forwarded to Cindy Baker March 14, 2007	1
63	Board – Compilation of Wetlands, Reconnaissance, and Inventories	1
64	Board – Wood Trails - Data Information	1
65	Board - Conceptual Wood Trails Site Plan (Applicant's Depiction of Staff Report)	1
66	Board – Wood Trails Preliminary Grading and Utility Plan with easements highlighted in orange	1
67	Board – Woodinville Neighborhoods (Wood Trails and Montevallo land area highlighted)	1
68	Board – Land Use: Residential Parcel Size (R-1 zoning) with Montevallo and Wood Trails parcels highlighted	1
69	Board – 2004 Topography of the City Woodinville, Lidar Source: King County	1
70	Board - Wood Trails Preliminary Plat submitted 6/19/04 with approximated steep slopes and wetlands outlined	2
71	Email dated March 14, 2007 from Cindi Stinson to Cindy Baker; Susie McCann	3
72	Email dated March 6, 2007, from Susan Huso to Cindy Baker	2
73	Letter dated March 8, 2007, from Greg Smith, City of Woodinville Hearing Examiner pro tem, to G. Richard Hill, J. Richard Aramburu, J. Zachary Lell, and Cindy Baker	2
74	Letter dated February 22, 2007 from J. Richard Aramburu to Mr. Greg Smith, City of Woodinville Hearing Examiner (with attachments)	12
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76	Wood Trails 2004-2007 compilation of Public Notices (to be deposited)	60
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81	Letter dated March 12, 2007 from Becky N. Warden to Cindy Baker, Interim Development Services Department, City of Woodinville	2

82	DVD of the Wood Trails Video taped at March 14, 2007 public hearing	1 DVD
83	Sustainable Development Study – R-1 Zone Final ■ City of Woodinville ■ February 20, 2007	524
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97	DVD One: Traffic 4 PM_ March-08-2007 Woodinville - Dvuall Rd 156th Avenue NE DVD Two: Traffic 5 PM_MAR_08_07 Woodinville – Duvall Road	2 DVDs
98	Wellington CCRs	1 cd
99	Letter submitted by Mike O'Grady dated March 14, 2007	2
100	Species Occurrence by Month 2000-2006 (Yard list from 15124 NE 198 th St)	2

101	Two sets of 3 volumes were submitted to the Hearing Examiner by the public. It was stated that both sets were exactly the same except the cover. One cover was Montevallo and one was Wood Trails. Because of their size, only one will be relied on as an exhibit. Analysis of Wood trails Rezone and Preliminary Plat Application, Volumes One, Two, Three, and one CD – See Montevallo Exhibit #74	2144 and one CD
102	Letter dated April 5, 2007 from Jeff Glickman addressed to Greg Smith, Hearing Examiner - submitted by Jeff Glickman	69
103	Photographs/documentation submitted by Robert Harman	11
104	Letter from Helen Gottschalk dated April 3, 2007, addressed to Mr. Examiner submitted by Helen Gottschalk	1
105	Woodinville City Council Hearing of March 12, 2007, verbatim transcript submitted by Attorney Aramburu	22
106	Typed Comments submitted by Lisa Rhodes	2
107	Woodinville Weekly Editorials dated April 5, 2007, submitted by Matthew Jenson	33
108	MLS Analysis of "Need" dated April 5, 2007 submitted by Matthew Jenson	8
109	Comments submitted by Matthew Jenson	2
110	Letter from Doyle & Janet Watson dated April 3, 2007 addressed to City Hall c/o Hearing Examiner submitted by Janet Watson	2
111	Letter from The Children of Doyle and Janet Watson dated April 3, 2007 addressed to Hearing Examiner, City of Woodinville and written comments from Darcy Morrissey submitted by Darcy Morrissey	2
112	Letter from Todd Higgins dated April 1, 2007, submitted by Roger Mason	1
113	Todd Higgins Informed Consent DVD interview submitted by Roger Mason	1 DVD
114	Typed comments submitted by Susan Huso	6
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116	Complaint For Declaratory Relief and Petition for Writ of Review dated July 13, 2005, Kitsap Citizens for Rural Preservation, a non-profit organization, v. Kitsap County, Respondent/Defendant, submitted by Susan Huso	11
117	Copy of Kitsap County Ordinance No. 350-2005 dated November 28, 2005, submitted by Susan Huso	2
118	Letter from Jeff Glickman dated April 5, 2007 (with attachments) addressed to Greg Smith, Hearing Examiner, submitted by Jeff Glickman	10

119	Email sent April 4, 2007 from Jeff Glickman to Mr. Richard Leahy, City Manager, Mr. Zach Lell, City Attorney, Mr. Greg Smith, Hearing Examiner, Ms. Cynthia Baker, Interim Development Services Director (submitted by Jeff Glickman)	1
120	Typed comments from Brad Rich read/submitted into the record by Nathan Rich	2
121	Typed comments, with attachments, from Steve Gottschalk addressed to Mr. Smith, submitted by Steve Gottschalk	36
122	Narrative to accompany video of traffic operations at Woodinville-Duval Rd and 156 th Avenue NE submitted by Roger J. Mason, PE	4 pages and 2 DVDs
123	Letter dated April 5, 2007 from Susan Boundy-Sanders addressed to Hon. Greg Smith, Hearing Examiner pro tem for the City of Woodinville regarding R-1 versus R-4 in recent Woodinville City Council and Woodinville Planning Commission deliberations, recommendations, and decisions – submitted by Susan Boundy-Sanders	18
124	Letter dated April 5, 2007 from Susan Boundy-Sanders, MS Geology, Caltech, addressed to Hon. Greg Smith, Hearing Examiner pro tem for the City of Woodinville, Re: Earthquake faults on the Wood Trails and Montevallo sites – submitted by Susan Boundy-Sanders	117
125	The Woodinville Conservancy Exhibit for a hearing before the Woodinville Planning Commission to consider a Comprehensive Plan amendment and rezoning application, to change the 19.77 acre Draughn property from R-1 to R-6 submitted by Susan Boundy-Sanders	244
126	"What Wood Trails/Montevallo may bring to you!!" submitted by Sharon Peterson	2
127	Typed comments dated April 5, 2007 from Mike and Michelle O'Grady	2
128	Letter dated April 5, 2007 from Bob Vick, Phoenix Development Incorporated, addressed to Mr. Greg Smith following up on demonstrated need analysis relating to the proposal submitted by Rich Hill	2
129	Memorandum dated April 5, 2007 from Michael Swenson, The Transpo Group, addressed to Rich Hill, McCullough Hill, PS, (a response to public comments on transportation issues prepared by Mr. Swenson) - submitted by Rich Hill	6
130	Michael Swenson, P.E., P.T.O.E., of The Transpo Group, resume - submitted by Rich Hill	1
131	Earth Solutions NW LLC Addendum Report Geologic Hazards Proposed Wood Trails Project Woodinville, Washington ES-0067(Addendum Report which Mr. Coglas testified this evening) submitted by Rich Hill	12
132	Raymond A. Coglas, M.S., P.E., resume submitted by Rich Hill	1
133	Letter dated April 5, 2007, from Ed Sewall, President/Senior Biologist, Sewall Wetland Consulting, Inc., to Hearing Examiner, Re: Applicant Response to Wellington Community Group Comments on Plants and Animals Section of Wood Trails/Montevallo EIS SWC Job #A4-166 submitted by Rich Hill	12

134	Memorandum dated April 4, 2007, from Mark Keller, P.E., (Drainage Engineer) of Triad Associates addressed to Rich Hill, re: Wood Trails and Montevallo Drainage - submitted by Rich Hill	3
135	Proposed Revision to City Staff Drainage Condition Recommendations on Montevallo relating to the proposed detention vault - submitted by Rich Hill	1
136	Memorandum dated April 4, 2007, from Triad Associates addressed to George Newman addressing the capacity analysis of the City and demonstrating the City will not be meeting its growth targets -submitted by Rich Hill	5
137	Memorandum dated April 4, 2007, from George Newman addressed to Rich Hill, McCullough Hill, relating to the right of way issue on the Montevallo Summers addition plat submitted by Rich Hill	2
138	Memorandum dated April 5, 2007, from Gardner Johnson Matthew Gardner of that firm to G. Richard Hill addressing the need for diversity of housing opportunities in the City of Woodinville submitted by Rich Hill	5
139	Copy of Executive Summary of the City of Woodinville's Sustainable Development Study and Attachment A Environmental Report on the Sustainable Development project submitted by Rich Hill	80
140	Copy of Central Puget Sound Growth Management Hearings Board decision in Hensley vs City of Woodinville submitted by Rich Hill	12
141	Applicant Phoenix Development's Reply Memorandum on Montevallo submitted by Rich Hill	30
142	Applicant Phoenix Development's Reply Memorandum on Wood Trails submitted by Rich Hill	31
143	Copy of Sundquist Homes Presentation 3-2007 and DVD	15 pages 1 DVD
144	CD submitted by Perteet	20 pages CD
145	Green folder - Correspondence from citizens submitted outside of the Hearing on March 15, 2007 – submitted by Cindy Baker, City of Woodinville	22
146	Green folder - Emails from citizens concerning issue of two separate hearings and other concerns – submitted by Cindy Baker, City of Woodinville	88
147	Green folder - Correspondence from citizens and copy of Request for Public Records (#2007-043) and documentation supplied – submitted by Cindy Baker, City of Woodinville	4
148	Green folder - Correspondence from citizens submitted outside of the Hearing on March 15, 2007 – submitted by Cindy Baker, City of Woodinville	3
149	Green folder - Correspondence and emails from residents and citizens; letter dated March 30, 2007 from Northshore School District to Cindy Baker, City of Woodinville; letter dated February 23, 2007 from G. Richard Hill, McCullough Hill, PS, to Greg Smith, Hearing Examiner – submitted by Cindy Baker, City of Woodinville	76
150	City of Woodinville comprehensive Plan, Land Use Appendix, Appendix 3: Land Use November 2003 – submitted by City of Woodinville	6
151	DVD of the Wood Trails Video taped at April 5, 2007 public hearing - submitted by City of Woodinville	1 DVD

152	Sign In Sheet for April 5, 2007 public hearing – submitted by City of Woodinville	20
153	Green Folder – See Montevallo Exhibit #84 (submitted by City of Woodinville)	97
154	Correspondence submitted by citizens; Jones & Stokes (Lisa Grueter) email dated April 6, 2007, addressed to Cindy Baker regarding noise attenuation from trees; Perteet (Joel E. Birchman) email dated April 04, 2007, addressed to Cindy Baker, regarding WT & Montevallo Rebuttal	36
155	Letter from Cindy Baker, City of Woodinville, dated April 16, 2007, addressed to Greg Smith, Hearing Examiner with attachments (best available science)	373
156	Email dated April 13, 2007 from Jane Winant to Cindy Baker; Richard Leahy; Email dated April 16, 2007 from Mike Daudt to Susie McCann; Jennifer Kuhn; gsmith@spokanecity.org	7
157	Email sent December 8, 2006 from Yosh Monzaki to Cindy Baker, Steve Munson, Susie McCann, Mick Monken; email sent December 13, 2006 from Sandy Guinn to Development Services; Correspondence from Traci Herman to Cindy Baker responding to email request of March 2, 2007; Email sent April 16, 2007, from Lee Ann Reid to Sandy Guinn; Copy of letter dated March 2, 2007 from Fred A. Green, President, CNW, to Cindy Baker; copy of letter dated March 15, 2007, from Sunday and Scot McCallum to Woodinville City Council & Planning Commission; and copy of letter received April 16, 2007, from Austin T. Winant to Mr. Greg Smith, Hearing Examiner	13
158	Letter dated November 1, 2006 from Cindy Baker, Interim Development Services Director to Richard Aramburu, Attorney at Law; letter dated September 22, 2006 from J. Richard Aramburu to J. Zachary Lell, Ogden Murphy Wallace, PLLC, and Ray Sturtz, Planning Director; letter dated April 16, 2007 from Michael Daudt to Greg Smith Hearing Examiner; Email sent April 12, 2007, from Steve and Karen Tidball to Council; Email sent April 18, 2007, from Susan Huso to Richard Leahy	15
159	Evidence Summary and Arguments by Concerned Neighbors of Wellington In Opposition To Rezone and Plats	50
160	Hand typed note from Kathy McLemore to Jeff/Lisa with ABC Legal Service form dated 4-19-07	2
161	Analysis of Wood Trails Rezone and Preliminary Plat Application , Volume Four, prepared by Concerned Neighbors of Wellington	196
162	Letter dated April 19, 2007, from Otto K. Paris, L.G., L.H.G., Hydrogeologist to Ms. Cindy Baker, Interim Director of Development Services	3
163	Tree Preservation Plan for Wood Trails & Montevallo projects dated April 19, 2007, from Peter C. Blansett, S. A. Newman Firm	6
164	Email sent March 11, 2007, from Kerry Kunnanz to Susie McCann	1

165	Transmittal dated April 26, 2007, from Triad Associates, addressed to Hearing Examiner with attachments (Phoenix Development Rebuttal Memorandum prepared by G. Richard Hill; Response Letter to Additional Review Comments prepared by Transpo; Response Letter prepared by Woodinville Water District; Response Letter prepared by Sewall Wetland Consulting; Response Letter to CNW Comments prepared by Earth Solutions NW; Rebuttal to CNW Narrative prepared by Phoenix Development Inc.; Response to Comments RE: City Capacity Analysis prepared by Erika Jensen; Response Letter to CNW Volume 4 Comments prepared by Mark Keller; Letter regarding Summers Addition prepared by Mark Harrison	72
166	Email sent April 27, 2007, from Cindy Baker to Susie McCann, forwarding email sent April 26, 2007, from Rich Hill to Zach Lell-City Attorney; Rick Aramburu; Cindy Baker	13

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF WOODINVILLE**

In the Matter of the Application of	)	FILE NO. ZMA2004-094 and
	)	PPA2004-093
Phoenix Development for the Montevallo)	
)	
Rezone and Preliminary Plat Application	)	FINDINGS, CONCLUSIONS, AND DECISION

SUMMARY OF PROPOSAL

Proposal: The applicant seeks approval of a rezone petition from R-1 to R-4 along with a preliminary plat approval to allow the subdivision of approximately 16.48 acres into 66 single-family residential lots. The preliminary plat application includes a request for surplus density of 19 lots to be transferred from another site.

Decision: The Hearing Examiner recommends approval of the rezone and also approves the preliminary plat with a reduced density transfer of nine lots.

SUMMARY OF RECORD

Hearing Date:

This matter was scheduled for hearing on March 1, 2007. Because of a possible defect in the public notice and the fact that the staff report was not issued within the time frames set forth in the ordinance, the matter was continued until March 15, 2007. No testimony was taken on March 1st, but testimony was taken on March 15th and also April 5, 2007, at a continued hearing for the Wood Trails proposal.

Testimony:

A full list of those who provided oral testimony is attached to this decision. At the hearings on this matter, the applicant, Phoenix Development, was represented by G. Richard Hill, Attorney at Law; McCullough Hill, PS, 701 5th Avenue, Suite 7220; Seattle, WA 98104. Some of the citizens who testified were organized in a group called "Concerned Neighbors of Wellington" and they were represented by J. Richard Aramburu, Attorney at Law; Aramburu-Eustis; 505 Madison Street, Suite 209; Seattle, WA 98104.

Exhibits:

A full exhibit list is attached to this decision. The record remained open until April 26, 2007, to allow further information to be submitted to the official record.

PROCEEDURAL ISSUES

Several procedural issues were brought up during the course of the Hearing Examiner's consideration of this matter both in testimony and through exhibits. The following findings and conclusions are hereby made on some of those procedural issues.

1. An objection was made to the consolidation of the request for the rezone with the application for the preliminary plat. The Woodinville Municipal Code (WMC) states at WMC 20.80.020 (3) that, "unless the applicant requests otherwise, a subdivision or short subdivision application shall be processed simultaneously with application for variances, conditional uses, street vacations, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing." The applicant did not request separate processing of these two matters and the Hearing Examiner concludes that the rezone qualifies as a quasi-judicial action under the ordinance. Therefore it was proper for these two actions to be heard together. This is in accord with RCW 58.17.070.
2. The Concerned Neighbors of Wellington (CNW) argue that the rezone application should not be considered vested and should be considered under the regulations in effect at the time of the hearing rather than under previous regulations. The City and Phoenix contend that the rezone and preliminary plat applications were deemed complete on July 8, 2004, and a letter was sent to that effect. Exhibit #13 and Exhibit #20. The Hearing Examiner concludes that the letter established vesting on that date and the applications are therefore to be considered under the codes and regulations in effect on July 8, 2004. This is consistent with the process set forth in RCW 36.70B.070. See also Schultz v. Snohomish County, 101 Wn.App 693, 701 (2000). This is also consistent with the Supreme Court's decision in Association of Rural Residents v. Kitsap County, 141Wn.2d 185, 193, where the Court held that when a preliminary plat application vested, the accompanying planned unit development application vested also because it was the entire application that vested not just the preliminary plat. Planned unit developments are considered rezones under Washington law. Lutz v. Longview, 83 Wn.2d 566 (1979). Therefore the applicant has the right to have the entire application heard under the rules in effect on July 8, 2004, when the City determined that the application was complete.
3. This application was heard in the same time frame as the application for the Montevallo rezone and preliminary plat. The two projects were combined for the preparation of an environmental impact statement but were separate applications, filed on different dates, and were considered at separate hearings. As a courtesy to those who came to testify, the Hearing Examiner allowed testimony at each hearing on either proposal. They were not consolidated, however, into one application and are being treated by the City as separate applications. This is allowed under WMC 20.08.020(1) which would require their consolidation if the two properties were contiguous. They are not contiguous so consolidation was not required.
4. CNW objected several times throughout the proceedings about possible defects in the public notice. The first objection resulted in both plat hearings being continued from February 28th and March 1, 2007, to March 14th and 15, 2007, with the Wood Trails proposal being continued again until April 5, 2007. The main objection was to the misidentification of the Wood Trails property, but other objections were made, also. One objection was that the final hearing on April 5, 2007, was moved, at the last minute, from the Woodinville City Council Chambers to the Carol Edwards Center Gymnasium which is approximately a block away. This was done because of the size of the crowd. The combined hearings lasted for almost 15 hours. A large number of people testified

and many people testified more than once. The two proposals have been in the public's eye for an extended period of time and it would be difficult for the Hearing Examiner to conclude that anybody was unable to present written or oral testimony because of the alleged defects in the public notices. In fact, no one has come forth with any convincing argument that they were prejudiced by any defect in notice.

5. CNW also alleges that this zoning application cannot be approved because it is an illegal spot zone. Washington Case Law provides a concise definition of illegal spot zoning:

Spot zoning is an action by which an area is carved out of a larger area and specially zoned for use totally different from, and inconsistent with, the surrounding land and not in conformance with the comprehensive plan. Save a Neighborhood Environment v City of Seattle, 101Wn.2d 280 (1984).

The proposal's compliance with the comprehensive plan will be examined later in this decision. The Hearing Examiner concludes, however, that this is not an illegal spot zone because the use, detached single-family residential is not totally different from and inconsistent with surrounding properties which are also developed with detached single-family residential uses. The difference is density, not use. The Hearing Examiner finds that CNW has drawn too fine a line in attempting to find incompatibility. Both R-1 uses and R-4 uses are considered low density residential under Woodinville's Comprehensive Plan and would be considered as such under virtually every other comprehensive plan in any urban area in the State of Washington. Therefore, the Hearing Examiner concludes that this re-zone is not an illegal spot zone.

6. CNW argues that the hearing on this matter and any decision is premature because final plans and certain studies have not yet been completed. As an example, the applicant submitted a conceptual plan at the hearing on March 14, 2007, demonstrating how the project may look if all proposed conditions of approval recommended by staff were imposed. CNW argued that the proposal is not in final form, and, therefore, the hearings were premature.

This proposal is for preliminary plat. Plats are a two-step process with the preliminary plat being the initial step. A preliminary plat is defined in the State Law as:

"A neat and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of the subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of the subdivision".

A final plat is defined as:

"The final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this chapter and in local regulations adopted under this chapter. RCW 58.17.020(4)(5)".

CNW argues that all studies and final design elements should be in place prior to this approval. That is not the way that the two-step process works, however. Many of the preliminary studies are set forth in the Final Environmental Impact Statement but final design takes place after the

preliminary plat has been approved and before the final plat is signed by the City. The Hearing Examiner finds that there is sufficient information in the record to adequately evaluate the preliminary plat application.

7. The record in this case is voluminous. The public hearings on this project and the Montevallo project lasted for almost fifteen hours and there are literally thousands of pages of exhibits. Many issues were raised in public testimony and in the written submittals by both CNW and Phoenix Development, as well as by City staff. Because of the volume of comments, the Hearing Examiner cannot address every issue raised. The Hearing Examiner will, however, address relevant issues that are necessary for the issuance of a decision pursuant to the regulations. However not every comment will be addressed.

8. CNW and others have objected to the subdivision of the Montevallo property because the prior plat of Summer's Addition shows a road on site. It is argued that the plat cannot proceed until this public road is properly vacated. See Exhibit #88, pages 4 through 7. Phoenix Development has responded to that allegation in Exhibit #95, pages 71 and 72. The research done by Phoenix Development's project surveyor showed that there was no record of that road ever being dedicated as a public road in the King County records. It also has never been improved. The notations on the plat bear this out along with the fact that the lot owner has been paying taxes on the property shown as a road for over thirty years according to the evidence. For the reasons set forth in Exhibit #95 submitted by Phoenix Development, it does not appear that road was dedicated to the public even though the northern portion has been used by various adjacent property owners. Based on the evidence the Hearing Examiner cannot find that this allegation should keep the plat from moving forward through the process.

GENERAL FINDINGS

1. The applicant proposes to rezone the Montevallo project site from R-1 (1 unit per acre) to R-4 (4 units per acre) and to subdivide the property into 66 single-family residential lots. The property contains 16.48 acres. The proposed 66 lots include 19 surplus density credits to be transferred from the Wood Trails project site, which is also owned by the applicant. Transfers of density credits are allowed under WMC Chapter 21.36. Exhibit #1, page 5. The site is located on the west side of 156th Avenue NE directly south of the King-Snohomish County line and the Wellington Hills Golf Course. Exhibit #1, page 5. The legal description is lots 1 through 5, Summers Addition, according to the plat thereof, recorded in volume 100 of plats, pages 33 and 34 in King County, Washington. Exhibit #4.

2. As stated, property to the north is in Snohomish County and developed with the Wellington Hills Golf Course. To the west and south are single-family residential uses and the properties are zoned R-1 and most are built on large lots. Along the east side of the site is 156th Avenue NE and there is a large undeveloped parcel across that street to the east. Exhibit #1, page 5.

3. The site is irregular in shape and contains approximately 16.48 acres in area. It is reasonably flat with a topography sloping gently from east to west at slope gradients in the range of five to 10 percent. Elevations on this site range from approximately 430 feet on the western part of the property to 490 feet at the eastern edge. The wetland located at the western end of the property is a topographic low point. The soil type is Alderwood Type C (6 to 15% slope) which has a moderate erosion hazard. Exhibit #1, page 5.

4. A single forested and emergent delineated Class 2 Wetland is located on the west side of the site. It is approximately 71,567 square feet in size. Water within this wetland drains to the north offsite in an intermittent flow, ditched stream feature. This stream eventually enters a more defined ravine offsite to the west which flows several thousand feet down a steep hillside before being culverted under the highway (SR 522) and eventually entering Little Bear Creek. Due to the length of its culverted channel just east of SR 522, as well as the very steep topography along the hillside to the north and west of the site, fish cannot enter or access the tributary that the site's wetland drains into on the west side of SR 522. See Exhibit #27, page 6; Exhibit #1, page 5 and Exhibit #40, page 3.2-11.

5. The applicant will protect the wetland with a fifty-foot buffer, which was the standard minimum buffer from the edge of the wetland for Class 2 Wetlands under the 2004 code when the application vested. Originally the wetland buffer was to be averaged and some portion used as a detention facility, but testimony by Mr. Sewall, the applicant's wetland expert, stated that the proposal no longer needs a buffer reduction. See Exhibit #1, Page 5 and Exhibit #95, page 10.

6. The tie-in to provide sewer service to the development will require construction in the wetland. While the original plan was to construct the sewer line through the wetland and restore it, testimony at the hearing was that the proponent will bore the sewer line underneath the wetland because it had an impermeable bottom and boring under it would be possible. Wood Trails, Exhibit #133, page 3.

7. The applicant seeks approval to subdivide this 16.48 acre site into 66 single-family residential lots along with a rezone from R-1 to R-4. The 66 lots include 19 density credits transferred from Wood Trails as calculated by the developer. The City has calculated the density credits to be 9. See Exhibit #1, page 19 and Wood Trails Exhibit #1, pages 22 and 23. The lots will range in size from 5,500 square feet to 13,737 square feet averaging approximately 6,708 square feet. The proposal is to construct single-family detached residential dwellings on site. Sewer and water will be supplied by the Woodinville Water District. See Exhibit #1, page 9 and Exhibit #95, page 17.

8. Access to this site will be via 156th Avenue NE, which is a north south collector. Two new access streets labeled as NE 203rd and NE 204th are shown on the Montevallo plat map. Exhibit #11. The plat map also shows three north south streets, 155th NE, 154th Avenue NE and 153rd Avenue NE serving several of the lots. The two east west streets dead end before leaving the plat on the west side and the north south streets stay within the boundaries of the plat. Exhibit #11. There is also a conceptual site plan in the record, which shows how the site might be developed if it complied with all of the staff recommended conditions of approval. See Exhibit #67. Exhibit #67, as a conceptual plan, shows the number of lots being reduced to 56, complying with Staff's calculations of transferred densities. It also shows the roadways being reconfigured with only one entrance from 156th Avenue NE. The lots are shown to be slightly larger due to the reduction of ten lots on site from the original drawing. See Exhibit #67.

FINDINGS RELATED TO THE REZONE

9. The proposal vested in November of 2004 and is governed by the 2004 Comprehensive Plan. The plan designates this site as low density residential which includes R-1 (1 unit per acre) through R-4 (4 units per acre). The property is currently zoned R-1 and the applicant seeks a

rezone to R-4. Exhibit #,1 page 13 and Exhibit #20.

10. The Woodinville Water District will provide sewer and water services to the proposed subdivision. Each lot in the development will be connected to the District's sewer and water systems, pending construction of site collection and distribution systems by the applicant. See Exhibits # 7 and 8. See also Exhibit #95, page 17.

11. R-4 as proposed, is designated as low density residential in the relevant comprehensive plan. Other relevant plan policies include:

- a. Land Use Policy LU-1.1 preserve neighborhood character, while accommodating for GMA Growth Forecasts.
- b. Land Use Policy LU-1.2 guide growth to areas with capacity, where impacts will be minimized, and where growth will help areas appearance or vitality.
- c. Land Use Policy LU-1.3 phase growth and municipal services together.
- d. Land Use Policy LU-2.2 connect development, open space, recreation areas by planned street, path, and utility corridor networks.
- e. Land Use Policy LU-3.1 development should compliment existing residential development patterns.
- f. Land Use Policy LU-3.2 preserve neighborhood natural environment.
- g. Land Use Policy LU-3.4 provide controls to minimize encroachment by incompatible land uses.
- h. Land Use Policy LU-3.7 permit a range of densities to encourage a variety of housing types to serve a range of incomes.
- i. Housing Policy H-1.1 allow a variety of housing types and lot sizes.
- j. Community Design Policy CD-1.2 preserve views, natural features, and landmarks.
- k. Community Design Policy CD-2.2 encourage native vegetation in residential, commercial, industrial areas.
- l. Community Design Policy CD-2.3 use trees and landscaping to buffer surrounding land uses.
- m. Community Design Policy CD-2.4 require street trees in all development.
- n. Community Design Policy CD-2.5 require developments to retain existing significant vegetation, where feasible, through regulations in the Woodinville Zoning Code.

- o. Community Design Policy CD-3.1 integrate existing development into the character of surrounding area.
- p. Capital and Public Facilities Policy CF-3.1 require the City or other service providers to establish capital facilities service standards.
- q. Environmental Policy ENV-3.1 encourage urban forest preservation.
- r. Environmental Policy ENV-3.2 protect critical habitat areas.
- s. Environmental Policy ENV-3.3 maintain a standard of no net loss of critical habitat functions and values.
- t. Environmental Policy ENV-3.4 maintain critical area connectivity.
- u. Environmental Policy ENV-3.7 encourage native plant use.
- v. Environmental Policy ENV-4.1 protect public safety and potential seismic, flood hazard and slide hazard areas.
- w. Environmental Policy ENV-4.2 minimize the adverse affects of development on topographic, geologic and hydrologic features and native vegetation. City of Woodinville Exhibit #1 pages 13-19.

12. The staff report sets forth an analysis of the City's housing allocation under the Growth Management Act (GMA) for the planning period from 2001 to 2022. The allocation comes from the overall King County carrying capacity allocation attributed to Woodinville. Staff's conclusion is that the residential zones have the capacity necessary to meet the housing allocation now without further zone changes to higher density. Exhibit #1 page 4.

13. There was evidence presented by CNW, both in oral testimony and in writing, that there are large numbers of single-family detached homes on lots approximately the size proposed by Phoenix for Montevallo, within ten miles of this area and therefore there is no need for more density on this site. While many of the lots listed were in communities other than Woodinville and also related primarily to the resale of homes rather than the development of new lots, the data is relevant to the Hearing Examiner's decision. See Exhibit #91, pages 11 and 12.

14. Phoenix counters with an analysis of the remaining R-4 inventory in Woodinville arguing that the City has a faulty capacity analysis as it pertains to properties zoned R-4 and available for new development. Phoenix argues that land zoned R-4 and developed between 2002 and 2007 has not been removed from the City's inventory and that the remaining vacant and redevelopable R-4 lands have not been adjusted to affect new critical area boundaries, buffers and stormwater detention requirements adopted after 2002. Their experts state that the available land with R-4 zoning was 2.7% of the entire City in 2001 and it is less today because of the increased critical area buffers. See Exhibit #95, pages 63 through 67. The land zoned R-1 represents approximately 30% of the total area of the City and approximately 50% of the residentially zoned land. Exhibit #1, page 5. See also Wood Trails Exhibit #128.

15. The City ordered the preparation of an EIS for this development and the Wood Trails development. The technical appendices to the Draft EIS include two geotechnical engineering

studies in Appendix C and D, a drainage report in Appendix E, a wetland and stream report in Appendix I and a wildlife habitat report in Appendix K. There are summaries of the geotechnical report, which were submitted after the EIS was finalized and they are in the record as Exhibit #95, pages 21 through 23. and Wood Trails Exhibit #131.

16. Those reports conclude that the site is appropriate for development due to the fact that it is relatively flat and grading would be minor. The wetland will be protected pursuant to City regulations and stormwater will be directed to a detention facility, treated and then dispersed to the wetland. See Exhibit #40, page 2-12.

17. The geotechnical reports also studied the erosion issue. WMC 21.24.290.2A classifies erosion areas within the City of Woodinville. As stated in the geotechnical reports, however, site-specific investigations with the knowledge of the proposed development activities provides a more thorough evaluation of a potential erosion hazard. The reports state, that based on the site-specific evaluations, the Montevallo site exhibits little evidence of erosion. As the site is developed, the City will require the use of best management practices (BMP) so that soil erosion can be managed and impacts minimized. See Exhibit #40, page 3.1-15.

18. Considerable information was submitted on storm drainage controls for the site including possible impacts to Little Bear Creek. Storm drainage was studied extensively in the DEIS and FEIS. See Exhibit #35, Appendix E and Exhibit #40, pages 3.2-1 through 3.2-37. The analysis follows the King County Surface Water Design Manual (KCSWDM), which was used by the City at the time this plat was filed. The analysis was based upon the KCSWDM and the analysis was accepted by the City with some modifications. Those modifications are in the conditions of approval. Water quality impacts to Little Bear Creek were also studied. See Wood Trails Exhibit #134; Exhibit #95, pages 68 through 70; Exhibit #27 and Exhibit #35, Appendix J, pages 1 through 8.

19. The proposal is reasonably compliant with the Woodinville Comprehensive Plan. The Hearing Examiner hereby adopts and incorporates the discussion of Comprehensive Plan Policies set forth in Exhibit #1, pages 10 through 16. Specifically the Hearing Examiner finds that the zone change will allow the development of low-density detached single-family homes in an area designated in the comprehensive plan as low density residential. While arguments have been made that the adjacent neighborhood is much less dense, R-4 is still classified as low density. In addition, buffering as recommended by the City can alleviate impacts from a slight difference in density. The site will be served with City water and sewer and the street network will be improved. The west side of the site will be left in a Native Growth Protection Area (NGPA) which will provide habitat and open space and enhance a degraded wetland. It presents a range of densities, which encourages a variety of housing types to serve a variety of income levels. It preserves much of the natural features of the site, such as the wetland and will preserve trees in accordance with the City's Tree Retention regulations. Exhibit #1, pages 10 through 16 and Exhibit #19 pages 7 through 11.

Criteria for a Rezone

WMC 21.44.070 sets forth the zone reclassification criteria. It states: "a zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the comprehensive plan and applicable functional plans and complies with the following criteria:

- 1) There is a demonstrated need for additional zoning of the type proposed;
- 2) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties; and,
- 3) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

In addition, in WMC 21.04.080, which describes the residential zones, it states:

(1)(a) providing, in the low density zones (R-1 through R-4), for predominately single-family detached dwelling units. Other development types such as duplexes and accessory units, are allowed under special circumstances. Developments with densities less than R-4 are allowed only if adequate services cannot be provided; (emphasis added)

Washington courts have held:

Rezones are not presumed valid. The applicant has the burden of showing that either conditions have changed since the original zoning or that the proposed rezone implements policies of the comprehensive plan and that the rezone bears a substantial relationship to the public health, safety, morals or welfare. Only general, not strict conformance with the Comprehensive Plan is required. The requirements of local ordinances must also be satisfied. Woods v Kittitas County 130 Wn App 573 (2005).

Conclusions on Rezone Application

1. Based on the findings by the Hearing Examiner as stated above, The Hearing Examiner concludes that the proposal is in fact consistent with the City's Comprehensive Plan. See Exhibit #1, pages 10 through 16 and Exhibit #40, pages 3.4-22 through 3.4-28. Courts have held that consistency with a Communities Comprehensive plan is evidence that a rezone promotes public health, safety, morals and welfare. *Henderson v. Kittitas Co.*, 124 Wn.App 747, 756 (2004)
2. The Hearing Examiner concludes, based upon the findings above that the criteria for a rezone have been met. They are:
 - A. There is a demonstrated need for additional zoning of the type proposed.

This criterion is a many faceted criteria. The City has analyzed it according to its GMA growth allocation from King County and found that Woodinville could meet its housing allocation without this rezone. The applicant's expert criticized the City's study as not fully analyzing the amount of actual R-4 Zoning there was in the city for development. Most of the housing development that has occurred since 2002 has been in apartments and condominiums rather than single-family residential uses. As the applicant's expert demonstrated, if the amount of R-4 developed between 2002 and 2007 were removed from the available R-4 land totals, the amount of R-4 available for new development or redevelopment would be much less than the existing amount cited by the City which still

was only 2.7% of the land area of the City. The R-1 Zone by contrast, makes up nearly 30% of the City's zoning. Clearly more R-4 Zoning is needed to create a diversity of building sites availability by establishing more areas where detached single-family can be constructed at lower densities than R-1 densities. In addition, the Growth Management Hearings Board has held that Woodinville is not to perpetuate one-acre lots that will effectively thwart urban development. Urban develop being defined by the Board as four units per acre. See *Hensley v Woodinville CPSGMHB Case number 96-3-0031 (February 25, 1997)*.

The Growth Hearing Board has held that a minimum urban density is four units per acre. The Supreme Court held in the case of *Viking Properties v. Holm 155 Wn.2d. 112 (2005)* that the Growth Boards don't have the authority to make "Bright line tests". The Boards do have authority, however, to determine whether a City is in compliance with GMA. RCW 36.70A.280. One of the goals of GMA is to encourage urban development within urban areas and reduce sprawl. RCW 36.70A.020. The Hearings Board in the Hensley case, as cited above, have determined that one acre zoning will effectively thwart urban development. Therefore, the fact that the City has 30% of its zoning in R-1 and only 2.7% in R-4 clearly demonstrates the need for more R-4 zoning. Therefore, the Hearing Examiner finds that this criterion has been met.

B. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties.

To the north is Snohomish County and the land has a rural designation. The adjacent zoning to the west, east and south is R-1. As stated above, both R-1 and R-4 are designated in the low-density residential category and this site will be developed with single-family residential uses although at a higher density than the R-1. While there was considerable argument that the R-4 would not be compatible with the R-1, both uses are detached single-family residential uses and both are considered low-density zoning by the City. See WMC 21.04.080(1)(a).

In addition, the Woodinville code in place when this application vested, stated that this property could not be developed as R-1 because utilities are available. This would put the applicant in a Catch-22 position of having property that could not be developed with either R-4 or R-1. The code has since been changed, but the old code still applies to this application. It should also be noted that pursuant to WMC 21.08.030, the R-1 through R-4 are located in what's known as the "Residential Low Density Zone". Therefore the Hearing Examiner must find that the zone reclassification to R-4 is consistent and compatible with the zoning of the surrounding properties.

C. The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

As noted above, the property was studied extensively in the DEIS and FEIS. Both the applicant's experts and the City's reviewing experts concluded that the site was suitable based on the characteristics of the site. The extensive study of geotechnical aspects, stormwater drainage, and the wetland convinces the Hearing Examiner to conclude that the site is suitable. The soils on the site have the strength to be developed with single-family units at the proposed density and the wetland area on the site will be retained in its

natural state as open space. Stormwater can be accommodated and with the conditions of approval as set forth in this decision, the site is suitable for development.

FINDINGS RELATED TO THE PRELIMINARY PLAT

1. The Hearing Examiner hereby adopts and incorporates all findings and conclusions from the previous section relating to the rezone request as well as the General Findings.
2. The preliminary plat as filed is set forth in the record as Exhibit #11. The applicant also submitted a conceptual Montevallo site plan which depicted recommended conditions of approval from the staff report. That is in the record as Exhibit #62. The Montevallo plat with data information is set forth in Exhibit #63.
3. Montevallo as proposed meets the requirements for depth, front and side lot lines and building setbacks as they were set forth in the subdivision code when this proposal was vested. Exhibit #1, page 17. The proposed lot and street layout will be in conformance with the Woodinville Municipal Code. See WMC 20.06.040 and 20.06.130. Exhibit #1, page 17.
4. The Montevallo proposal is for detached single-family residential uses which is allowed in the zoning code. WMC 21.08.
5. This preliminary plat proposes sixty-six lots with approximately 3.43 acres of open space protected in perpetuity as a Native Growth Protection Area (NGPA). The gross density is set forth in the application as 4.0 units per acre. Exhibit #19, pages 2 and 3. This will be reduced because of a reduce density transfer allowance.
6. Montevallo contains a wetland that is being enhanced. The wetland will be located in the NGPA area located on Tract A. Exhibit #1, pages 16 and 17.
7. The applicant has asked for the right to receive residential density from the Wood Trails sending site. Under the applicant's analysis, nineteen credits can be transferred. Staff has analyzed the applicant's calculation and revised them based on additional conditions of approval, such as wider roadways in Wood Trails and determined that nine density transfer credits should be allowed. See Wood Trails Exhibit #1, pages 22 and 23. The preliminary plat will be served by public water and sewer service from the Woodinville Water District. Exhibit #95, page 17.
8. Comments from the Woodinville Fire and Life Safety Deputy Chief and also the Chief of Police for Woodinville indicated neither agency found any significant impacts on their operations from the development of the site. Exhibit #40, pages 7.2 and 7.3.
9. The internal roadways will be constructed to full standard and will connect with existing rights-of-way at 156th Avenue NE. The original plat showed two connections to 156th Avenue NE, one at NE 204th Street and one at NE 203rd Street. The conceptual plan submitted by the applicant and in the record as Exhibit #62, which shows a redesigned plat complying with City staff conditions, shows only one entrance to the plat approximately in the center. That plan also shows all lots being served by two east west streets and two north south streets for circulation purposes. See Exhibit #62.

10. The transportation network and the projects on that network were studied extensively in the EIS. See Exhibit #40, section 3.5. Traffic safety was studied in Exhibit #40, section 3.5.1.8 and concluded that safety should not be a big concern despite the limitations of the roadways in the surrounding neighborhood. The traffic study also did a Level Of Service (LOS) analysis and found that all of the intersections would still be within acceptable LOS standards. Exhibit #40, table 3.5-6 on page 3.5-56. The traffic analysis and the FEIS received a peer review from Parametrix the consultant to the City's Public Works Department and Parametrix agreed with the traffic analysis. See Exhibit #40-additional information located in the back of the FEIS.
11. Many issues were raised during the hearing process regarding sight deficiencies, inferior road widths and lack of sidewalks in the adjoining neighborhood. Those comments were responded to by the Transpo Group, the company that prepared the FEIS analysis, and their responses convinced the Hearing Examiner that the FEIS analysis is correct and that traffic impacts should be minimal. See Exhibit #165, pages 14 through 16 and Wood Trails Exhibit #129.
12. The City of Woodinville requires payment of a Traffic Impact Mitigation fee (TIF) for each dwelling unit created. TIF fees are determined by the zone in which the site is located. This site is in the Leota Zone. TIF fees are paid at the time a building permit for a dwelling unit is issued. The amount of the fee will be determined by the applicable fee ordinance at the time the complete building permit application is submitted to Development Services Department. See Chapter 3.39 WMC and Exhibit #1, page 21.
13. Students who reside in the Montevallo plat will attend schools in the North Shore School District #17. They would attend either the Wellington Elementary School, or the Leota Junior High School or Woodinville High School. Staff states that enrollment in the North Shore School District; particularly in the eastern portion of the district where the plat is located is experiencing slow growth and declining enrollment. Therefore adding some number of students to the schools would not have a significant adverse impact on those schools. The applicant has submitted a North Shore School District school walk safety assessment. Exhibit #9. The school district currently does not assess impact fees. Exhibit #1, page 22.
14. There are no existing City of Woodinville parks, recreation facilities or properties in the West Wellington Neighborhood or within close walking distance. This plat is subject to the Park Impact Fee Ordinance, Chapter 3.36 WMC. A park impact fee will have to be paid to contribute to future park improvements.
15. There are no transit stops within what would be considered walking distance from this proposed plat. There is transit service to Woodinville, however. King County Metro operates two transit routes in the vicinity of the project site. A park and ride lot is located in the downtown area. Exhibit #40, page 3.5-30.
16. The applicant has submitted a preliminary tree retention map which is in the record as Exhibit #12. Staff has found that the proposal complies with landscape and tree retention standards of WMC 21.16.130 through 200. A final plan will be required.
17. The applicant has requested several deviations from standards set forth in Woodinville's codes and regulations. Those requests and the City's response are set forth in Exhibit #1, page 8. The proposed deviations which have been granted by the City include:

- a. The applicant has requested to divert more stormwater away from the natural discharge point, i.e. the wetland, and connect a vault outfall to a closed pipe system. The City did not approve that deviation because it was determined that the diversion proposed would not continuously hydrate the wetland. Therefore a detention pond is recommended by the City. The applicant has requested a slight modification in the City's condition on that detention pond and the Hearing Examiner agrees to the language submitted by the applicant. It will become a condition of approval.
- b. The applicant has requested a reduction in right-of-way width standards from sixty feet to fifty feet. For various reasons set forth in Exhibit #1, page 8, the City has rejected that modification.
- c. The applicant proposes placing the sewer line underneath the wetland through boring. The City agrees that noninvasive boring under the wetland area is appropriate.

No other deviations were approved by the City. See Exhibit #1, pages 10 and 11.

Conclusions on Preliminary Plat Application

Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide preliminary plat applications pursuant to Woodinville Municipal Code (WMC) Section 20.08.030.

Criteria for Review

To approve a preliminary plat, the Hearing Examiner must find that the following criteria set forth in WMC 20.06.020 are satisfied:

- A. Goals and Policies. The proposal conforms to the goals, policies, criteria and plans set forth in the City of Woodinville comprehensive plan, community urban forestry plan, and parks, recreation and open space plan;
- B. Development Standards. The proposal conforms to the development standards set forth in WMC Title 21, Zoning Code;
- C. Subdivision Standards. The proposal conforms to the requirements of WMC 20.06.020 – Review and Approval Criteria for Subdivisions, WMC 20.06 – Subdivisions and WMC 17.09.020 – Project Permit Application;
- D. Proposed Street System. The proposed street system conforms to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;

- E. Utilities. The proposed subdivision or short subdivision will be adequately served with City approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
- F. Layout of Lots. The proposed layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
- G. Geologically Stable Soil. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
- H. Safe Walking to School Procedures. Safe walking to school procedures, as established by the City, have been met;
- I. Tree Preservation. Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

Conclusions Based on Findings

1. With conditions, the proposal complies with "Criteria A." in that it conforms to the goals, policies, criteria, and plans set forth in the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation and open spaces plan. Subdivision development will occur in an area zoned low-density residential and surrounded by existing low-density residential except for the area to the north which is rural. In the FEIS developed for the proposed subdivision the mitigation suggested will become conditions of approval. Significant trees will be preserved and the applicant shall establish a Native Growth Protection Area (NGPA) to preserve open space and the site's wetland. See also the Findings and Conclusions on the Comprehensive Plan Compliance set forth under the Zoning Section. Conditions of approval are necessary to insure that any erosion resulting from subdivision development is adequately controlled using best management practices and that stormwater is adequately controlled and disposed of.
2. As proposed, the project meets "Criteria B." because it is consistent with the density and dimensional standards of the R-4 zoning district and is compatible with surrounding development. With an approval of a rezone to R-4, the proposed subdivision density is consistent with the density provisions of the City code. No lot is to be less than the minimum lot size or minimum lot width. The proposed subdivision while being slightly more dense than the properties around, will still result in low density detached single-family residential development, which is consistent with uses on those lands.
3. With conditions, the proposal conforms to "Criteria C" because it would be consistent with the subdivision standards set forth in WMC Chapter 20.06, including those pertaining to lot standards, easements, water supply, sewage disposal, storm drainage, watercourses, street right-of-way widths, street lighting and recreation. Subdivision lots will meet minimum lot size and width standards for the R-4 zone. Woodinville Water District will provide water and sewer service to the proposed subdivision. Stormwater runoff from the subdivision will be collected and impounded on site and then directed to the wetland on site to keep it hydrated. The preliminary plat map is

consistent with R-4 zoning. The applicant shall pay a park mitigation fee to the City upon the issuance of a building permit for each dwelling.

Certain conditions of approval are necessary to ensure the proposed subdivision meets the code and those conditions will be in place for this plat.

4. The proposal meets "Criteria D." because the proposed street system conforms to the City of Woodinville standards and provides for the safe, orderly, and efficient circulation of traffic. The streets in the plat conform to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and are laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic.

5. The proposed subdivision meets "Criteria E." because it will be served with water and sewer by the Woodinville Water District.

6. The proposal meets "Criteria F" because the layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings maybe reasonably sited and that the least disruption of the site, topography, trees and vegetation will result. The site is reasonably flat and the soils are stable. Many trees will be retained and a Natural Growth Protection Area (NGPA) will be established around the wetland and it will be preserved and enhanced. A landscape plan and tree retention plan has been submitted and will be a final requirement with final plat submission.

7. A geotechnical study concluded that the site soils are suitable for urban residential development design of the lots and the stormwater system considered site grades, topography and the existing wetland. Therefore, the proposal meets "Criteria G."

8. Safe walk to school procedures have been complied with, meeting "Criteria H."

9. "Criteria I." has been met because tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

DECISION

Based on the preceding Findings and Conclusions, the Hearing Examiner recommends that the rezone from R-1 to R-4 be approved by the City Council and also approves the subdivision of this property into 56 residential lots with a density transfer of 9 lots from the Wood Trails plat. The property shall be developed substantially in accordance with plans submitted and as modified by these conditions of approval. This approval is granted subject to the following conditions:

GENERAL:

1. The Department Director shall have the authority to direct the developer or his on-site representatives to immediately cease activities and redirect their attention to resolving any problem, particularly any environmental degradation, which in the director's opinion needs immediate resolution. Failure of the developer or his representative to redirect such labor and equipment shall result in immediate project closure and resolution of the problem by the City. The developer will be billed for such City time and materials involved in resolving the problem, which shall include a penalty of 10% of the assessed cost. Such bill shall be paid prior to the

City removing the closure.

2. Mail routes and mailbox locations shall be approved by the postmaster. Mailbox locations shall also be approved by the City Engineer to insure they do not interfere with traffic sight distances.

3. The Natural Growth Protection Area (NGPA), the landscape strips and any other private common areas shall be maintained by a homeowners association. A set of covenants, conditions, and restrictions (CC&Rs) prepared for the proposed development is subject to review and approval by the City of Woodinville, and shall be recorded with the King County Auditor's Office prior to the recording of the final plat. The CC&Rs shall address the duties and responsibilities of the homeowners association with respect to common areas. This includes, but is not limited to the levying and collection of assessments, and the operation, maintenance and preservation of all common areas and facilities and shall also provide for the administration and enforcement of these duties and responsibilities. The City shall be kept informed of all names and addresses of current association officers.

4. The final plat shall include a clause requiring property owners and the homeowners association to maintain, in a uniform manner, city right-of-way/easements located between their property lines and the back of adjacent sidewalks. The city shall have the authority to enforce such maintenance. If, upon being informed by the City to perform such maintenance and said property owner does not comply, the City shall have the option of maintaining the right-of-way/easement and shall bill the property owner for all associated costs including administrative costs. If city invoices are not paid within ninety (90) days, the city shall have the option of attaching a lien against said property.

5. Maintenance bond(s) amounts shall be approved by the Public Works Department and bonds shall be submitted to the City prior to final plat approval. The maintenance bond shall be for a minimum of two (2) years. At the end of the bonding period, the city shall inspect the installed infrastructure. Any infrastructure that appears defective or has deteriorated beyond normal expectation for the bonding period shall, at the City Engineers direction, be repaired or replaced to the satisfaction of the City.

6. Nine (9) dwelling units may be transferred from the Wood Trails property (sending site) in accordance with the WMC 21.36.030 and WMC 21.36.050 (Transfer of Residential Density Credits).

ENVIRONMENTAL – Reference Final EIS (Exhibit 40)

1. The wetland location and class must be shown on the plat drawing.

2. The pedestrian access trail easement shall be removed from the proposal.

3. The wetland must be properly restored after installation of the storm drainage and sanitary sewer pipes. A restoration plan shall be submitted with the engineering plans.

4. The current Wetland Report does not address the wetland recharge method proposed by the Applicant. Discharge is to be from the detention facility.

5. The Geotechnical Engineering Study does not address the utility installation by boring in the wetland area. The applicant's geotechnical engineer shall provide recommendations for utility installation in the wetland area. This is to be submitted with engineering plans.
6. A Native Growth Protection Area (NGPA) shall be placed upon all areas not included within the site development (lot and right of way) areas of the subdivision and shall be designated on the final plat. The onsite wetland and required buffers are to be protected as an NGPA. NGPA Tract A is to be dedicated to the homeowners association.
7. The boundary of the Native Growth Protection Area (NGPA) shall be designated by signs to be approved by the City. The signs shall be located every 100 feet along the NGPA boundary; additionally, there shall be a sign centered along each lot line adjacent to the NGPA.
8. The boundary of the NGPA shall be delineated by an approved fence (split-rail).
9. The applicant shall comply with the suggested mitigating measures set forth in the FEIS Exhibit #40.

FIRE

1. Road width and construction for Fire Department access must meet City of Woodinville Transportation design requirements.
2. Curb turning radius shall be a 25-foot curvature.
3. Fire Department access roads with dead-ends over 150 feet, such as NE 204th Street near Tract B, shall have an approved turn-around per City of Woodinville Transportation Infrastructure Standards and Specifications (TISS)
4. The Fire Department shall have access to within 150 feet of any portion of a buildable portion of any lot.
5. A current hydrant flow chart is required for the closest hydrant to each structure at the time of building permit application for that structure. Fire flow will be calculated based on square footage of each structure. Homes not meeting minimum fire flow requirements shall be provided with an automatic fire sprinkler system.
6. Hydrant spacing shall be in accordance with Uniform Fire Code, Appendix III-B
7. Homes 5,000 square feet in size or greater shall be provided with an automatic fire sprinkler system per International Fire Code (IFC) pending site development.
8. Homes served by access roads greater than 15% grade shall be provided with an automatic fire sprinkler system.
9. Any road used for fire department access 28 feet or less in width shall have parking on one side of the street only. Any road used for fire department access 26 feet or less shall have no parking on either side of the street. Note: This requirement is not to be construed as an approval of any deviation request for roads narrower than that required by the City of Woodinville Transportation and Infrastructure Standards.

IMPACT FEES

1. This project is subject to the following impact fee Ordinances:
 - Transportation Impact Fee (TIF) Ordinance (Chapter 3.39 WMC) and
 - Park Impact Fee (PIF) Ordinance (Chapter 3.36)
2. As provided for under the City of Woodinville Municipal Code and the City of Woodinville Comprehensive Plan, and analysis by the Northshore School District Number 417, it has been determined that this development will not have an adverse impact on the School District.

LANDSCAPE & TREE RETENTION

1. This project shall comply with applicant City street tree requirements. Street trees shall be provided as follows, per WMC 21.16.050:
 - a. The trees shall be owned and maintained by the homeowners association, unless located in the City right-of-way. Ownership and maintenance shall be noted on the face of the final recorded plat.
 - b. The species of trees shall be approved by the City of Woodinville Development Services Department. If located within the right-of-way, tree shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers or which are not compatible with overhead utility lines.
 - c. Trees shall be located within the street right-of-way and planted in accordance with WMC 2.24.090, City of Woodinville Public Infrastructure Standards and Specifications, Landscaping Section 7, Details 341, 342, and in accordance with the Public Tree Care Standards Manual.
 - d. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, the performance bond must be replaced with a maintenance bond, and per WMC 21.24.150, held for a period of up to five (5) years. The duration of maintenance/monitoring obligations shall be established by the Planning Director, based upon the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures. After the maintenance period has ended, the maintenance bond may be released after the City of Woodinville Development Services Department has completed a second inspection and determined that the trees have been kept healthy and thriving.
2. A detailed tree retention plan shall be submitted with the final engineering plans for the subject plat. The tree retention plan (and engineering plans) shall be consistent with the requirements of WMC 21.16.140.
3. No clearing of the subject property is permitted until the final tree retention plan is approved

by the City of Woodinville Development Services Department. Flagging and temporary fencing of trees to be retained shall be provided, consistent with WMC 21.16.160.

4. The placement of impervious surfaces, fill material, excavation work, or the storage of construction materials is prohibited within the fenced areas around preserved trees, except for grading work permitted pursuant WMC 21.16.160.

5. A note shall be placed on the final plat indicating that the trees shown to be retained on the tree retention plan shall be maintained by the future owners of the proposed lots, consistent with WMC 20.06.175 20.06.190 and 21.16.

6. Plat plans shall include a City signature block.

7. Track C, as shown on the preliminary plat, shall be maintained by the Home Owner's Association.

SURFACE WATER

1. Storm drainage containment, treatment and disposal must be in compliance with the 1998 King County Surface Water Design Manual requirements.

2. The storm drainage easement on Tract D will be dedicated to the City for the purpose of storm facilities maintenance only.

3. The Track B Detention Pond or other detention system that is demonstrated to promote continued hydration of the wetland – Shall be dedicated to the City of Woodinville after the required maintenance period has ended.

4. The total of impervious areas on each lot and for all roadways must be labeled on the plat drawing.

TRANSPORTATION

1. A transportation impact fee is required. This project is subject to the City's Transportation Impact Fee (TIF) Ordinance (Chapter 3.39 WMC). TIF fees are paid at building permit issuance for each residence. The fee amount shall be the amount in effect as of the date of complete building application. Submit a completed TIF Worksheet with each new dwelling building permit.

2. 156th Avenue NE right-of-way must be shown with dimensions and labeled on the plat drawing.

3. The proposed roads shown on plat drawings must satisfy City standards for high density residential streets (TISS Detail 104A and 104B). Full width right-of-ways and roadways are required, which may mean a reduction in the number of lots.

4. The street layout/geometry must satisfy City TISS requirements.

5. The Geotechnical Engineering Study does not address the proper road pavement section. City standard roadway section (TISS Detail 104B) for High Density Residential Streets must be

used. Right-of way must be shown with dimensions and labeled on the plat drawing.

6. The City Limits must be shown on the plat drawing.

7. According to a site traffic impact analysis of the City of Woodinville Public Works Department, Chapter 3.5 Transportation in the Final Environmental Impact Statement issued on December 12, 2006, the City projected additional peak period traffic generated by this project. Therefore, this project is subject to City of Woodinville Transportation Impact Fee Ordinance No. 356.

8. All required improvements shall be completed before final plat approval.

9. Drawings of record shall be approved and signed by the Public Works Director prior to final plat approval.

10. The original plat drawing showed two access roads to the plat from 156th Avenue NE. The conceptual plan shown at the hearing depicts only one access road. Any reduction in access roads from two to one, must be approved by the City Engineer and the Fire Department. The City Engineer shall approve all plans for city infrastructure and shall approve such installation prior to acceptance by the City.

11. Maintenance bond(s) amounts must be approved by the Public Works Department and bonds shall be submitted to the City prior to final plat approval. The maintenance bond shall be for a minimum of two (2) years. At the end of the bonding period, the city shall inspect the installed infrastructure. Any infrastructure that appears defective or has deteriorated beyond normal expectation for the bonding period shall, at the City Engineers direction, be repaired or replaced to the satisfaction of the City.

Example:

- a. Landscape – 2-Year Maintenance Guarantee
- b. Lighting – 2-Year Maintenance Guarantee
- c. Site Improvements – 2-Year Maintenance Guarantee
- d. Wetland – 5-Year Maintenance Guarantee

12. Street lighting shall be in compliance with city standards as approved by the City Engineer.

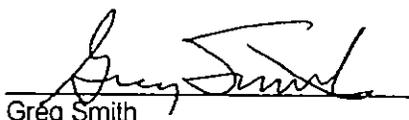
13. All utilities shall be underground within the development.

L. OTHER CONSIDERATIONS

Preliminary approval of this application does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body. This may include, but is not limited to the following:

- a. National Pollutant Discharge Elimination System (NPDES) Permit from WSDOE
- b. Water Quality Modification Permit from WSDOE
- c. Water Quality Certification (401) Permit from U.S. Army Corps of Engineers.

DATED this 16th day of May 2007.



Greg Smith
City of Woodinville Hearing Examiner pro tem

Testimony Listing:

Spoke 03/14/2007 Spoke 4/05/2007 Spoke 03/15/2007
Shading represents difficulty in reading sign in sheet

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**Montevallo PPA and ZMA Exhibit Index List --
Revised 05/01/2007 by Sandy Guinn**

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15	PPA Proof of Publication - Notice of Application	1
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57	Board – Woodinville Neighborhoods (Wood Trails and Montevallo land area highlighted See Wood Trails Exhibit 67	1
58	Board – Land Use: Residential Parcel Size (R-1 zoning) with Montevallo and Wood Trails parcels highlighted See Wood Trails Exhibit 68	1
59	Board – 2004 Topography of the City Woodinville, Lidar Source: King County See Wood Trails Exhibit 69	1
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64	Red folder: Public Comments received 03/13/ through 03/15/07; Staff's Closing Request dated March 15, 2007; Other Information/Errata – Montevallo; Letter dated February 13, 2007 from J. Richard Aramburu addressed to Cindy Baker (16 pages with fax cover); AND Transmittal dated March 14, 2007 from Triad Associates addressed to Cindy Baker, City of Woodinville with following attachments: Montevallo Conceptual Site Plan (2), Transmittal dated March 9, 2007 from Triad Associates addressed to Cindy Baker, Memo dated March 7, 2007, from Phoenix Development (Loree Quade) addressed to Cindy Baker, and letter dated March 8, 2007 from G. Richard Hill of McCullough Hill, addressed to Cindy Baker	37
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74	Analysis of Montevallo Rezone and Preliminary Plat Application, Volume One, Two and Three (plus CD). Two sets of 3 volumes were submitted to the Hearing Examiner by the public. It was stated that both sets were exactly the same except the cover. One cover was Montevallo and one was Wood Trails. Because of their size, only one will be relied on as an exhibit - Analysis of Montevallo Rezone and Preliminary Plat Application, Volumes One, Two, Three, and one CD – Montevallo Exhibit #74.	2144 and one CD
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80	Letter dated March 2, 2007, from Fred Green, President, CNS, to Cindy Baker, Interim Development Services Director	2
81	Sign Up Sheet March 15, 2007 Montevallo Preliminary Plat and Rezone	19
82	DVD of the Montevallo Video taped at March 15, 2007 public hearing	One DVD
83	Correspondence submitted by citizens; Jones & Stokes (Lisa Grueter) email dated April 6, 2007, addressed to Cindy Baker regarding noise attenuation from trees; Perteet (Joel E. Birchman) email dated April 04, 2007, addressed to Cindy Baker, regarding WT & Montevallo Rebuttal	36
84	Green folder: Correspondence/emails from citizens, Memorandum dated February 27, 1997 from Stephanie Cleveland, Project Planner to Planning Commission, and copy of Request for Public Records #2007-043 and documentation provided	97
85	Letter from Cindy Baker, City of Woodinville, dated April 16, 2007, addressed to Greg Smith, Hearing Examiner with attachments (best available science) – See Wood Trails Exhibit #155	373
86	Email dated April 13, 2007 from Jane Winant to Cindy Baker; Richard Leahy; Email dated April 16, 2007 from Mike Daudt to Susie McCann; Jennifer Kuhn; gsmith@spokanecity.org	7
87	Email sent December 8, 2006 from Yosh Monzaki to Cindy Baker, Steve Munson, Susie McCann, Mick Monken; email sent December 13, 2006 from Sandy Guinn to Development Services; Correspondence from Traci Herman to Cindy Baker responding to email request of March 2, 2007; Email sent April 16, 2007, from Lee Ann Reid to Sandy Guinn; Copy of letter dated March 2, 2007 from Fred A. Green, President, CNW, to Cindy Baker; copy of letter dated March 15, 2007, from Sunday and Scot McCallum to Woodinville City Council & Planning Commission; and copy of letter received April 16, 2007, from Austin T. Winant to Mr. Greg Smith, Hearing Examiner	13

88	Letter dated November 1, 2006 from Cindy Baker, Interim Development Services Director to Richard Aramburu, Attorney at Law; letter dated September 22, 2006 from J. Richard Aramburu to J. Zachary Lell, Ogden Murphy Wallace, PLLC, and Ray Sturtz, Planning Director; letter dated April 16, 2007 from Michael Daudt to Greg Smith Hearing Examiner; Email sent April 12, 2007, from Steve and Karen Tidball to Council; Email sent April 18, 2007, from Susan Huso to Richard Leahy	15
89	Evidence Summary and Arguments by Concerned Neighbors of Wellington In Opposition To Rezone and Plats – See Wood Trails Exhibit #159	50
90	Hand typed note from Kathy McLemore to Jeff/Lisa with ABC Legal Service form dated 4-19-07 – See Wood Trails Exhibit #160	2
91	Analysis of Wood Trails Rezone and Preliminary Plat Application , Volume Four, prepared by Concerned Neighbors of Wellington – See Wood Trails Exhibit #161	196
92	Letter dated April 19, 2007, from Otto K. Paris, L.G., L.HG., Hydrogeologist to Ms. Cindy Baker, Interim Director of Development Services – See Wood Trails Exhibit #162	3
93	Tree Preservation Plan for Wood Trails & Montevallo projects dated April 19, 2007, from Peter C. Blansett, S. A. Newman Firm	6
94	Email sent March 11, 2007 from Kerry Kunnanz to Susie McCann	1
95	Transmittal dated April 26, 2007, from Triad Associates, addressed to Hearing Examiner with attachments (Phoenix Development Rebuttal Memorandum prepared by G. Richard Hill; Response Letter to Additional Review Comments prepared by Transpo; Response Letter prepared by Woodinville Water District; Response Letter prepared by Sewall Wetland Consulting; Response Letter to CNW Comments prepared by Earth Solutions NW; Rebuttal to CNW Narrative prepared by Phoenix Development Inc.; Response to Comments RE: City Capacity Analysis prepared by Erika Jensen; Response Letter to CNW Volume 4 Comments prepared by Mark Keller; Letter regarding Summers Addition prepared by Mark Harrison – See Wood Trails Exhibit #165	72
96	Email sent April 27, 2007, from Cindy Baker to Susie McCann, forwarding email sent April 26, 2007, from Rich Hill to Zach Lell-City Attorney; Rick Aramburu; Cindy Baker – See Wood Trails Exhibit #166	13



City of Woodinville
APPEAL OF
HEARING EXAMINER'S DECISION

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Permit Desk Hours • Monday – Friday • 8:30am – 4:00pm • Wednesday 11:30am-4:00pm

DATE:	TIME:
-------	-------

APPEAL RECEIVED FROM:

NAME:

ADDRESS:

DATE OF ISSUANCE OF HEARING EXAMINER'S DECISION:
--

SPECIFIC REASON (S), RATIONAL, AND OR BASIS FOR THE APPEAL:

Attach additional information necessary to appeal.
The examiner's decision on an interpretation maybe appealed to the City Council by filing an appeal with the City Clerk's office within 10 (ten) days from the date of issuance of a written decision by the Hearing Examiner and shall be accompanied by a filing fee of \$640.00.

Signature: _____ Date: _____

Time Received

Date Stamp

--

CITY OF WOODINVILLE • APPEAL OF HEARING EXAMINER'S DECISION

Applicant:	File Number:
------------	--------------

The subject decision of the Hearing Examiner is based on an **OPEN RECORD HEARING**. The decision may be appealed to the City Council under provisions of the Woodinville Municipal Code (WMC) Section 17.17.040 (1) (b).

Under WMC 17.17.040 (1) (b), an appeal must be filed within 14 calendar days following issuance of the decision. For purpose of computing the time for filing an appeal, the day the Hearing Examiner's decision is rendered shall not be included. Appeals and appeal fee may be delivered before 5:00 p.m. on the last business day of the appeal period that ends.

Appeals shall be in writing, be accompanied by an appeal fee of \$640 (\$240 application fee plus a \$400 consulting fee) and contain information noted in WMC 17.17.040 (d). An appeal form with information required for an appeal is available at the Development Services Department.

Appeal of a decision based on an **OPEN RECORD HEARING** is limited to an administrative appeal heard by the City Council as a **CLOSED RECORD APPEAL HEARING**. *No new evidence or information is allowed to be submitted at the CLOSED RECORD APPEAL HEARING.*

A tape recorded transcript of the OPEN RECORD HEARING is available for \$10.00 per cassette duplication cost.

WMC - Chapter 17.17
CLOSED RECORD DECISIONS AND APPEALS

Sections:

- 17.17.010 Appeals of decisions.
- 17.17.020 Consolidated appeals.
- 17.17.030 Standing to initiate administrative appeal.
- 17.17.040 Closed record decisions and appeals.
- 17.17.050 Procedure for closed record decision/appeal.
- 17.17.060 Judicial appeals.

17.17.010 Appeals of decisions.

Project permit applications shall be appealable as provided in the framework in WMC 17.07.030. (Ord. 143 § 1, 1996)

17.17.020 Consolidated appeals.

(1) All appeals of project permit application decisions, other than an appeal of determination of significance (DS), shall be considered together in a consolidated appeal.

(2) Appeals of environmental determinations under SEPA shall proceed as provided in WMC 14.04.260. (Ord. 143 § 1, 1996)

CITY OF WOODINVILLE • APPEAL OF HEARING EXAMINER'S DECISION

17.17.030 Standing to initiate administrative appeal.

(1) Limited to Parties of Record. Only parties of record may initiate an administrative appeal of a Type II, III or IV decision on a project permit application.

(2) Definition. The term "parties of record", for the purposes of this chapter, shall mean:

(a) The applicant;

(b) Any person who testified at the open record public hearing on the application; and/or

(c) Any person who submitted written comments concerning the application at the open record public hearing excluding persons who have only signed petitions or mechanically produced form letters. (Ord. 143 § 1, 1996)

17.17.040 Closed record decisions and appeals.

(1) Type II, III, or IV Project Decisions or Recommendations. Appeals of the hearing body's decision or recommendation on a Type II, III or IV project permit application shall be governed by the following:

(a) Standing. Only parties of record have standing to appeal the hearing body's decision.

(b) Time to File. An appeal of the hearing body's decision must be filed within 14 calendar days following issuance of the hearing body's written decision. Appeals and the appeal fee shall be delivered to the Planning Director by mail or personal delivery before 5:00 p.m. on the last business day of the appeal period.

(c) Computation of Time. For the purposes of computing the time for filing an appeal, the day the hearing body's decision is rendered shall not be included. The last day of the appeal period shall be included unless it is a Saturday, Sunday, a day designated by RCW 1.16.050 or by the City's ordinances as a legal holiday, then it also is excluded and the filing must be completed on the next business day.

(d) Content of Appeal. Appeals shall be in writing, be accompanied by an appeal fee, and contain the following information:

(i) Appellant's name, address and phone number;

(ii) Appellant's statement describing his or her standing to appeal;

(iii) Identification of the application which is the subject of the appeal;

(iv) Appellant's statement of grounds for appeal and the facts upon which the appeal is based;

(v) The relief sought, including the specific nature and extent;

(vi) A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

(e) Effect. The timely filing of an appeal shall stay the effective date of the hearing body's decision until such time as the appeal is adjudicated by the Council or withdrawn.

(f) Notice of Appeal. The Director shall provide public notice of the appeal as provided in WMC 17.11.030(2)(b)(i) and 17.11.030(2)(b)(iii).

(g) The Planning Director may, in his or her sole discretion, waive the appeal period for Type II development applications when a request for waiver is made by the applicant and property owner and then only when the applicant and property owner are the only parties of record with standing. Request for waiver must be made in writing and must state the reason for the requested waiver. (Ord. 379 § 5, 2004; Ord. 143 § 1, 1996)

17.17.050 Procedure for closed record decision/appeal.

(1) The following subsections of this title shall apply to a closed record decision/appeal hearing: 17.15.030; 17.15.040; 17.15.050; 17.15.060; 17.15.070(1)(a); 17.15.070(1)(b); 17.15.070(1)(c); 17.15.070(1)(d); 17.15.070(1)(f); and 17.15.080.

(2) The closed record appeal/decision hearing shall be on the record before the hearing body, and no new evidence may be presented. (Ord. 143 § 1, 1996)

17.17.060 Judicial appeals.

(1) The City's final decision on an application may be appealed by a party of record with standing to file a land use petition in King County Court. Such petition must be filed within 21 days of issuance of the decision, as provided in Chapter 36.70C RCW.

(2) The Planning Director may, in his or her sole discretion, waive the appeal period for Type I development applications when a request for waiver is made by the applicant and property owner and then only when the applicant and property owner are the only parties of record with standing. Request for waiver must be made in writing and must state the reason for the requested waiver. In the event that the Planning Director agrees to said requested waiver, the applicant shall be required to execute a release agreement in a form approved by the City Attorney. (Ord. 379 § 5, 2004; Ord. 143 § 1, 1996)

Chapter

11

Woodinville



News Release

City of Woodinville 17301 – 133rd Ave NE, Woodinville, WA
For information contact Marie Stake
Executive Department
425-489-2700

May 18, 2007

Wood Trails, Montevallo Plat Proposals Approved with Conditions

Woodinville, WA – On Wednesday, May 16, 2007, City of Woodinville Hearing Examiner pro tem Greg Smith issued his Findings, Conclusions and Decision regarding the preliminary plat applications and rezone requests for the proposed Wood Trails and Montevallo residential developments. The Hearing Examiner conditionally approved the preliminary plat applications and recommended approval of the applicant's rezone requests for both projects. The Hearing Examiner also approved a reduced density transfer of nine residential density credits from the Wood Trails project site to the Montevallo project site. To view the separate decisions, go to <http://www.ci.woodinville.wa.us/events/EIS.asp>. Per the Woodinville Municipal Code, the City Council is the appellate body for any appeals of preliminary plat decisions issued by the City's Hearing Examiner, and also makes a final decision regarding the Hearing Examiner's recommendation on site-specific rezone requests.

On June 18, 2004 and November 8, 2004, respectively, Phoenix Development (applicant) submitted preliminary plat applications for two sites in the Wellington neighborhood: Wood Trails and Montevallo. The preliminary plat applications propose 66 single-family residential lots for each development. In addition, the applicant submitted rezone requests to change the zoning from one residential unit per acre (R-1) to four units per acre (R-4). The City deemed the applications as complete per city code and the proposals were vested. The Hearing Examiner held several public hearings to receive public testimony regarding the plat and rezone applications.

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Woodinville



News Release

City of Woodinville 17301 – 133rd Ave NE, Woodinville, WA
For information contact Cindy Baker
Development Services Department
425-489-2754

March 19, 2007

Wood Trails Public Hearing Continued to April 5 ***Testimony for Montevallo Will Also Be Accepted***

Woodinville, WA - The Hearing Examiner, hired by the City of Woodinville through an interlocal agreement with the City of Spokane, has continued both the March 14, 2007 public hearing on the rezone and preliminary plat application for the proposed Wood Trails residential development, and the March 15, 2007 public hearing on the applicant's other rezone and preliminary plat application for the proposed Montevallo residential development. The continued hearing(s) will be held on April 5, 2007 at 7 p.m., Woodinville City Hall, Council Chambers, 17301-133rd Avenue NE. Written comments from interested parties regarding both proposals will be accepted and admitted into the record up to and at the hearing until the hearing(s) are formally closed.

To view the legal notice for the Wood Trails proposal, look for the March 19, 2007 issue of the Woodinville Weekly newspaper. The Montevallo proposal does not require an additional legal notice because the Hearing Examiner announced the time and date of the continuation at the March 15 public hearing. As a courtesy, the legal notice of continuation is posted to the City's website at www.ci.woodinville.wa.us. To view or obtain video and/or audio tapes of the March 14 Wood Trails continued hearing and the March 15 Montevallo continued hearing, please contact the Development Services Department at 425-489-2754 or come to Woodinville City Hall during regular office hours.

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On June 18, and November 8, 2004, Phoenix Development (applicant) submitted preliminary plat applications for two sites in the Wellington Neighborhood: Wood Trails (PPA2004-54) and Montevallo (PPA2004-093), respectively. In addition, the applicant submitted rezone requests (ZMA2004-053 and ZMA2004-94) to change the zoning from R-1 (1 residential unit/acre) to R-4 (4 residential units/acre). The City deemed the applications as complete per city code and the proposals were vested.

The public hearing for the Wood Trails proposal was initially opened on February 28, 2007 and was immediately continued to March 14, 2007, and now again to April 5, 2007. The public hearing for the Montevallo proposal was initially opened on March 1, 2007 and was continued to March 15, 2007, and now again to April 5, 2007.

The Hearing Examiner will make recommendations to the City Council for its decisions on the rezone applications and will make final decisions on the preliminary plats. The Hearing Examiner recommendations and final decisions are to be made within ten business days of the close of the public hearing but may be extended with agreement by the applicant and hearing examiner.

For more information on the rezone and preliminary plat applications, go to <http://www.ci.woodinville.wa.us/events/EIS.asp> or contact Interim Director Cindy Baker, Development Services Department.

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Woodinville Adopts Interim Regulations for Development in Low Density Residential Zone

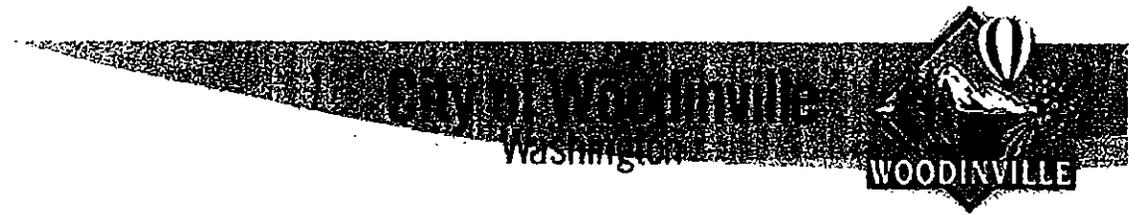
Building and Land Use Moratorium for R-1 Area Expires March 20

The Woodinville City Council has temporarily amended the City's current zoning regulations to clarify the types of development which are allowed in low-density residential zones. The City's Comprehensive Plan designates low-density residential zones as one residential unit per acre (R-1) or four residential units per acre (R-4). The amendment to Woodinville Municipal Code (WMC) 21.04.080 temporarily allows R-1 projects to be developed in the R-1 zone even when adequate utilities are available to support higher R-4 densities. At its March 12 meeting, the Council unanimously approved the zoning code amendment which will be in effect March 21 through September 21, 2007. During this time, the City will prepare permanent regulations for the City Council to consider.

In a related action at the same meeting, the City Council allowed the building moratorium in the R-1 zone that has been in effect since March 2006 to expire on March 20, 2007. This moratorium prohibited all new development in the R-1 zone. When the moratorium expires, the new interim regulations allowing R-1 developments will take effect.

The actions are a result of the City Council's consideration of recommendations made by the Planning Commission on the Sustainable Development Study. The Study evaluated the environmental, transportation, public services and other impacts of future development in the city's R-1 zone.

To view the draft Study or watch the video from the March 12 City Council meeting, go to www.ci.woodinville.wa.us. For more information, contact Interim Director Cindy Baker, Development Services Department at 425-489-2754. (3/16/07)



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Public Comment Opportunities for Woodinville's Sustainable Development Draft Report

On Wednesday, January 24, the Woodinville Planning Commission met with members of a citizens advisory panel (CAP) to discuss the preliminary findings of the Sustainable Development Study. Commissioners and panelists reviewed the purpose of the study and the methodologies used to evaluate the environmental, neighborhood character, transportation, public facilities and other Growth Management Act (GMA) elements to existing and potential development options in the R-1 (one residential unit per acre) zoning district. Public comment was received regarding the draft report. The Commission will hold a public hearing on January 31 at 7:30 p.m. Woodinville City Hall, 17301-133rd Avenue NE, to receive further public comment. On February 20, the City Council will hold a study session to discuss the draft report. A formal public hearing will be held on March 5, 2007, to consider the contents of the report and any proposed comprehensive plan regulatory changes. At that time the public is encouraged to make comments on the study and associated legislative proposals and on the disposition of the moratorium. A decision on these items is possible at the March 5 City Council hearing, following public comment and completion of the public hearing. The draft study, as presented to the Commission, is available on the City's website. Updates to the plan will be posted as they are completed.

In March 2006, the City Council enacted a six-month temporary land use and building permit moratorium in the R-1 zone so that it could commission the Sustainable Development Study as an attempt to ensure the compliance of future development within the City, particularly in the R-1 zone. The moratorium was renewed in September and expires March 20, 2007. For more information, call Marie Stake, communications coordinator at 425-489-2700. (1/26/2007)

Jennifer Kuhn

From: Marie Stake

Sent: Thursday, December 28, 2006 12:38 PM

Subject: News Release: Sustainable Development Open House, Jan. 10

City of Woodinville News Release

Address: 17301-133rd Avenue NE, Woodinville , WA 98072

Contact: Bob Wuotila, Development Services Department

Phone: 425-489-2754, ext. 2283

Web: www.ci.woodinville.wa.us

December 28, 2006

Sustainable Development Study Open House January 10

Woodinville, WA – The combined efforts of a citizens advisory panel, environmental consultants and city staff have resulted in the completion of a study into implications of environmental conditions to existing and future development in the R-1 area of the City of Woodinville. Results of the study and associated proposed amendments to the Comprehensive Plan and Zoning Code will be debuted at an Open House, Wednesday, January 10, 2007, 4:00 to 6:30 p.m. at Woodinville City Hall, 17301-133rd Avenue NE, Woodinville, WA.

Launched in June, 2006, the City's Sustainable Development Program was conducted to determine the adequacy of land use designations and development regulations that are currently in place in the R-1 zone (1 residential unit per acre) in order to maintain environmental quality and meet applicable State law and legal considerations. As part of the program, consultants for the City gathered and analyzed environmental information to determine the relations that development densities and intensities will have on the ecological integrity of the R-1 study area. A citizens advisory panel (CAP), comprised of home and business owners, provided input on the environmental studies conducted by Steward and Associates of Snohomish, Washington with contribution from other consultants.

06/11/2007

The draft/preliminary Study contains technical findings and recommendations for Lake Leota, contains stormwater management recommendations, low impact development guidelines and proposes further studies, including more detailed analysis of critical areas and existing housing and neighborhoods.

Last month, the Planning Commission received preliminary results of the study and recommendations from the CAP regarding goals and policies. In March, 2006 the City Council enacted a temporary moratorium on most building and land use permits so that the Sustainable Development Study could be conducted. In September, 2006, the Council approved a six-month renewal of the moratorium which will expire March 20, 2007.

For more information on the Sustainable Development Program, contact Bob Wuotila, Development Services Department at 425-849-2754, ext. 2283 or bobw@ci.woodinville.wa.us or visit the Sustainable Development page at <http://www.ci.woodinville.wa.us/events/moratoriuminfo.asp>.

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Woodinville



News Release

City of Woodinville 17301-133rd Ave NE, Woodinville, WA
For information contact Marie Stake
Communications Coordinator
425-489-2700

December 8, 2006

Environmental Impact Statement for Wood Trails and Montevallo Proposals Ready on December 13

Woodinville, WA – The Final Environmental Impact Statement (FEIS) for the Wood Trails and Montevallo development proposals will be made available to the general public by the City of Woodinville on Wednesday, December 13. The FEIS has been processed per state environmental law and city zoning code requirements. Phoenix Development, Inc. of Lynnwood, Washington submitted the two proposals in 2004 that seek approval to rezone property in the R-1 zone (one residential unit per acre) to R-4 (four residential units per acre) and subdivide the property to construct single-family residential housing. The FEIS will be available for public inspection at Woodinville City Hall, 17301-133rd Avenue NE, and the Woodinville Library, 17105 Avondale Road during regular business hours. A bound copy or CD may be purchased at the Woodinville branch of FedEx-Kinko's, 13620 NE 175th Street. The 3-volume document will also be available on the City's website at <http://www.ci.woodinville.wa.us/events/EIS.asp>.

Quick Facts About: Wood Trails and Montevallo Preliminary Plat Proposals

- Developer/Applicant: Phoenix Development, Inc., Lynnwood, Washington
- Proposals located in the West Wellington neighborhood of Woodinville, Washington
- Draft Environmental Impact Statement (DEIS) issued:

Wood Trails:

- Application for preliminary plat received: June, 2004 (File No. PPA2004-056)
- Applicant's Proposal: Rezone 38.7-acre property from one residential unit per acre (R-1) to four units per acre (R-4) to subdivide the property into 66 single-family residential lots (includes density credits)

Montevallo

- Application for preliminary plat received: November, 2004 (File No. PPA2004-0093)
- Applicant's Proposal: Rezone 16.48-acre property from R-1 to R-4 to subdivide the property into 66 single-family residential lots (includes density transfers)

"The combined projects are one of the largest residential developments in the City's history," notes Cindy Baker, interim director development services department. "In order to ensure appropriate identification of any environmental impacts, the City required an environmental impact statement." Several geotechnical, transportation and environmental consulting firms contributed to the FEIS.

A Draft EIS (DEIS), issued in January, 2006, evaluated potential environmental impacts of the proposals as they relate to the following elements: earth, water, plants and animals, land use, transportation and public services. The FEIS contains additional analysis and clarifications for several of the environment elements and describes minor changes to the applicant's plans. It also includes responses to public comments made about the DEIS.

Consistent with State Environmental Policy Act (SEPA) rules and the Woodinville Municipal Code, the FEIS will be filed with the State Department of Ecology, and a notice that the FEIS is available will be sent to any person or organization who commented on and/or received a copy of the DEIS. The City's next step will be to forward the applications, the FEIS, a staff report and all applicable codes to a Hearing Examiner. The Hearing Examiner, an independent land use expert, will hold a public hearing to receive public comments on the preliminary plat and rezone applications. Official public notice of the hearing will occur at least 15 days prior to the hearing and will be published in the City's official newspaper, the Woodinville Weekly, as well as being posted and mailed to all parties as specified by Woodinville Municipal Code 17.11.030. The Hearing Examiner will issue Facts and Findings subsequent to the hearing which is anticipated to be held in mid-January.

For information about the Wood Trails and Montevallo proposals, please contact Susie McCann, Acting Manager of Plan Review and Inspection, at 425-489-2574, ext. 2272.

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Woodinville



News Release

City of Woodinville 17301 – 133rd Ave NE, Woodinville, WA
For information contact Marie Stake
Communications Coordinator
425-877-2267

April 24, 2006

City Council Holds Public Hearing on Moratorium Ordinance

May 1 Hearing Held at Community Center

Woodinville, WA – The City of Woodinville City Council will hold a public hearing to receive and consider testimony from interested persons regarding Ordinance No. 419 which imposes a temporary moratorium on building permit and land use applications in the City's R-1 (1 dwelling unit per acre) zone. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City is required to hold a public hearing within sixty days after adoption of the moratorium ordinance. The public hearing begins at 7:30 p.m. at Woodinville Community Center, Gymnasium, 17401-133rd Avenue NE. As part of the public hearing two special presentations will be given prior to public comment being accepted. Leonard Bauer, Managing Director of Growth Management Services, Washington State Department of Community Trade and Economic Development will present information on the relationship of the Growth Management Act to land use issues, including a moratorium. Mike Walter, Attorney, Keating, Bucklin and McCormick will speak to the legal issues of moratoria. Persons interested in providing public comment will be asked to register their name and address prior to the start of the hearing and will be called by the Mayor who will preside over the hearing. Public comment will be recorded, time-limited and may only be relevant to the ordinance. Public comment regarding any specific, pending quasi-judicial land use matter will not be accepted. Quasi-judicial matters are specific development proposals involving a separate hearing or contested proceeding to determine the land use rights, duties or privileges of individual parties.

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The City Council enacted Ordinance No. 419 on March 20, 2006 to initiate a comprehensive environmental study of the R-1 zone to ascertain the level of resource sensitivity and potential impact from development. The R-1 zone (2005 zoning map attached) is generally located east of 146th Avenue NE extended on the north and south sides of Woodinville-Duvall Road to the City limits at 171st Avenue NE and includes the properties west and east of 148th Avenue NE. Information gathered from the environmental study will be evaluated with existing information on certain city-wide environmental conditions including the Little Bear and Woodin Creeks, critical (sensitive) area mapping, and data currently be gathered from a groundwater study. This information will be used by the City in considering amendments to its current Comprehensive Plan and development regulations that will appropriately balance the Growth Management Act's various planning goals.

Speakers are encouraged to present organized and specific public comment either by speaking at the podium or by submitting written comments prior to or at the hearing. In accordance with Council procedures, public comment reflecting the view of an individual or group will be limited to five (5) minutes. Written comments may be submitted to Sandra Parker, City Clerk, Woodinville City Hall, 17301-133rd Avenue NE, Woodinville, WA 98072.

The City Council may, in its discretion, adopt additional findings of fact in support of Ordinance No. 419 at the conclusion of the public hearing. To view Ordinance No. 419, go to <http://www.ci.woodinville.wa.us/regulations/regs-ord-2006-2005.asp>.

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website: www.ci.woodinville.wa.us/events

Woodinville



City of Woodinville 17301 – 133rd Ave NE, Woodinville, WA
For information, contact Name, Title
Department
425-489-2700

News Release

Date March 22, 2006

Council Approves Temporary Building and Land use Moratorium

Woodinville, WA –

On Monday, March 20, 2006 the Woodinville City Council voted to establish a land-use moratorium (Ordinance No.419) in the City's R-1 zone. The ordinance imposes a temporary moratorium on "the receipt and processing of building permit and other land use applications." The purpose of the moratorium is to allow the City to undertake a comprehensive environmental study of the area to ascertain the level of resource sensitivity and potential impact from development and to make informed decisions on appropriate development intensity. The R-1 zone is generally located east of 149th Ave NE on the north and south sides of Woodinville-Duval Rd to the City limits at 171st Ave NE. The R-1 zone allows one dwelling unit per acre. The Council has scheduled a Public Hearing for Monday, May 1, 2006 at 7:30 p.m. at City Hall in the Council Chambers at 17301 – 133rd Ave NE.

"The City Council is committed to protecting and enhancing the City's critical areas, consistent with the City's adopted policies and the requirements of the Growth Management Act" notes Mayor Cathy Von Wald. "The City's designated R-1 zone is part of the Bear Creek Watershed which is prime habitat for spawning Chinook salmon. The City Council enacted the moratorium to give the City time to study the potential impacts of further development and provide information about the appropriate intensity of development that will protect and enhance critical areas and endangered species," adds Von Wald.

The City has some existing information on certain environmental conditions, including past studies on Little Bear and Woodin Creeks and some critical area mapping. The City is also participating in a

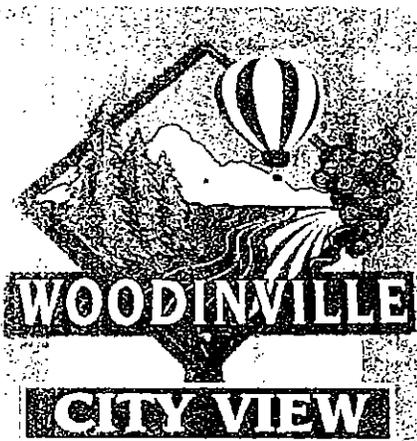
- More -

groundwater mapping study that should provide valuable insight. However, this information will need to be significantly augmented by additional studies and include a wide area of the City in order to provide a baseline comparison of potential impacts from future development.

A land-use moratorium is a local enactment which temporarily suspends the right to obtain development approvals while the community considers and potentially adopts changes to its comprehensive plan and/or its land use regulations to address new circumstances. A moratorium on development preserves the status quo while the community performs such updates when there is concern that continuing development may degrade the resources.

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Chapter 12



Volume 12, Issue 2

May-June

2006

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City's Request Denied for Brightwater Binding Site Plan Reconsideration

Next Step: Council Authorizes Appeal

Snohomish County Office of the Hearing Examiner has denied the City's "motion to reconsider" to reopen the public hearing to consider new information regarding seismic conditions as developed by the Sno-King Environmental Alliance (SKEA). In his order, the Hearing Examiner cited the request is beyond the scope of the Office of the Hearing Examiner.

The ruling states "Both SKEA and the City assert that SKEA has information tending to show the potential for or existence of additional faulting at the subject site and that both parties request the Examiner to reopen the record to allow presentation and consideration of the evidence." However, the Development Agreement (between Snohomish and King counties) provides that the "Hearing Examiner shall not impose conditions to mitigate odor and/or seismic impacts other than the requirements specified in the special conditions set forth in Section 3" (of the Development Agreement).

The Development Agreement between Snohomish County and King County established permitting standards and conditions, certain mitigation measures, and the permit process governing the review and construction of the plant and related facilities. The Agreement requires King County to submit a Binding Site Plan to Snohomish County. In early April, the City submitted comments regarding the Binding Site Plan.

In a related action, on May 22 the Council authorized its legal firm, Ogden, Murphy & Wallace to file a Land Use Petition Act (LUPA) appeal with Snohomish County Superior Court on the Brightwater Wastewater Treatment Facility Binding Site Plan. As part of the appeal, the City's attorney will seek a limited stay prohibiting certain grading on the Brightwater project site so that future seismic testing can be conducted.

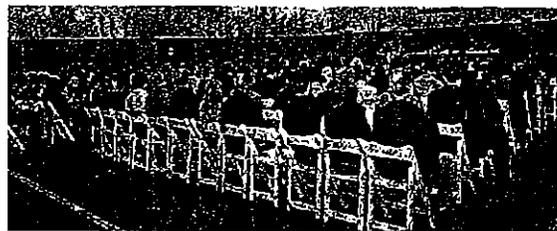
For Brightwater updates go to www.ci.woodinville.wa.us/events/Brightwater.asp.

Strategies Adopted to Guide Future Growth

Moratorium Imposed; Environmental Study Underway

If there ever was a \$64,000 question for the City of Woodinville, it might be: "How can the City manage growth in a manner that is consistent with state and federal laws while upholding desired goals for community of life?" Put more clearly, "Where should urban growth go in the City that preserves the rural community quality of life?"

"Satisfying growth management mandates and environmental protection laws while respecting the citizens desire to maintain Woodinville's residential



The Council held a Public Hearing on May 1 to receive public comment on the moratorium ordinance.

densities at a minimum is a great challenge for the City Council," notes Mayor Cathy VonWald. "We are

See "Sustainable Development" on page 4

Sustainable Development

Continued from page 1

beginning to develop a comprehensive strategy to keep to the vision for the future of Woodinville."

That vision for Woodinville is to be a safe, friendly, family-oriented community that supports a successful balance of neighborhoods, parks and recreation, tourism and business.

In March, the Council considered multiple strategies, compiled as the Sustainable Development Project, that could address mandates of the Growth Management Act's (GMA), the requirements of the Endangered Species Act (ESA) and recent rulings from the Central Puget Sound Growth Management Hearings Board.

The Council approved several strategies (See inset to the right) and on March 20 enacted a temporary moratorium on building permits and land use applications in the City's R-1 zone (1 residential unit per acre). Ordinance No. 419 was enacted to initiate a comprehensive environmental study of the R-1 zone to determine the level of resource sensitivity and potential impact from development. The R-1 zone is generally located east of 146th Avenue NE extending on the north and south sides of Woodinville-Duvall Road to the City limits at 171st Avenue NE and includes the properties west and east of 148th Avenue NE.

As required by law, a public hearing was held to receive testimony about the ordinance. Two dozen persons provided testimony at the May 1 public hearing with the majority speaking in favor of the moratorium. The Council directed staff to amend the ordinance to include supplemental findings. The amendments will be presented at the June 5 Council meeting.



A Blue Heron perches upon the Sammamish River

In addition to the moratorium, on June 5 the City Council will consider awarding a contract with Steward and Associates, a local environmental consulting firm, to assist the City in mapping critical areas and resource lands. Information gathered from the environmental study will be evaluated with existing information

on certain city-wide environmental conditions including the Little Bear and Woodin Creeks, critical (sensitive) area mapping, and data currently being gathered from a groundwater study. This information will be used by the City in considering amendments to its current Comprehensive Plan and development regulations that will appropriately balance the Growth Management Act's various planning goals.

GMA requires that each city within a county include areas and densities (housing units) sufficient to allow for the urban growth that is projected to occur in the county or city for the next 20 years. The law also encourages development (construction) in urban areas where there is infrastructure (i.e. roads) to sustain it. Another requirement of GMA is that economic development policies and objectives be developed. Additionally, cities are to incorporate "best available science" practices in adopting policies and regulations to protect its critical areas (i.e. wetlands).

For the past two years, the City Council has been working on strategies to accommodate the numbers and types of housing necessary to meet growth targets established by the State under GMA. GMA encourages housing development inside urban areas such as the City. The need for developable

SUSTAINABLE DEVELOPMENT ACTION ITEMS

Seek a GMA consultant to develop a comprehensive approach to Sustainable Development strategies.

Work actively for balanced legislation at the state and county levels that affirms local control while promising to meet current and future growth targets.

Identify and map critical areas and resource lands in the City to determine if environmental conditions support lower densities in order to meet GMA.

Conduct a review of the City's Comprehensive Plan to ensure compliance with GMA and make necessary amendments to it and city regulations.

Develop a transportation concurrency program to encourage development where adequate public facilities and services exist.

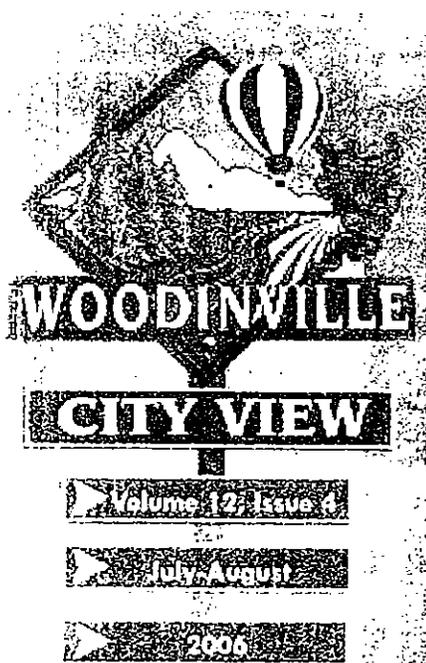
Impose a temporary moratorium on land use and building permit applications in the R-1 Zone.

Analyze the adequacy of the equestrian infrastructure and assess the use of an equestrian overlay to support lower densities to meet GMA.

land inside the City of Woodinville is at odds with the City's ability to understand how proposed development might impact the City's known and unknown natural resources.

"The City has significant environmental resources within its boundaries," notes VonWald. "The environmental study is the first step to determine the optimal balance between protecting the environment and accommodating growth."

For more information about the Sustainable Development Project, go to www.ci.woodinville.wa.us/events.asp.



Carol Edwards Loop Receives Starbucks Grant



Woodinville Stores Pledge \$15,000 to Community Center

Among Starbucks' corporate guiding principles is its commitment to "contribute positively to our communities and our environment." Woodinville is feeling this positive energy with the recent award of \$15,000 to the Carol Edwards Loop project as part of Starbucks' Neighborhood Parks Grants Program. At a July 15 ceremony in Seattle's Roanoke Park, the Friends of Carol Edwards, Woodinville Parks and Recreation Commissioners, and Northwest Parks Foundation members accepted the grant, one of 30 awarded to local organizations creating partner-

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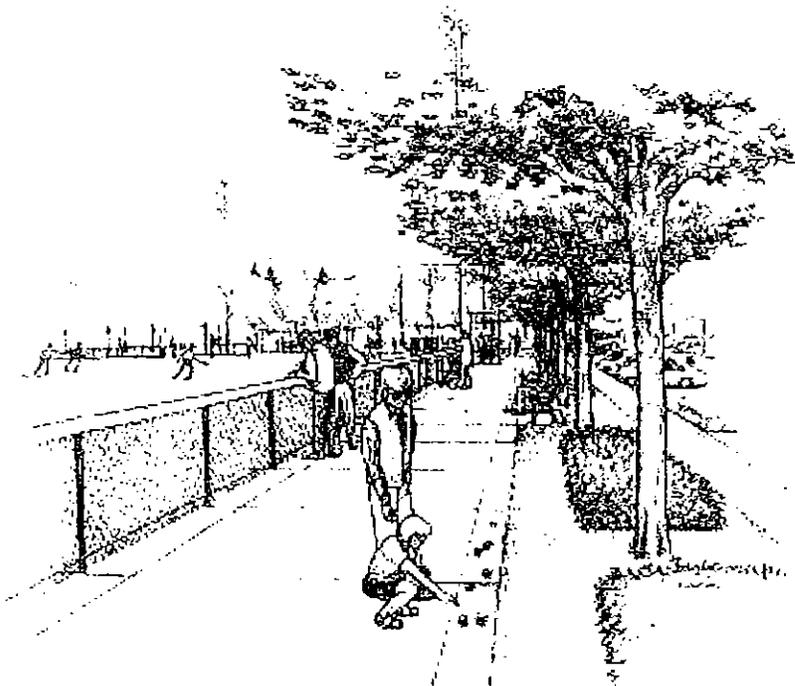
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Conceptual illustration of the Carol Edwards Loop, a pedestrian trail to encircle the Carol Edwards Center.

ships to build or revitalize parks in King, Pierce and Snohomish counties.

Starbucks Store Manager Jeff Gonzales reports that the grant includes a major commitment from the employees of the three Starbucks stores in Woodinville to get involved in the project, which will include a walking trail around the fields. "We will be promoting the project in our stores, helping with fundraising, installation and maintenance. This is our adopted project and we hope to see other businesses in Woodinville get involved and match our gift!"

Conceptual designs are being developed by the City's consulting architectural firm, ARC Architects, as part of a field renovation project that will add synthetic turf and lights to the downtown fields, add parking, a basketball court, and a children's playground on the site.

See "Carol Edwards Loop" on page 6

Fall Calendar of Events

RECYCLING EVENT SATURDAY, SEPT. 9

9 a.m. to 3 p.m.

Woodinville Park & Ride
17800 -140th Ave. NE

Woodinville residents can "Spring Clean" by recycling certain household items. Check the website or call Public Works at 425-489-2700 (ext. 2240) to learn what materials are acceptable (and what's not!)

SAMMAMISH RELEAF SATURDAY, SEPT. 30

10 a.m. to 2 p.m.

**145th Street Overpass,
Sammamish River Trail**

Help enhance Woodinville's "tourism gateway" by assisting with restoration, maintenance and planting of native species. Rain or shine. Dress for weather. City provides tools and light refreshments. Volunteer registration required. Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or PatrickT@ci.woodinville.wa.us.

CIP OPEN HOUSE THURSDAY, SEPT. 7

5 p.m. to 7 p.m.

Woodinville City Hall
17301-133rd Avenue NE

Learn about the City's proposed roads, parks and facilities projects as identified in the Preliminary 2007-2012 Capital Improvement Plan (CIP). To view city-generated projects go to www.ci.woodinville.wa.us/government/projects.asp. For more information, contact Deborah Knight, CIP Coordinator at 425-489-2700 (ext. 2266) or DeborahK@ci.woodinville.wa.us.

UNITED WAY DAY OF CARING FRIDAY, SEPT. 15

9 a.m. to 3 p.m.

Woodin Creek Park
13301 NE 171st Street

Is your business or group looking for a great team building exercise? Get a volunteer group (from 20 to 100) to join our continuing efforts to restore natural habitat along the Sammamish River. City will provide tools and light refreshments. You provide the team spirit. Volunteer registration required. Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or PatrickT@ci.woodinville.wa.us.

SALMON WATCHER TRAINING TUESDAY, SEPT. 12

7 to 9 p.m.

Woodinville City Hall
17301-133rd Avenue NE

Volunteer to support the region's salmon recovery efforts. Salmon watchers are trained to spot and track salmon species in Woodinville's waterways. Contact Debra Crawford, Planner, at 425-489-2757, ext. 2221 or DebraC@ci.woodinville.wa.us for more information.

FOR EVENT DETAILS go to www.ci.woodinville.wa.us/events/sp/evnts

PROGRESS REPORT

Many projects, issues and programs are happening at the City. Here's a quick progress report on some of them.

TECHNICAL CONSULTANT AND ENVIRONMENTAL ATTORNEY HIRED TO EVALUATE BRIGHTWATER PERMITTING AND CONSTRUCTION. Earth Consultants International (ECI) of Tustin, California has been hired to provide "on-call" services to conduct review, study and analysis of seismic issues related to the Brightwater site as the facility is being constructed. Dr. Robert Yeats, Senior Consultant to ECI, has been retained to perform the scope of services. For more information, contact Mick Monken, Public Works Director at 425-489-2700, ext. 2292.

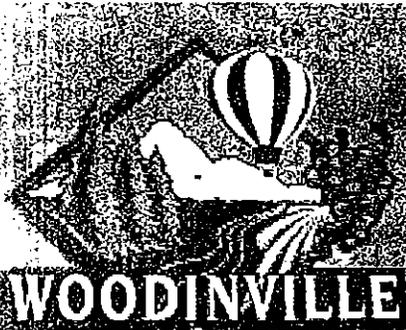
Eglick, Kiker, Whited, PLLC of Seattle has been retained to evaluate codes,

agreements and regulations associated with permits associated with the construction of Brightwater. For more information, contact Jim Katica, Acting City Manager, at 425-489-2700, ext. 2260.

WOOD TRAILS/MONTEVALLO FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) is expected sometime in September from Weinman Consulting. Information contained in the FEIS will be used in review of the proposed plats and rezones that will be considered at a Public Hearing held by the Hearing Examiner anticipated in late Fall. For more information, contact Steve Munson, Planner at 425-489-2754, ext. 2224.

TC4 SITED FOR ZONING VIOLATION beginning June 28. Civil infractions have been issued to SHARE/WHEEL for the establishment of a temporary homeless encampment without a valid a temporary use permit. The City Attorney's Office, Ogden, Murphy and Wallace, continues to defend the City in the lawsuit.

* **THE SUSTAINABLE DEVELOPMENT CITIZEN ADVISORY PANEL** has been selected to assist the Planning Commission with development recommendations for the City Council regarding environmental quality parameters for future growth in the City with particular emphasis in the R-1 Zone. Contact Bob Wuotila, Sr. Planner, at 425-489-2757, ext. 2283.



WOODINVILLE

CITY VIEW

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▶ September-October

▶ 2006

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Community Center Improvements "People's Choice" for Preliminary Capital Project List

Traffic Chokepoint Improvements Also Top Priority

What projects do citizens care about the most to improve transportation, water quality, parks and public facilities in the City? How much can the City afford to spend on capital improvements? How are these improvements funded?

These questions, and many more, are answered each year as the City's annual Capital Improvement Plan (C.I.P.) evolves from a preliminary list of proposed projects to an adopted Plan that identifies projects and their funding sources.

The C.I.P. is an important fiscal planning tool that identifies the City's capital asset needs (based upon a community vision), ranks the needs in order of priority, and schedules projects for funding and implementation (construction) over a six year period. Some projects are carried over from year to year as they are being constructed and are removed from the Plan when completed. Adopted projects are funded through the City's annual budget process. (See Budget page 4)

Public outreach has begun on the Preliminary 2007-2012 C.I.P. A recent Open House showcased preliminary projects. The Planning Commission will hold a public hearing on October 18 and will forward a recommended Preliminary C.I.P. to the City Council. Public comment is encouraged at the Commission and City Council meetings.

The Open House netted public support of improvements to the Carol Edwards Center and a pedestrian



Much of the public comment received at the C.I.P. Open House supported improvements to the Carol Edwards Center, including the proposal to add artificial turf to the fields and install lighting.

crossing at 133rd Avenue NE/South By Pass to connect residential housing to the Central Business District.

PROJECTS UNDER CONSTRUCTION

Several proposed transportation projects included in the preliminary plan address major traffic chokepoints. Work will continue on the Bottleneck Relief Project with the demolition of city-owned buildings at the corner of SR202 and NE 175th Street and the construction of a left turn lane from SR202 onto NE 175th Street.

PROJECT UNDER STATE REVIEW

Plans to construct three roundabouts on SR202, at the intersection of 148th Avenue, are under review by Washington Department of Transportation. Once approved, the City will be able to acquire right-of-way needed to begin construction, which is anticipated in mid-2007.

See "Preliminary C.I.P." on page 7

Neighborhood News: Hook Up, Look Up and Speak Up

GET CONNECTED WITH YOUR CITY COUNCIL

by holding your annual neighborhood meeting at Woodinville City Hall. The City Council is interested in meeting with city residents to learn about issues and concerns affecting neighborhoods. If your neighborhood group (i.e. Home Owners Association, Block Watch Neighborhood) hosts an annual meeting, consider reserving the Council Chambers at City Hall (at no cost) and get "face time" with your elected officials.

State law prohibits councilmembers from discussing quasi-judicial matters (i.e. pending final subdivision plat

approvals) and requires that meetings be noticed (to the public) where more than 3 elected officials attend.

To make your reservation, contact the Facility Rental Coordinator at 425-398-9327, ext. 2301.

LOOK FOR WOODINVILLE TV ON CHANNEL 21 as you channel surf on cable television. Comcast subscribers can view City information, learn about upcoming events and watch the re-broadcast of City Council meetings. WTV21 staff are committed to bringing you quality programming and appreciate your understanding as we get the station up and running. More programming will be added in the coming months. Channel 21 is the City's government access channel funded through a franchise agreement between the City and Comcast.

TELL US WHAT YOU THINK

in an upcoming citizen opinion survey. The

City has conducted random sample phone surveys in 2002 and 2004 and has budgeted for one this year. The purpose of the survey is to ask a representative sample of City residents questions about their knowledge of, and satisfaction with, services and programs provided by the City. Additional questions will address current community-based issues. The method of the survey (phone or door-to-door) has yet to be determined. Please participate if you are contacted as your opinions matter. ♻️



PROGRESS REPORT

Many projects, issues and programs are happening at the City. Here's a quick progress report on some of them.

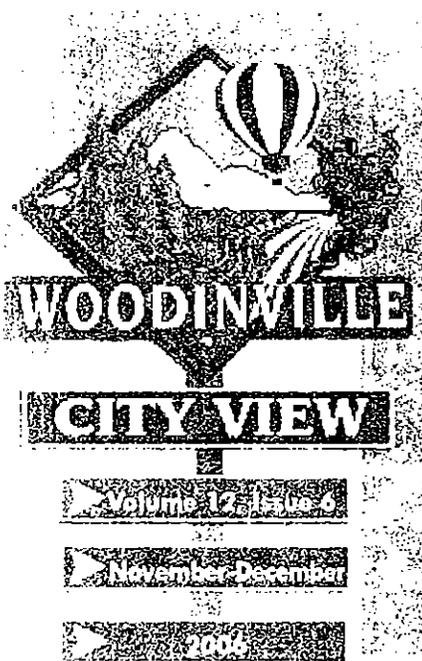
LAND USE and BUILDING PERMIT MORATORIUM RENEWAL. The City Council approved a six-month renewal (until March 20, 2007) of the current moratorium on most land use and building permit applications in the R-1 zone. The renewal allows the City to complete studies being conducted to determine the environmental impacts and appropriate residential density future development in the R-1 zone and to provide time to amend the Comprehensive Plan and development regulations based upon recommendations contained in the studies. City Contact: Bob Wuotila, Sr. Planner, 425-489-2757, ext. 2283.

KING COUNTY AND CITY OFFICIALS TO DISCUSS BRIGHTWATER. The City has requested a meeting with King County Executive Ron Sims to discuss the City's concerns about Brightwater. The City provided comment to Snohomish County on it's proposed seismic hazard ordinance. City Contact: City Manager's Office, 425-489-2700.

CITY CONTINUES TO PARTICIPATE IN KING COUNTY'S SOLID WASTE EXPORT PLAN DEVELOPMENT. Since March, 2005, City representatives have participated in the Solid Waste Management Advisory Committee. The committee is an advisory consortium of cities formed to address the impacts of the anticipated 2016 closure of the county's Cedar Hills Landfill located in Maple Valley. One of the impacts to the City is the County's desire to establish a transfer station within the northeast Lake

Washington area, which may include the Woodinville area. The Council has authorized a contract with SCS Engineers to assist the City in identifying technical concerns related to siting a transfer station in city limits. City Contact Mick Monken, Public Works Director, 425-489-2700, ext. 2291.

WOOD TRAILS/MONTEVALLO FEIS GOES TO HEARING EXAMINER. The Final Environmental Impact Statement (FEIS) is expected to be issued by mid-October. Upon issuance of the FEIS, interested parties will have 14 days in which to file an appeal challenging its adequacy. As part of its review of the proposed plats and rezones, the Hearing Examiner will be provided with the FEIS, citizen comment and a staff report. Public comment will be accepted up to and during the Public Hearing anticipated to be scheduled in late fall. City Contact: Steve Munson, Planner, 425-489-2754, ext. 2224. ♻️



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A Brief Look Back; A Long Look Ahead

2006 Highlights, 2007 Goals

As the City ends its 13th year of incorporation, the Council, Commissions and staff have their sights on the coming year.

CITY FAMILY CHANGES

The City family has said good bye to key members this year and is welcoming new ones. The City Council is wrapping up its search for a City Manager. A community reception for candidates is scheduled for Jan. 13.

Connie Fessler has served as the Interim City Manager since September and will assist the new City Manager in the transition.

The new City Manager will hire a Development Services Director and Assistant to the City Manager to complete the City's Management Team.

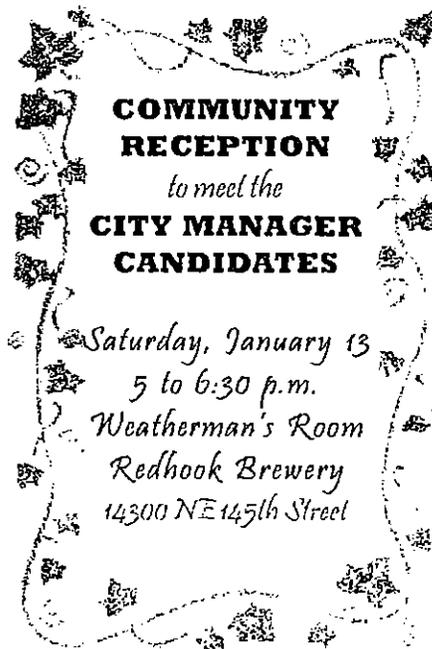
In December the City Council appointed 7 city residents as the charter members of the Emergency Preparedness Commission. The Commission will advise the Council on disaster preparedness and planning.

It is anticipated that the Planning Commission and Tree Board vacancies will be filled around the first of the year.

BUDGET & MAJOR CITY PROJECTS

The City Council is expected to approve the 2007-2008 Biennial Budget this month. The budget, among many things, funds major capital projects. The Capital Improvement Plan, adopted by the Council in November, commits millions of dollars to transportation, parks and trails, surface water and facility improvements over a six year period.

Projects expected to be completed in 2007 include the demolition of the city-owned buildings at the intersection of State Route (SR) 202 and NE 175th Street to make way for a left turn lane from SR202. Also, thanks to a public-private partnership, construction of three roundabouts on SR202 in the City's tourist district is anticipated in the new year.



Renovations to three buildings at the Carol Edwards Center will begin next year, along with new parking for Wilmot Gateway Park, City Sports Fields and the community center.

Improvements to the storm drainage system on NE 171st Street to divert untreated surface water away from Woodin Creek are also anticipated to be completed in 2007.

DEVELOPMENT SERVICES

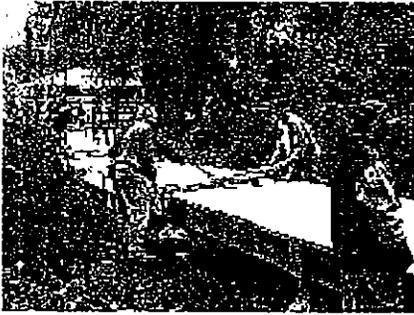
Construction and land use permit services functions and staff were combined this fall, creating the Development Services Department. The Department manages current and long range planning and building permits for the City.

Several long range master plans that are integral to the City's vision are expected to be presented to the Council. **The Sustainable Development Study** is in its final stages and is expected to be completed before the temporary land use and building permit moratorium expires on March 20, 2007. With the

See "Look Back, Ahead" on page 7

Emergency Preparedness Commissioners Appointed

Volunteers Invited to Build Trail and Boardwalk at Rotary Community Park



Small volunteer groups (6 to 10) are needed to complete the gravel trail and boardwalk at Rotary Community Park.

Volunteer events are scheduled for:

- ▶ Monday, January 15, 2007
9 a.m. to 4 p.m.
(M.L. King Jr. Holiday)
- ▶ Saturday, February 10, 2007
9 a.m. to 2 p.m.
- ▶ Sunday February 25, 2007
9 a.m. to 2 p.m.
- ▶ Sunday, March 25, 2007
9 a.m. to 2 p.m.

To volunteer, contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or patrickt@ci.woodinville.wa.us.

Thanks to the Woodinville Rotary Club, Woodinville High School Track Team, New Life Christian Fellowship and volunteers who have recently supported this project.

At its December 4 meeting, the City Council appointed 7 city residents as the charter members to the Emergency Preparedness Commission.

The Commission's charter was created in July via Ordinance No. 418 that identifies the primary functions of the Commission. Those duties include advising the City Council on matters concerning emergency medical services, emergency preparedness, traffic safety issues and other matters as directed by the City Council.

It is anticipated the Commission will hold its first meeting in January to elect a Chair, Vice Chair and appoint two ex-officio members.

To learn more about the Commission, go to www.ci.woodinville.wa.us/government/EmergencyPrepCommission.asp.

Welcome Charter Members

- Peter Tountas, Position No. 1
- Lillie Clinton, Position No. 2
- Michael Stickney, Position No. 3
- Al Taylor, Position No. 4
- Danica Mann, Position No. 5
- Stephen Yabroff, Position No. 6
- Nancy Montgomery, Position No. 7

- Position Nos. 1-4 expire Nov. 1, 2008
- Position Nos. 5-7 expire Nov. 1, 2009
- Two "ex-officio" members will be appointed by the Commission.
- Meeting schedule to be determined.

Look Back, Ahead

Continued from page 1

help of a citizens advisory panel and a consultant, the Study took a comprehensive look at environmental (natural and built) amenities in the R-1 areas to ascertain the level of resource sensitivity and potential impacts from development and to make informed decisions on appropriate development intensity/density.

The **Economic Development Plan**, developed by a community-based advisory panel, recommends strategies that can strengthen Woodinville's economic standing for future years. The Planning Commission's recommended version of the Plan will be presented to the City Council for consideration.

The **Downtown-Little Bear Creek Corridor Master Plan** was developed to guide future development that is consistent with the community's vision to have a vibrant, compact downtown that is pedestrian-oriented and offers parks and open space.

By the summer, the **Shoreline Master Plan Update** will be in it's final stages with review by the Planning Commission and a recommendation to the City Council.

"These plans have been long-standing Council goals," notes VonWald. "Each intersects with the other in various areas and having them completed and adopted will let us move forward with adopting the appropriate regulations that support the vision of Woodinville." ❄

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WOODINVILLE

CITY VIEW

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▶ **Jan.-Feb.-Mar. 2007**

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Rich Leahy Takes Oath of Office as City Manager

At the March 5 City Council meeting, Richard (Rich) Leahy took the oath of office as Woodinville's fourth City Manager. City Clerk Jennifer Kuhn administered the oath.

"Rich's articulate thinking and style will help the City transition from adolescence to adulthood," notes Mayor Cathy VonWald.

Leahy was selected by the City Council among five finalists. He tendered his resignation with the City of Mukilteo, where he served as the City Administrator since 1995.

"I look forward to working with the City Council to make Woodinville one of the best cities in Washington."



Rich Leahy is the new City Manager

City Council Considers Sustainable Development Study

At a February 14 special meeting, the Planning Commission considered the draft Sustainable Development Study and unanimously voted to forward it to the City Council. The draft report was considered by the Council at a special meeting held February 26 and a public hearing on March 5.

The Commission recommendations to the Council include:

- ♦ Retaining the R-1 (one residential unit per acre) zoning in the City, without the option to rezone to R-4 (four units per acre)
- ♦ Amend the Zoning Code to remove the restriction of development with densities less than four dwelling units per acre; and
- ♦ Direct the Commission to develop, in

the next six months, additional land use regulatory tools to guide and accommodate future growth planning in all residential zones in compliance with the Growth Management Act and as needed.

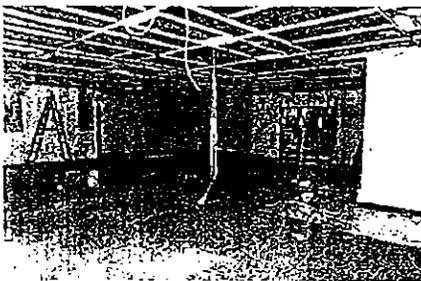
The study is a compilation of four technical reports that considered the potential impacts of increased density (more housing) in the areas of the city that are currently zoned as one residential unit per acre (R-1). The study comprehensively evaluated impacts to the natural and built environment, neighborhood character, transportation systems and current and future capital facilities.

For more updates or to review the report, go to www.ci.woodinville.wa.us/events/moratoriuminfo.asp

PROGRESS REPORT

CAROL EDWARDS CENTER RENOVATION UPDATE:

Demolition of interior areas in Buildings A and D is underway to replace and repair plumbing and mechanical systems. The abandoned



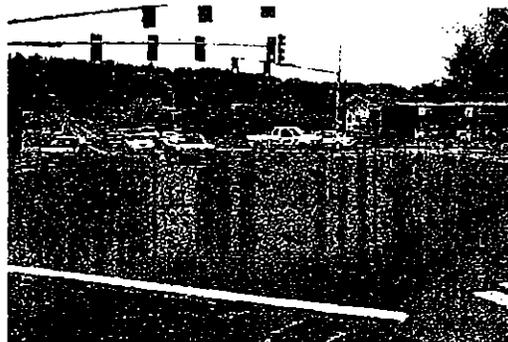
Carol Edwards Center renovations have begun. (Photo by Ian Gleadle)

pool has been filled with concrete and will be converted into a multipurpose room. The Woodinville Senior Center is expected to resume operations in October. The Center will now be located in the office area that faces NE 175th Street. City recreation classes, activities and field uses are ongoing.

Construction updates are posted to www.ci.woodinville.wa.us/recreation/community-center-improvements.asp.

TOURIST DISTRICT ROUNDABOUT PROJECT:

Three roundabouts are proposed at the intersection of State Route 202 (NE 145th Street) and 148th Avenue NE to manage traffic as it enters the Tourist District gateway. The Washington Department of Transportation has approved channelization plans



Three roundabouts are proposed at the SR202/148th Avenue (Hollywood Hill) intersection.

submitted by the City's consultant David Evans and Associates. The City Council recently authorized a contract with Abeyta & Associates to perform property acquisition services.

Construction permits for two mixed-use buildings in the new Woodinville Village are in progress.

SPIRIT OF WASHINGTON DINNER TRAIN:

In April, the City Council adopted Resolution No. 335 supporting operation of the Spirit of Washington Dinner Train between Woodinville and Snohomish. The City of Snohomish did the same in March.



The Spirit of Washington Dinner Train ends its operations in Renton in July, 2007. (Photo by Ian Gleadle)

Several State Senators authored a letter to Burlington Northern-Sante Fe Railroad (BNSF) encouraging an interim agreement

for the Dinner Train to operate on a Woodinville to Snohomish line until the terms of a property acquisition agreement between King County, Port of Seattle and BNSF can be finalized.

The contract between the Dinner Train and BNSF to operate its current Renton-Woodinville run expires July 31, 2007.

SUSTAINABLE DEVELOPMENT STUDY:

At its May 7 meeting, the City Council held a public hearing on Ordinance No. 431 which was adopted in March and temporarily lifts restrictions on proposed developments with housing densities less than four units per acre if adequate public services are not provided. Additionally, the Council authorized additional

study of the low density zone in the areas of transportation, hydrology, geotechnical, critical areas and neighborhood character. Funding in the amount of \$312,000 was approved by the Council.

The Planning Commission, consultants, staff and the Citizens Advisory Panel will work together on the additional studies and forward recommendations to the City Council. The interim regulations expire on September 11.

Updates, including the Work Plan, are posted to the City's website at www.ci.woodinville.wa.us/events/moratoriuminfo.asp.

Chapter 13

The Woodinville Wire - February, 2006

January 31, 2006

Welcome new subscribers to the Woodinville Wire ("The Wire") – a monthly City-published electronic newsletter intended to help you get to know your City better and keep you informed about current city issues and activities. Please share The Wire with your fellow neighbors and merchants, employees and customers. Send your suggestions and comments to Marie Stake, Communications Coordinator at 425-877-2267 or maries@ci.woodinville.wa.us. Current editions of The Wire are posted on the City's website at <http://www.ci.woodinville.wa.us/events/TheWire.asp>.

Wood Trails & Montevallo Preliminary Plats (Phoenix Development) Draft Environmental Impact Statement (DEIS); Public Comment Period and Public Hearing

Phoenix Development (applicant) has submitted preliminary plat applications for two sites in the Wellington Neighborhood: Wood Trails (PPA2004-56) and Montevallo (PPA2004-093). In addition, the applicant has submitted a rezone request to change the zoning from R-1 (1 residential unit/acre) to R-4 (4 residential units/acre). As provided by the State Environmental Policy Act (SEPA), and adopted via Woodinville Municipal Code, a draft Environmental Impact Statement (DEIS) was issued by the City's Community Development Department on January 17, 2006. The draft EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process.

Public Comment

The public comment period for this draft EIS began January 17, 2006 and ends at 5 p.m. on March 3, 2006. In order to provide an opportunity to present comments concerning this draft EIS, a public meeting is scheduled for Thursday, February 16, 2006, 7 to 9 p.m., Woodinville City Hall. Public comment may be provided in writing or at the public meeting. Persons interested in providing comment at the Feb. 16 public meeting will be asked to speak from the podium, provide their name and address and be given 3 minutes. Persons interested in submitting written comments should address them to Ray Sturtz, SEPA Official, City of Woodinville, 17301-133rd Avenue NE, Woodinville, WA 98072.

All comments received will be addressed in a Final EIS document that will be published approximately 60 days after the close of the 45-day DEIS comment period. Both the Draft and final EIS documents will be provided to the Hearing Examiner considering the preliminary plat proposals at a public hearing on yet to be determined date in late May or early June, 2006. Anyone submitting comments on the DEIS will receive a notice of the public hearing.

Legal Noticing

Legal noticing requirements for this draft EIS have been fulfilled. The notice was published in the Woodinville Weekly January 16, the City's official newspaper and mailed to property owners within 500 feet and parties of record. As a courtesy, the draft EIS notice was posted to the City's website at <http://www.ci.woodinville.wa.us/events/legal-notices.asp>.

Public Viewing/Copying of DEIS

The draft EIS can be viewed at (A) Woodinville City Hall, Community Development Department, Monday-Friday (excluding legal holidays), 8 a.m. to 5 p.m. (B) Woodinville Library, 17105 Avondale Rd, Monday - Thursday 10am-

9pm; Friday 10am-6pm; Saturday 10am-5pm; Sunday 1pm-5pm (C) Kingsgate Library, 12315 N.E. 143rd, Kirkland 98034, Monday - Thursday 10am-9pm; Friday 10am-6pm; Saturday 10am-5pm; Sunday 1pm-5pm.

Copies of the draft EIS may be printed and purchased at FedEx-Kinko's store located at 13620 NE 175th Street, Suite 110, Woodinville, WA or reproduced on a CD. Volume 1 of the DEIS, the text, is 222 pages and will cost \$30.00 plus tax not including binding. Volume 2, of the DEIS, the appendices, is 518 pages and will cost \$46.00 plus tax not including binding. There are two CD's one for volume 1 and one for volume 2. They are \$16.00 each plus tax.

Flood Damage Reports

The Public Works Department asks you to immediately report potholes, roadway deterioration, and standing water as they could be signs of flood damage. To report flood conditions, call City Hall during regular office hours (Monday-Friday, 8 a.m. to 5 p.m.) at 425-489-2700 (Val Jarvi, Public Works Maintenance Supervisor, X2292) or 911 if after hours.

Upcoming Events.....

X-Family Valentine's Ball, Friday, February 10, 7 to 9 p.m., Woodinville Community Center. Come as a family or a couple and enjoy dancing to DJ'd music. Games, prizes, refreshments and a commemorative photo included. Suggested dress is semi-casual to formal. \$10/family (1 adult/1 child). \$2/additional child. Tickets available on-line or at the Woodinville Community Center office. Event: <http://www.ci.woodinville.wa.us/recreation/recguide.asp>

X-The Rainbow Dance Theater presents "Roots of Hip Hop," free public dance workshop on Saturday, March 18 at Woodinville Community Center, 10:30 a.m. to 12:30 p.m. for youth ages 12-15. Evening performance at the Northshore Performing Arts Center, 8 p.m. Tickets \$19.50. Event information: <http://www.ci.woodinville.wa.us/recreation/recguide-special-events.asp>

X-Celebrate Woodinville, Saturday, April 1, 9 a.m. to 4 p.m. This community event is a full day of fun, family and tradition. For *All Fools Day Parade* questions, contact the Greater Woodinville Chamber of Commerce at 425-481-8300, <http://www.woodinvillechamber.org/>. For *Basset Bash & Brigade* information, contact the Woodinville Weekly at 425-483-0606, <http://www.nwnews.com/>. For information about the *Woodinville Farmers Market Arts & Craft Show*, call 206-546-7960, <http://www.woodinvillefarmersmarket.com/>. For Community Art Show information, contact the Woodinville Community Center at 425-398-9327, <http://www.ci.woodinville.wa.us/index.asp>.

What's on the (City's) Website....

X-A list of land use applications on file with the City are now posted weekly. <http://www.ci.woodinville.wa.us/government/projects.asp>.

X-The City's Recreation Division seeks qualified applicants for 3 recreation assistant vacancies. To view the job descriptions go to <http://www.ci.woodinville.wa.us/opportunities/jobs.asp>.

X-Looking for classroom, meeting room and great place for a family reunion? Check out rental information at the Woodinville Community Center on the website at <http://www.ci.woodinville.wa.us/recreation/information.asp#Rental>.

X-The City Council recently allocated funding for human service providers. Agency listings are posted at <http://www.ci.woodinville.wa.us/government/human-services.asp>.

February Legal Holiday Closures for City Offices

All City offices (City Hall and the Woodinville Community Center) **will be closed** Monday, February 20 in observance of Presidents' Day.

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The Woodinville Wire – Special Edition

March 17, 2006

City Council Considers Temporary Moratorium for R-1 Zone, Monday, March 20, 2006

At its March 20, 2006 meeting, the City Council will consider an emergency ordinance that, if approved, would impose a moratorium in R-1 (1 residential unit per acre) zones within the City of Woodinville. If the moratorium is authorized, the City Council must establish a public hearing date for the ordinance as required by State law. The meeting begins at 7 p.m. and will be held in the City Council Chambers, Woodinville City Hall, 17301-133rd Avenue NE. The meeting agenda and staff report are posted to the City's website at <http://www.ci.woodinville.wa.us/council/city-council-agenda-home.asp>.

At its March 13, 2006 meeting, the City Council was presented with strategies to assist the City in its comprehensive response to "Sustainable Development." "Sustainable development" is considered the City's overall strategy to guide future development in a manner consistent with the City's vision and goals, while also meeting the mandates of the Growth Management Act as well as other regional, state and federal requirements. After considering proposed response strategies, the Council unanimously voted to direct staff to return with an emergency ordinance that, if approved, would impose a temporary moratorium for non-vested development activity in the R-1 zones of the City.

A moratorium is a temporary suspension of permit acceptance while a legislative study can be completed, and, if necessary, new Comprehensive Plan and zoning code amendments are adopted. If authorized, the moratorium will allow the City conduct a comprehensive and detailed inventory of local environmental resources, projections of future development demand and analysis of public infrastructure availability. If authorized as proposed, the moratorium would apply to non-vested building, land use and other permit applications for the development, rezoning or improvement of real property within the R-1 zoning district as defined by the City's Municipal Code (www.mrsc.org) and official zoning map.

Public Comment at the Council Meeting

There is a public comment period available at the beginning and end of Council meetings. Mayor Cathy VonWald will provide public comment instruction at the appropriate time. Persons interested in addressing the City Council are asked to sign in. Sign up sheets are available just inside the door to the Council Chambers. Public comment is limited to 3 minutes for individuals and 5 minutes for a person representing a group. Persons providing public comment will be asked to state their name and address for the public record. *No public comment will be received with respect to any pending land use and building permit applications.*

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The Woodinville Wire - March, 2006

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Comment Period for Wood Trails & Montevallo Preliminary Plats Draft Environmental Impact Statement (DEIS) Ends March 3, 2006 at 5 p.m.

Persons interested in submitting written comments regarding specific issues addressed in the Draft EIS should submit them to Ray Sturtz, SEPA Official, City of Woodinville, 17301-133rd Avenue NE, Woodinville, WA 98072 by 5 p.m. on March 3, 2006. All comments received will be addressed in a Final EIS document that will be published approximately 60 days after March 3. Both the Draft and Final EIS documents will be provided to the Hearing Examiner considering the preliminary plat and rezone proposals at a public hearing on yet to be determined date. Anyone submitting comments on the DEIS will receive a notice of the public hearing. The DEIS is posted to the City's website at <http://www.ci.woodinville.wa.us/events/EIS.asp>.

Upcoming Events.....

X-The Rainbow Dance Theater presents "Roots of Hip Hop," a free public dance workshop on Saturday, March 18 at Woodinville Community Center, 10:30 a.m. to 11:45 a.m. for youth ages 12-15. Also on March 18, an evening performance at the Northshore Performing Arts Center is scheduled for 8 p.m. Tickets \$19.50. A limited number of free tickets are available for low income residents. Contact the Woodinville Community Center at 425-398-9327 for eligibility requirements. Event information: <http://www.ci.woodinville.wa.us/recreation/recguide-special-events.asp>. (See "Volunteer Opportunities")

X-Celebrate Woodinville, Saturday, April 1, 9 a.m. to 4 p.m. This community event is a full day of fun, family and tradition. For *All Fools Day Parade* questions, contact the Greater Woodinville Chamber of Commerce at 425-481-8300, <http://www.woodinvillechamber.org/>. For *Basset Bash & Brigade* information, contact the Woodinville Weekly at 425-483-0606 or <http://www.nwnnews.com/>. For information about the *Woodinville Farmers Market Arts & Craft Show*, call 206-546-7960 or visit <http://www.woodinvillefarmersmarket.com/>. For Community Art Show information, contact the Woodinville Community Center at 425-398-9327 or visit <http://www.ci.woodinville.wa.us/index.asp>. NOTE/TIME CHANGE: The parade begins at 10:30 a.m. and NE 175th Street from 140th Avenue NE to 131st Ave. NE will be closed by 10:00 a.m. (See "Volunteer Opportunities")

X-Public Works Department Hosts Chipping Event, Saturday, April 8, 9 am to 3 p.m. Woodinville city residents may drop off woody debris and tree trimmings up to 12 inches in diameter, in any amount and free of charge!. Event held at the BlueLinX property (formerly Georgia Pacific), 12815 NE 178th Street (located behind McLendon Hardware). Unacceptable Material: Grass clippings, leaves, root balls, blackberry bushes, vines, lumber, rotted or treated wood. No commercial vehicles. Acceptance of material is at the discretion of the City's service provider. No debris will be accepted after 3 p.m. For more

information, contact Amy Ensminger, Public Works Department, at 425-489-2700, ext. 2290 or AmyE@ci.woodinville.wa.us.

X-Earth Day/Arbor Day Celebration, Saturday, April 22. The City is hosting an Earth Day volunteer Sammamish River Restoration project from 10 a.m. to 2 p.m., Woodin Creek Park. Volunteers are needed to assist with removing invasive plants and mulching native plantings. The City's Tree Board invites volunteers to help plant trees at its annual Arbor Day Celebration, 10 a.m., Wilmot Gateway Park. Purchase compost bins and rain barrels from the Public Works Department at the Spring Garden Fair, (sponsored by the Woodinville Water District), Woodmoor Elementary School, 9 a.m. to 3 p.m. For event details, go to <http://www.ci.woodinville.wa.us/events/spevent-dtl.asp?RecordKey=88>. (See "Volunteer Opportunities")

Numerous Volunteer Opportunities at Upcoming City Events

As referenced above, volunteers are needed to assist at the following upcoming City-sponsored community events:

- Saturday, March 11: Sammamish River Stewards (10 am to Noon) @ Woodin Creek Park
- Saturday, March 18: Roots of Hip Hop – ushers needed
- Friday, March 31: Set-up and Decoration for City Celebration and Community Art Show
- Saturday, April 1: City Celebration and Community Art Show events
- Saturday, April 22: Earth Day / Arbor Day

Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or PatrickT@ci.woodinville.wa.us for available assignments and shifts. Volunteer agreement forms required and available on line at <http://www.ci.woodinville.wa.us/opportunities/volunteers.asp>.

What's on the (City's) Website....

X-Looking for a particular city code or regulation? You can enter your search word(s) on the home page or go to the "Regulations Page" to find adopted Ordinances, Resolutions, Standards and Master Plans at <http://www.ci.woodinville.wa.us/regulations.asp>. Certain ordinances are "codified" into law and are published to the Municipal Research & Services Center website at <http://www.mrsc.org/>, Select "Legal Resources," then "City/County Codes"

X-Get familiar with your City staff and check out the Services Directory posted to the website at <http://www.ci.woodinville.wa.us/ContactUs/contact-services.asp>.

Job Openings at the City

There are two current job openings at the City: (1) Preschool / Toddler Instructor (Recreation Asst. V), Parks and Recreation Department and Senior Planner, Community Development Department. For the job overview and description, go to <http://www.ci.woodinville.wa.us/opportunities/jobs.asp>.

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The Woodinville Wire – May, 2006

SPECIAL EDITION

April 28, 2006

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THIS IS A SPECIAL EDITION DUE TO IMPORTANT INFORMATION WE WANT YOU TO KNOW NOW!

City Council Public Hearing on Proposed Ordinance No. 419/Land Use Moratorium, May 1, 2006, 7:30 p.m.

The Woodinville City Council will conduct a public hearing to receive and consider public testimony on Ordinance No. 419, which imposed a prospective land use moratorium within the City's R-1 zoning district on March 20, 2006. The City Council may adopt additional findings of fact in support of the moratorium at the conclusion of the public hearing. The public hearing will begin at 7:30 p.m. and will be held at the Woodinville Community Center Gymnasium, 17401-133rd Avenue NE, Woodinville, WA 98072.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter. For more information, contact Sandra Parker, City Clerk at 425-489-2700.

City Council to Consider Allowing Use of City Property for Tent City 4 at its May 8 Meeting

Woodinville Northshore United Church of Christ (NUCC) and SHARE/WHEEL (S/W), the homeless advocacy organization, have requested the use of the vacant City property used in 2004 to again be the site of Tent City 4 (TC4) beginning May 13, 2006. The Woodinville City Council must decide whether to allow the use of the 6+-acre vacant park land located north of the City's central business area and will discuss the issue at its regular meeting on May 8, 7:00 p.m., Woodinville City Hall, 17301-133rd Avenue NE. The Staff Report for the May 8 meeting will be posted to the City's website <http://www.ci.woodinville.wa.us/council/city-council-agenda-home.asp> by the end of the day on Tuesday, May 2. For more information, go to the Tent City4 webpage at <http://www.ci.woodinville.wa.us/events/TentCityInfo.asp>. or call the Tent City 4 Citizen Information Line at 425-877-2269.

Preliminary Agenda for the Upcoming City Council Meetings

X- Representatives of the Brightwater Wastewater Treatment Plant to present information on seismic and odor control issues at May 15 meeting
X-Phasing and Funding for the Carol Edwards Center & Sports Field Renovations Development Services Reorganization to be discussed at May 22 meeting

About Council Meetings & Agendas:

Woodinville City Council meetings are held on the 1st, 2nd, and 3rd Mondays of each month in the Council Chambers, City Hall (unless otherwise noticed). Meetings begin at 7:00 p.m. (unless otherwise noticed). Preliminary City Council agendas are published in the Woodinville Weekly newspaper. The Council "E-Packet" (agenda + staff reports) is posted to the City's website typically on the Wednesday prior to the Monday meeting. E-Packets can be found at <http://www.ci.woodinville.wa.us/council/city-council-agenda-home.asp>. Agendas are subject to change up to and including the day of the Council meeting and agenda items may be added or postponed. To confirm an agenda item, contact Sandra Parker, City Clerk at 425-489-2700, ext. 2262 prior to the meeting.

At each meeting, there are two opportunities to provide public comment –at the beginning and end of the meeting. Public comments provide an opportunity for the public to address Council on any subject which is not of a quasi judicial nature or scheduled for a public hearing. Speakers are asked to come to the podium and provide their name and address for the record. Comments should be limited to five (5) minutes per individual or spokesperson representing a group. Members of the public are also welcome to comment on specific agenda items as they are being discussed by Council. Councilmembers may or may not take action on public comments. To view City Council procedures, go to <http://www.ci.woodinville.wa.us/council/city-council-agenda-home-proc-guide.asp>.

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THIS IS AN EARLY EDITION DUE TO IMPORTANT INFORMATION WE WANT YOU TO KNOW NOW!

Service Interruptions to the City's Phone System and Internet Access

1- A phone system upgrade is planned for Tuesday, April 18 beginning at 3:30 p.m. All City phone and fax numbers will be unavailable during the upgrade which is expected to be complete within 6 to 8 hours. The following temporary phone numbers to reach a representative in each department will be available from late afternoon April 18 through midday April 19.

Administrative Services/Finance: 206-910-6679

Executive Department: 206-605-1400

Community Development Department: 206-910-2569

Parks & Recreation: 206-255-3347

Permit Center/Building Department: 206-255-3553

Police Department: 206-296-3311 (King County Sheriff's Office 24-hour line)

Public Works Department: 425-471-0378

Woodinville Community Center: 206-255-4383

2- The City is switching to another Internet Service Provider (ISP) to save money. The switchover will begin Tuesday, April 25 at 3:30 p.m. Incoming and outgoing emails to and from City email accounts will be temporarily unavailable during the switchover which is anticipated to be completed within 2 hours. Customers who receive a "non-deliverable" notice are encouraged to resend the email. Access to www.MyBuildingPermit.com, www.NWMaps.net, www.NWProperty.net, www.MyParksandRec.com, and eConnect online registration websites will be unavailable. If the switchover requires an extended disruption, a notice will be posted to the City's website at www.ci.woodinville.wa.us.

The City thanks you for your patience and understanding as we complete these tasks to better serve you.

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Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter. For more information, contact Sandra Parker, City Clerk at 425-489-2700.

Helps Us Catch the “Crook” Crook

Several public and private properties were tagged this week with graffiti. The tagger’s signature is the word “Crook.” Anyone with information about this vandalism is encouraged to contact the Woodinville Police at 425-489-2700. To report graffiti, contact the City’s Code Enforcement Officer Jason Burt at 425-877*2285 or JasonB@ci.woodinville.wa.us so that clean up can begin immediately.

Please Volunteer for Earth Day and Arbor Day

Earth Day/Arbor Day Celebration, Saturday, April 22. The City is hosting an Earth Day volunteer Sammamish River Restoration project from 10 a.m. to 2 p.m., Woodin Creek Park. Volunteers are needed to assist with removing invasive plants and mulching native plantings. The City’s Tree Board invites volunteers to help plant trees at its annual Arbor Day Celebration, 10 a.m., Woodinville Memorial Mead (LOCATION CHANGE from earlier Wire Edition). Purchase compost bins and rain barrels from the Public Works Department at the Spring Garden Fair, (sponsored by the Woodinville Water District), Woodmoor Elementary School, 9 a.m. to 3:30 p.m. For event details, go to <http://www.ci.woodinville.wa.us/events/spevent-dtl.asp?RecordKey=88>.

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The Woodinville Wire – July, 2006

June 30, 2006

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There is a great deal of information in this issue!

Fireworks Ban & 2006 Fireworks Show Cancelled

The sale and discharge of fireworks in Woodinville City limits is prohibited year round (excluding permitted displays). Please report violations by calling 9-1-1. Due to customer demand, JB Instant Lawn must harvest its field that is used for event seating prior to July 4. Without the acreage to accommodate a large crowd, the City has cancelled the 2006 4th of July Fireworks Celebration. If you have comments about a possible future event, please contact Cindy Shelton, Recreation Supervisor, Parks & Recreation Department at 425-398-9327, ext. 2301 or CindyS@ci.woodinville.wa.us.

In the News.....

X- Woodinville City Manager Pete Rose has accepted the position of County Administrator with San Juan Island County and leaves his post effective July 14. To view the News Release go to <http://www.ci.woodinville.wa.us/events/pr-dtl.asp?RecordKey=311>.

X- City's Tree Board Seeks 2 Members. Business and plant industry representatives wanted to join the 5-person volunteer commission and support the City's mission to preserve and care for Woodinville's urban forest. To view the News Release, go to <http://www.ci.woodinville.wa.us/events/pr-dtl.asp?RecordKey=319>.

X- City Begins A-Board Sign Education Campaign. The City's Code Enforcement Program is focusing its public education efforts on the City's regulations for A-board signs. Other than real estate and permitted community event temporary signs, A-board signs are prohibited in Woodinville city limits. Beginning in July, owners of A-board signs found in violation of the zoning code will receive a correction notice and will be given two weeks to correct the violation. To view the News Release, go to <http://www.ci.woodinville.wa.us/events/pr-dtl.asp?RecordKey=320>.

Sustainable Development Program Update

At the June 7 Planning Commission meeting 9 citizens were appointed to the Sustainable Development Citizen Advisory Panel. The panel is tasked with developing recommendations to the Commission and Council regarding environmental quality parameters for future growth in the City with particular emphasis in the R-1 zone. The CAP will hold its first on July 12, 5:30 to 7 p.m., Woodin Room, 2nd Floor, City Hall.

At the July 10 meeting the City Council will consider Ordinance No. 424 (via second reading) which amends the Findings of Fact in Ordinance No. 419, the original ordinance that established the building and land use application moratorium).

Updates on the City's Sustainable Development Action Items can be found on the City website at <http://www.ci.woodinville.wa.us/events/moratoriuminfo.asp>.

Cosi Concert Series Begins July 13

Cosi Restaurant is the proud sponsor of this year's summer concert series at DeYoung Park. Five free performances will be held 12 to 1:15 p.m. This year's line up: 7/13-The Coats (A capella), 7/20-Brothers From Different Mothers (Juggling & Comedy), 7/27-Hot Club Sandwich & Eastside Swing Dancers (Jazz/Swing Dance), 8/3-Bochinche (Tropical music/drum circle), 8/10- The Beatniks (Old time rock & roll). For performance updates, go to <http://www.ci.woodinville.wa.us/events/spevent-dtl.asp?RecordKey=91> or call the Special Event Line at 425-984-2346. Look for a special "concert series" coupon from Cosi in the Woodinville Weekly newspaper.

UPDATES: City Transportation Improvement Projects

Bottleneck Relief Project: The north leg phase of the BNRP is continuing on schedule. An additional left hand turn lane will be added for southbound traffic turning onto Little Bear Creek Parkway (NE 177th Place). There will be an additional northbound lane on State Route 202 from LBC Parkway to SR 522 which will allow motorists to bypass the traffic heading towards SR522 westbound. The road improvement work is expected to be completed in June. The traffic signals at the intersection of LBC Parkway and SR202 will be replaced and are anticipated to be installed in August. For project updates contact Bill Henry, P.E., Public Works Department at 425-489-2700, ext. 2996 (BillH@ci.woodinville.wa.us) or go to <http://www.ci.woodinville.wa.us/government/cityprojects/Bottleneck-Relief.asp>.

Projects In Preliminary Design: As part of the BNRP project, preliminary design for the Sammamish River Bridge Replacement Project is underway. This project is not fully funded at this time. Additionally, design for the installation of signals at SR202 and 127th Place is underway. This project is pending approvals from the Washington Department of Transportation.

Little Bear Creek Parkway Overlay: Little Bear Creek Parkway asphalt overlay was completed early morning on June 30. Asphalt planing, shoulder widening and paving, road paving, temporary pavement markings installation, and water valve riser extension installation have been completed. Upcoming tasks include (a) Adjusting utility covers (manholes/watervalves) (Scheduled for next Friday July 7th); (b) Channelization (Schedule to be determined) and (c) Shoulder rocking (Schedule to be determined). Contact Dan Beck, Field Engineer, Public Works Department at 425-489-2700, ext. 2295 or DanB@ci.woodinville.wa.us.

Identity Theft Workshop, July 12, 6:30 – 8:00 p.m., Woodinville City Hall

The King County Sheriff's Office and the cities of Woodinville and Kenmore Police Departments want you to learn more about how identity theft occurs, how to prevent becoming a victim and how to survive if your personal information is used to commit fraud or theft. A **free** Identity Theft Education & Prevention workshop will be held on Wednesday, July 12, 6:30 to 8:00 p.m., Woodinville City Hall, 17301-133rd Avenue NE, Woodinville, WA.

Host a National Night Out Event in Your Neighborhood

The National Association of Town Watch sponsors the annual National Night Out campaign to strengthen neighborhood and police relations and heighten crime and drug prevention awareness. National Night Out (NNO) is Tuesday, August 1, 2006. The City of Woodinville & Woodinville Police are available to help you plan for a NNO event in your neighborhood. Ideas to consider may include a neighborhood parade, block party, BBQ, flashlight walks, contests or youth programs. Contact the City of Woodinville, Crime Prevention Coordinator at 425-877-2285 or go to NATW's website at <http://www.natw.org/nno/> to register your event.

Summer Crime Prevention Tip: Vacation Check

Does your vacation checklist include what to do to secure your home and valuables while you're gone? Before you head out, notify a responsible neighbor or relative of your itinerary and contact information. Other tips: Request a "vacation check" from the Woodinville Police, notify your alarm company about your schedule, have the Post Office "stop" your mail, make your home look occupied, remove "items of interest" (lawnmower, tools, bicycles) from your yard, secure valuable items in a safe, unplug your garage door opener and consider moving your cars to a different location until you return or have your representative move them regularly to make it appear as if you are home. Educational crime prevention materials are available by contacting Jason Burt, Block Watch Coordinator, at 425-877-2285 or visiting our website at <http://www.ci.woodinville.wa.us/communityprofile/public-services.asp>.

Preliminary City Council Agendas & Meeting Schedule:

The July 3 City Council meeting has been cancelled. Woodinville City Council meetings are held on the 1st, 2nd, and 3rd Mondays of each month in the Council Chambers, City Hall (unless otherwise noticed). Meetings begin at 7:00 p.m. (unless otherwise noticed). Meeting notices are posted at City Hall, Community Center, Woodinville Library, Woodinville Post Office and on the City website at <http://www.ci.woodinville.wa.us/council/city-council-agenda-home.asp>. Agendas are subject to change up to and including the day of the Council meeting and agenda items may be added or postponed.

July 10 Preliminary Agenda: Proposed Ordinance No. 418, Creating a Public Safety Commission, Proposed Ordinance No. 424, Amending the Facts & Findings and adding exemptions in Ord. No. 419, Land Use and Building Permit Application Moratorium, Contract approvals for land use attorney services and seismic expert services for Brightwater, Finance Plan for the Carol Edwards Center.

July 17 Preliminary Agenda: WSDOT/I-405 Project Update, Contract Approval for Sustainable Development Legal Services, Communications Strategic Plan, 2006 Parks SNAP Projects Approval, Search Firm proposals for Interim and Permanent City Manager, Public Hearing for the 2007-2012 Six-Year TIP & Resolution No. 325 and Study Session on the 2007-2008 Financial Revenue Forecast.

Volunteer Opportunities

Tree Board Seeks 2 Members: There are 2 vacancies on the City's Tree Board. If you are a city resident or city business owner, and are interested in supporting the City's tree preservation goals and objectives, please contact Bob Wuotila, Planner, Community Development Department at 425-489-2757, ext. 2283. A community service application is required. To learn more about the Tree Board and to download the form, go to <http://www.ci.woodinville.wa.us/government/tree-board.asp>.

Sammamish River Stewards, the City's habitat restoration volunteers, will be doing "double time" in June, July and August and invite individual and group volunteers to help remove unwanted invasives and maintain growing native plantings along the Sammamish River Trail. Event dates: Meet the group at the Northshore Athletic Fields (in the Tourist District) if you can help on 7/8, and/or 8/12. Meet the group at

Woodin Creek Park, 13301 NE 171st Street if you can help on 7/22 and/or 8/26. Event time: 10 a.m. to 12 p.m. To learn more, contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or PatrickT@ci.woodinville.wa.us or visit the Volunteer webpage at <http://www.ci.woodinville.wa.us/opportunities/volunteers.asp>.

Survey: What Do You Think About the City’s Website?

The City's website is bound for a (somewhat) “extreme makeover.” Both the organization of the information and the presentation could change from the current design. Your opinions will help us achieve maximum benefit as we move forward with a website redesign. Please take the quick survey (There's only 6 questions!) on line at <http://www.ci.woodinville.wa.us/events/announcement-dtl.asp?RecordKey=268>.

Carol Edwards Center is a Collection Point for “Backpacks for Kids”

In support of the Northshore School District’s annual “Backpacks for Kids,” the Carol Edwards Center is one of many drop-off sites. Donations of school supplies will be accepted July 5 through August 11. The Center is located at 17401-133rd Avenue NE and is open Monday & Friday, 9 am to 5 p.m., Tuesday, Wednesday & Thursday, 9 a.m. to 9 p.m. and Saturday 9 a.m. to 12 p.m.

Washington State Department of Transportation Project Updates

WSDOT provides email updates and alerts regarding projects in and around the Woodinville area. Check out or bookmark: I-405 Project at <http://www.wsdot.wa.gov/Projects/i405/TotemLake/construction.htm>, or SR9 Widening Project at http://www.wsdot.wa.gov/Projects/SR9/sr522_212thst/.

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The Woodinville Wire – January, 2007

December 28, 2006

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January 2 Meeting is cancelled.

January 8, Preliminary Agenda: Report on the Public Art Program and Public Arts Advisory Committee, Northshore Youth Soccer Association Agreement for Capital Participation in the Sports Field Development; Parks and Recreation Commission Work Plan, Endorsement of Private Capital Campaign Goals and Structure for City Sportsfield Renovation. (The Parks & Recreation Commission and Public Arts Advisory Committee will participate in this meeting.)

(Tuesday) January 16, Preliminary Agenda: Review Draft Development Services Direct Costs and Policy Issues; Sustainable Development Update

STORM NEWS YOU CAN USE

King County residents who have structural damage or property loss from the December 14-15 wind storm need to report it to the King County Citizen Damage Report Hotline 1-800-523-5044.

The power outage made it difficult for the City to push out information and for citizens to receive it. Some ways to stay informed when the next disaster occurs include: the City's 24-Hour Information Line (425-877-2269), the City's Traveler's Information Radio Station 1610 AM (2.5 mile radius from downtown), and the City's website. Other ways (that don't require electricity): Listen to news radio stations with an AM

battery-operated radio and listen for weather advisories on a weather radio. On-line resources include: the Regional Public Information Network website at <http://www.rpin.org/rpinweb/>. You can subscribe to receive alerts for the areas where you live and work.

How prepared were you? Were you glad you had a disaster kit or wishing you had one? Learn how to prepare 3 ways for 3 days at <http://www.govlink.org/3days3ways/index.htm> or download preparedness information from the City's website at <http://www.ci.woodinville.wa.us/communityprofile/PublicSafetyDisasterPrep.asp>.

Please be advised that the City's priority snow routes are those streets that are essential to provide emergency, life-safety response services, such as police and fire, and access to essential public facilities, along the arterial roadways. Once essential routes are cleared, Public Works crews clear minor arterial roadways that are known problem areas such as steep slopes. Once these types of roadways have been tended to, the effort turns attention to residential and other secondary streets. To help ensure a quick response to snow conditions, crews monitor weather conditions and if snow is in the forecast, they ready the anti-icer machine, sander, and snow plow that are mounted on the City's dump truck and flat bed.

With all the recent weather storms, trees may have suffered damage and "repairing" them should be delayed if there is not an immediate physical risk. The City's Tree Board encourages maintaining the tree for a few weeks or months before making a decision to cut it down or trim it significantly. Homeowners are also encouraged not hire a "door-to-door" tree service that conveniently shows up following a storm. For tree care information, go to the City's website at <http://www.ci.woodinville.wa.us/government/tree-board.asp>.

King County residents who suffered property damage or other losses from the flooding that occurred Nov. 2-11, 2006 can apply for assistance from the Federal Emergency Management Agency (FEMA) by calling 1-800-621-FEMA (3362) between 8 a.m. and 6 p.m., Monday through Friday or by visiting www.fema.gov.

CITY EVENTS

Woody Debris Recycling Events, January 5 & 6 and 12 & 13

City of Woodinville residents are encouraged to recycle woody storm debris at the following collection events to be held at Bobby Wolford Trucking and Demolition, 22014 West Bostian Road, Woodinville, Washington from 8 a.m. to 4 p.m., Friday and Saturday, January 5 and 6 and January 12 and 13, 2007. City of Woodinville residents will not be charged and must provide address identification. Commercial vehicles are prohibited. For more information, contact Amy Ensminger, Public Works Department at 425-489-2700, ext. 2240 or amye@ci.woodinville.wa.us.

Open House: Sustainable Development Study, January 10, 4-6:30 p.m.

The City of Woodinville will host an Open House on the Sustainable Development Study and associated Comprehensive Plan and Zoning Code Amendment strategies for the R-1 planning area of the City. You are invited to review the results of the study and proposed amendments at the open house on Wednesday, January 10, 2007, 4:00 – 6:30 p.m., Council Chambers, Woodinville City Hall, 17301-133rd Avenue NE. For more information, contact Bob Wuotila, Development Services Department at 425-489-2754, ext. 2223 or bobw@ci.woodinville.wa.us.

Public Hearing: Preliminary Plat and Rezone Applications for the Wood Trails and Montevallo Subdivisions, February 28 and March 1, 2007

The Public Hearing on the Preliminary Plat and Re-zone applications for the Wood Trails and Montevallo Subdivision is scheduled for Wednesday, February 28 and Thursday, March 1, 2007, 7 to 10 p.m. at the Carol Edwards Center Gymnasium, 17401-133rd Avenue NE. For more information, go to <http://www.ci.woodinville.wa.us/events/EIS.asp> or contact Susie McCann, Development Services Department at 425-489-2754, ext. 2272 or susiem@ci.woodinville.wa.us.

CITY VOLUNTEER OPPORTUNITIES

Planning Commission Vacancy, Applications Due January 31, 2007

Be a part of your city's future and serve on the Planning Commission. Applications are being accepted by 5 p.m. on Wednesday, January 31, 2007. Qualifications: Must be a resident of the City of Woodinville, able to serve four year terms (without compensation) and available for evening meetings. To download the Community Service Application and learn more about the Planning Commission, go to <http://www.ci.woodinville.wa.us/government/planning-commission.asp>.

Tree Board Seeks 3 Members, Applications Accepted Until Positions Filled

There are 3 vacancies on the City's Tree Board. If you are a city resident or city business owner, and are interested in supporting the City's tree preservation goals and objectives, please contact Bob Wuotila, Planner, Development Services Department at 425-489-2757, ext. 2283. A community service application is required. To learn more about the Tree Board and to download the form, go to <http://www.ci.woodinville.wa.us/government/tree-board.asp>.

Volunteers Invited to Help Build Trail and Boardwalk at Rotary Community Park

Small volunteer groups (4 to 15) are needed to help build a gravel trail and elevated boardwalk at Woodinville's premier park at some or all of the following events: Monday, January, 15 (Martin Luther King Jr. Day), 9 a.m. to 4 p.m., Saturday, February 10, 2007, Sunday, 9 a.m. to 2 p.m.; Sunday, February, 25, 9 a.m. to 2 p.m.; and Sunday, March 25, 2007, 9 a.m. to 2 p.m. Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or patrickt@ci.woodinville.wa.us for more information.

FOR YOUR INFORMATION

Correction Notice to CityView Readers: In the November-December edition of CityView, the City's official newsletter, costs associated with improvements to the Carol Edwards Center were inadvertently associated with incorrect years. The correct costs/years should have been published as "The improvements to the sportsfields, the C.E. Loop, a children's playground and outdoor basketball court and landscaping, will cost \$2.34 million in 2008 and \$3.42 million in 2009." To view the newsletter, go to <http://www.ci.woodinville.wa.us/events/city-newsletter.asp>. We apologize for the mistake.

City Office Closures. City offices (City Hall and Carol Edwards) will be closed Monday, January 1, 2007 for the New Year's Day holiday and Monday, January 15, 2007 for Martin Luther King Jr. Day.

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February 1, 2007

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February 5, Preliminary Agenda: Resolution No. 330: Disbursement of Surplus Assets, Public Hearing: Hilltop Project Right-of-Way Vacation and 1st, 2nd and adoption of Ordinance No. 438.

February 12, Preliminary Agenda: Review draft Development Services Direct Costs and Policy Issues and 2nd Reading/Adoption of Ordinance 417: Temporary Encampment regulations

(Tuesday) February 20, Preliminary Agenda: Sustainable Development Study Update

NEWS YOU CAN USE

Public Hearing: Preliminary Plat and Rezone Applications for the Wood Trails and Montevallo Subdivisions, February 28 and March 1, 2007

The Public Hearing on the Preliminary Plat and Re-zone applications for the Wood Trails and Montevallo Subdivisions is scheduled for Wednesday, February 28 and Thursday, March 1, 2007, 7 to 10 p.m. at the Carol Edwards Center Gymnasium, 17401-133rd Avenue NE. For more information, go to <http://www.ci.woodinville.wa.us/events/EIS.asp> or contact Susie McCann, Development Services Department at 425-489-2754, ext. 2272 or susiem@ci.woodinville.wa.us.

MORE NEWS YOU CAN USE FROM THE POLICE DEPARTMENT

Suspicious Persons at Local Bank

Custodial employees at a local bank were recently approached at nighttime by persons identifying themselves as service reps for the ATM machine. The imposters sought access to the building and were denied entry. Businesses are encouraged to train nighttime staff on reporting suspicious activity by calling 9-1-1.

King County Sheriff's Citizens Academy is Looking for Future Graduates

Ever wondered about the workings of the King County Sheriff's Office without having to work there? Attend the 2007 Citizens Academy. Class session: March 20-May 22, Tuesdays, 6-9 p.m., KCSO North Precinct, 18118-73rd Ave. NE, Kenmore, WA. Class is free. Experience is priceless. Only 10 spots available for Woodinville residents. Contact Woodinville Officer Doug Deppa at 425-489-2700, ext. 3204 or dougd@ci.woodinville.wa.us.

Rumor Has It: Telemarketing Companies Get Cell Phone Numbers

You may be hearing that cell phone numbers are being released to telemarketing companies. According to the Federal Trade Commission (FTC) website, this is not the case because the Federal Commission prohibits it. See the Q&A on the FTC <http://www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt107.htm>. However, it's a good idea to register your phone numbers (up to 3 numbers) with the National Do Not Call Registry. Contact them at 888-382-1222 or go to <https://www.donotcall.gov/default.aspx>.

In Case of Emergency (ICE) Campaign

A concept created by a British paramedic is catching on in the United States: program up to 3 emergency contacts in your cell phone so when medical, fire or police personnel need to notify next of kin, they can quickly find the phone numbers in your cell phone. According to a Washington Post news article "Cell users are being urged to put the acronym ICE -- "in case of emergency" -- before the names of the people they want to designate as next of kin in their cell address book, creating entries such as "ICE -- Dad" or "ICE -- Alison." To learn more, search the words "In Case of Emergency" on the Internet.

CAROL EDWARDS CENTER: RENOVATION UPDATE

Renovation Begins Mid-March

In mid-March, renovation of the Carol Edwards Center will begin. Renovation includes updating the heating and air conditioning units and water systems, and an improved floor plan and interior finishes to the 1970 circa building. Improved parking for the sports fields and community center will occur after Little League season. Due to the remodel, the Greater Woodinville Chamber of Commerce and Woodinville Senior Center offices have been relocated off-site. To prepare for the work, the administrative offices of the Recreation Division will move from its current location in the A-Building to the B-Building, in the 4-building complex. Office operations and programming will continue through construction. Rental requests will be accommodated to the extent possible. A special webpage has been created to publish construction updates. Visit <http://www.ci.woodinville.wa.us/recreation/community-center-improvements.asp> often or contact Lane Youngblood, Parks & Recreation Director at 425-489-2700 or laney@ci.woodinville.wa.us for project information. For programming questions, contact Cindy Shelton, Recreation Supervisor at 425-398-9327, ext. 2301 or cindys@ci.woodinville.wa.us.

Campaign Coordinator Wanted for Private/Public Funding Campaign: Carol Edwards Center Field Improvements and Loop

The Northwest Parks Foundation is leading the capital campaign for the field improvements to the Carol Edwards Center which includes construction of the Carol Edwards Loop. The Campaign Coordinator position will be the primary point of contact for all development, marketing, and public relations activities and the key point of contact with City staff and the Steering committee. To view the position description, go to <http://www.ci.woodinville.wa.us/recreation/community-center-improvements.asp>.

CITY EVENTS

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City's 14th Cityhood Celebration, Saturday, March 31

As part of Celebrate Woodinville, the City will host it's "birthday" celebration with an Open House, Community Art Show, Safety Fair and of course cake! Celebrate Woodinville is a community tradition comprised of several events throughout the day. Contact the Chamber of Commerce at 425-481-8300 for parade information. Visit the City's website for event details at <http://www.ci.woodinville.wa.us/events/spevents.asp>.

CITY VOLUNTEER OPPORTUNITIES

Volunteers Invited to Help Build Trail and Boardwalk at Rotary Community Park

Small volunteer groups (4 to 15) are needed to help build a gravel trail and elevated boardwalk at Woodinville's premier park at some or all of the following events: Saturday, February 10, 2007, Sunday, 9 a.m. to 2 p.m.; Sunday, February, 25, 9 a.m. to 2 p.m.; and Sunday, March 25, 2007, 9 a.m. to 2 p.m.

Support City Activities at Celebrate Woodinville

Volunteers are needed to support activities at City Hall and the Carol Edwards Center as part of Celebrate Woodinville. Assistance is needed in the set up, monitoring and take down of the Community Art. Volunteers are also needed to help decorate City Hall and set up/take down for the Open House.

Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or patrickt@ci.woodinville.wa.us for more information on these and other volunteer opportunities or visit <http://www.ci.woodinville.wa.us/opportunities/volunteers.asp>.

FOR YOUR INFORMATION

City Office Closure. City offices (City Hall and Carol Edwards) will be closed Monday, February 19, 2007 for the President's Day holiday.

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The Woodinville Wire – March, 2007

February 28, 2007

Welcome new subscribers to the Woodinville Wire ("The Wire") – a monthly City-published electronic newsletter intended to help you get to know your City better and keep you informed about current city issues and activities. Please share The Wire with your fellow neighbors and merchants, employees and customers. Send your suggestions and comments to Marie Stake, Communications Coordinator at 425-877-2267 or maries@ci.woodinville.wa.us. Current editions of The Wire are posted on the City's website at <http://www.ci.woodinville.wa.us/events/TheWire.asp>.

PRELIMINARY CITY COUNCIL MEETING AGENDAS

Woodinville City Council meetings are held on the 1st, 2nd, and 3rd Mondays of each month in the Council Chambers, City Hall (unless otherwise noticed). Meetings begin at 7:00 p.m. (unless otherwise noticed). Meeting notices are posted at City Hall, Community Center, Woodinville Library, Woodinville Post Office and on the City website at <http://www.ci.woodinville.wa.us/council/city-council-agenda-home.asp>.

Below are highlights (excluding Special Presentations, Executive Sessions and Consent Items) of upcoming agenda items and is not intended to be the official agenda. Agendas are subject to change up to and including the day of the Council meeting and agenda items may be added or postponed. Council Meetings that fall on holidays are rescheduled to the next working day.

March 5, Preliminary Agenda: Public Hearing to receive and consider public testimony on the Sustainable Development Study; Public Hearing to receive and consider testimony on proposed Ordinance No. 441, which if approved, would renew the current land use moratorium within the City's R-1 zoning district.

March 12, Preliminary Agenda: Spirit of Washington Dinner Train Update; Bid Award for Carol Edwards Center Renovation and Parking; First, Second Reading and Adoption of Ordinance 431: Zoning Code Amendments relating to Sustainable Development.

March 19, Preliminary Agenda: Planning Commission Interviews and Appointment; Northshore Parks & Recreation Aquatic Service Area Study Session

NOTICE OF CONTINUATION OF PUBLIC HEARING

Wood Trails Rezone and Preliminary Plat Application

The public hearing before the City of Woodinville Hearing Examiner to consider public comment on the Rezone (ZMA2004-053) and Preliminary Plat Application (PPA2004-054) for the Wood Trails proposal scheduled for February 28 will be continued to March 14, 2007 at 7 p.m.

Montevallo Rezone and Preliminary Plat Application

The public hearing before the City of Woodinville Hearing Examiner to consider public comment on the Rezone (ZMA2004-094) and Preliminary Plat Application (PPA2004-093) for the Montevallo proposal scheduled for March 1 will be continued to March 15, 2007 at 6 p.m.

The legal notices are posted as a courtesy to the City's webpage at <http://www.ci.woodinville.wa.us/events/legal-notices.asp>. For more information, contact the Development Services Department at 425-489-2754, ext. 2272.

NEIGHBORHOOD NEWS YOU CAN USE

Thinking of replacing your standard mailbox with a locking mailbox? Apply for a \$1 right-of-way permit prior to installation. Contact the Public Works Department for installation standards at 425-489-2700 ext. 2295.

Hosting a charity car wash? Reserve a Clean Car Wash Kit by calling the Public Works Department at 425-489-2700, ext. 2240. The kit helps divert polluted water from entering the City's storm drain system that feeds into waterways that lead to Puget Sound.

CAROL EDWARDS CENTER: RENOVATION UPDATE

Carol Edwards Community Center Administrative Offices Temporarily Relocated
The administrative office of the Recreation Division has moved a few doors down. Look for the directional signs at the Center that lead you to inside the courtyard. C.E.C. hours: Mon/Fri, 9 a.m. to 5 p.m.; Tue/Wed/Thr, 9 a.m. to 9 p.m., Sat, 9 a.m. to 12 p.m., Sun, Closed. For renovation updates, visit <http://www.ci.woodinville.wa.us/recreation/community-center-improvements.asp>.

CITY EVENTS

City's 14th Cityhood Celebration, Saturday, March 31

As part of Celebrate Woodinville, the City will host it's "birthday" celebration with an Open House, Community Art Show, Safety Fair and of course cake! Celebrate Woodinville is a community tradition comprised of several events throughout the day. Contact the Chamber of Commerce at 425-481-8300 for parade information.

Tree Chipping Event, Saturday, April 14, 2007, 9 a.m. - 3 p.m.

Drop Off and Go! That's how easy it is for City of Woodinville residents to dispose of woody debris. Event held at the Blue Linx property, 12815 NE 178th Street (behind McLendon Hardware). We will gladly accept your tree trimmings and woody debris, in any amount free of charge. Material will be chipped and used as mulch along the Sammamish River. We will not accept grass clippings, leaves, vines, blackberries, lumber, and rotted or treated wood. Commercial vehicles prohibited. Acceptance of all material is at the sole discretion of the City's service provider. For more information, call the Public Works Department at 425-489-2700, ext. 2240.

Earth Day, Saturday, April 21

The City is hosting several activities in honor of Earth Day. **Sammamish River Restoration**, 10 a.m.-2 p.m. Grab your gloves, shovels and love for the environment and be ready to cut back unwanted vegetation

along the banks of the Sammamish River. This is a great opportunity for community volunteers to take pride in Woodinville and to preserve our northwest woodland character. Meet at Woodin Creek Park, 13301 NE 171st Street.

City Rain Barrel and Compost Bin Sale and Tree Care Information at the Spring Garden Open House, April 21, 9 a.m.- 3:30 p.m., Woodmoor Elementary School. Sponsored by the Woodinville Water District and the Northshore Utility District, the City will be selling rain barrels and compost bins. They're popular so get one while supplies last (\$15 each). Talk with Tree Board members about tree preservation and care.

City event information can be found at: <http://www.ci.woodinville.wa.us/events/spevents.asp>.

CITY VOLUNTEER OPPORTUNITIES

Woodinville Teens Wanted to Serve on the Council and various commissions

Applications are being accepted now for TeenRep positions on the City Council, Parks & Recreation Commission, Planning Commission and Public Arts Advisory Committee. Applicants will be considered for the September 2007-June 2008 school year. TeenRep commitment may satisfy school community service and service learning hour requirements at Woodinville High School (check with your school advisor). To learn more, contact Cole Caplan, Parks & Recreation Department at 425-398-9327, ext. 2302 or colec@ci.woodinville.wa.us.

Join the Sammamish River Stewards, March 10

Join the monthly volunteer group that keeps the areas along the Sammamish River in great shape. Meet at the NE 145th Street trail over pass (in the Tourist District). Volunteers needed to work 10 a.m. to 12 p.m. Tools, training and light refreshments provided.

Rotary Community Park Trail & Boardwalk Building, March 10 and March 25

Be a part of the making of a great park! Meet at Rotary Community Park, 19518-136th Avenue NE. Volunteers needed to work 9 a.m. to 2 p.m. (come for some, stay for all). Tools, training and light refreshments provided.

Support City Activities at Celebrate Woodinville, March 31

Volunteers are needed to support activities at City Hall and the Carol Edwards Center as part of Celebrate Woodinville. Assistance is needed in the set up, monitoring and take down of the Community Art Show. Volunteers are also needed to help decorate City Hall and set up/take down for the Open House. Flexible shifts available between 10 a.m. and 6 p.m.

Contact Patrick Tefft, Volunteer Coordinator at 425-877-2289 or patrickt@ci.woodinville.wa.us for more information on these and other volunteer opportunities or visit <http://www.ci.woodinville.wa.us/opportunities/volunteers.asp>.

Editor's Note: For best viewing by most email users, text contained in this newsletter is distributed in plain text. Links to the City Website and staff email may not appear. If you wish to be removed from subscription, please select "reply" and place the words "remove" in the subject line. Each issue of The Wire contains only messages generated by the City and conveys information regarding the City of Woodinville and Woodinville community. Public disclosure of personal email addresses is governed by state law, but the City does not intend to facially display the email addresses of Woodinville Wire recipients on each electronically distributed edition.

The Woodinville Wire – April, 2007

March 30, 2007

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Below are highlights (excluding Special Presentations, Executive Sessions and Consent Items) of upcoming agenda items and is not intended to be the official agenda. Agendas are subject to change up to and including the day of the Council meeting and agenda items may be added or postponed. Council Meetings that fall on holidays are rescheduled to the next working day.

April 2, Preliminary Agenda: Resolution No. 335: Expressing Support of the Spirit of Washington Dinner Train; Resolution No. 336: Supporting Issuance of Industrial Revenue Bonds for Novelty Hill Winery; Northshore Park & Recreation Aquatic Service Area and Review of Resolution No. 333: Contribution Supporting the Efforts for the Northshore Aquatic Facility.

April 9, Preliminary Agenda: Streamlined Sales Tax Report; Approval of Work Schedule for Interim Sustainable Development Issues and Authorize Funds for Additional Studies; Receive and File Process for Request for Proposals for the Old Woodinville School; Review Draft Development Services Direct Costs and Policy Issues

April 16, Preliminary Agenda: Hilltop Right-of-Way Vacation and 1st, 2nd Reading and Adoption of Ordinance No. 438: Hilltop Right of Way Vacation.

NOTICE OF CONTINUATION OF PUBLIC HEARING

Wood Trails & Montevallo Rezone and Preliminary Plat Application

The March 14, 2007 public hearing on the rezone and preliminary plat application for the proposed Wood Trails residential development, and the March 15, 2007 public hearing on the applicant's other rezone and preliminary plat application for the proposed Montevallo residential development have been continued to April 5, 2007. The continued hearing(s) will be held at 7 p.m., Woodinville City Hall, Council Chambers, 17301-133rd Avenue NE. Written comments from interested parties regarding both proposals will be accepted and admitted into the record up to and at the hearing until the hearing(s) are formally closed. To view or obtain video and/or audio tapes of the March 14 Wood Trails continued hearing and the March 15 Montevallo

continued hearing, please contact the Development Services Department at 425-489-2754, ext. 2272 or come to Woodinville City Hall during regular office hours.

NEWS YOU CAN USE

Prevent Car Prowls: Out of Sight, Out of the Hands of Thieves

If you leave what appear to be valuable items inside your vehicle and in plain view, you're most likely going to be a victim of a car prowler. A car prowler is the breaking and entering into a vehicle for the purposes of committing theft. To prevent a car prowler, remember: (1) Always roll up windows and lock doors when you leave your car. (2) Do not leave personal items in plain view. CD's, duffel bags, computers, cell phones and electronics entice opportunistic criminals to commit a car prowler. Lock up valuables in the trunk to keep them out of sight (and out of mind of thieves!). (3) Park in a well-lit area and use parking lots frequently used by others. (4) Try not to unload purchases (gifts) in your car and then leave it unattended in the same parking spot. Thieves could be on the prowl for shoppers traveling back and forth from stores to unload their purchases. (5) Never leave your car running unattended. Vehicles are commonly stolen at ATMs, convenience stores, from driveways and self-serve gas stations. If you have been a victim of a car prowler recently and haven't reported it to the Woodinville Police Department, you are encouraged to do so by calling 9-1-1 or 206-296-3311.

Spring/Summer Recreation Guide Coming to a Mailbox Close to You!

Look for the Spring/Summer Rec Guide coming soon to residential mailboxes in the 98072 zip code. Registration (resident) begins on Monday, April 2 at 9 a.m. in the 98072 zip code and on Wednesday, April 4 for all other zip codes. City residents pay a discounted registration fee. To view the Rec Guide now, go to <http://www.ci.woodinville.wa.us/recreation/recguide.asp> and get ready to register for classes, camps and fun happenings April through August. You can register on-line or stop by the Carol Edwards Center, 17401 133rd Avenue NE, in downtown Woodinville.

Hosting a charity car wash?

Reserve a Clean Car Wash Kit by calling the Public Works Department at 425-489-2700, ext. 2240. The kit helps divert polluted water from entering the City's storm drain system that feeds into waterways that lead to Puget Sound.

CAROL EDWARDS CENTER: RENOVATION UPDATE

Contract Awarded for Parking and Building Renovation

CDK Construction Services, Inc. of Duvall, Washington has been awarded the construction contract to renovate the Carol Edwards Center and to provide additional parking for the 13-acre city complex. The \$3.45 million project, designed by ARC Architects, will begin immediately and is expected to be completed in October, 2007. The project includes rehabilitation work on the existing Carol Edwards Community Center, the creation of a new 3,000 square foot multi-purpose room, and construction of 95 new parking spaces to serve community center, Wilmot Gateway Park, and sports fields. For more information go to, <http://www.ci.woodinville.wa.us/recreation/community-center-improvements.asp>.

CITY EVENTS

City's 14th Cityhood Celebration, Saturday, March 31 (ROAD CLOSURE)

Basset hounds take the street for Celebrate Woodinville 2007! Start the day with a Pancake Breakfast, choose a spot along NE 175th Street for the All Fool's Day Parade, visit the Woodinville Farmers Market Arts & Craft Show, let the kids have fun at the Children's Activity Fair, don't miss the Basset Bash & Brigade and don't

forget a slice of birthday cake to celebrate the City's 14th anniversary of incorporation. (ROAD CLOSURE: NE 175th Street will be closed for the parade from approximately 10:30 a.m. to 12:30 p.m.)

Tree Chipping Event, Saturday, April 14, 2007, 9 a.m. - 3 p.m.

Drop Off and Go! That's how easy it is for City of Woodinville residents to dispose of woody debris. Event held at the Blue Linx property, 12815 NE 178th Street (behind McLendon Hardware). For more information, call the Public Works Department at 425-489-2700, ext. 2240 or visit the City's Web site.

Earth Day, Saturday, April 21

Volunteers are invited to join in a **Sammamish River Restoration event**, 10 a.m.-2 p.m. Meet at Wilmot Park, 17301 131st Ave NE.

City Rain Barrel and Compost Bin Sale and Tree Care Information at the Spring Garden Open House, 9 a.m. to 3:30 p.m., Woodmoor Elementary School. Barrels and bins \$15 each, while supplies last. Talk with Tree Board members about tree preservation and care.

City event information can be found at: <http://www.ci.woodinville.wa.us/events/spevents.asp>.

CITY VOLUNTEER OPPORTUNITIES

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Applications are being accepted now for TeenRep positions on the City Council, Parks & Recreation Commission, Planning Commission and Public Arts Advisory Committee. Applicants will be considered for the September 2007-June 2008 school year. TeenRep commitment may satisfy school community service and service learning hour requirements at Woodinville High School (check with your school advisor). To learn more, contact Cole Caplan, Parks & Recreation Department at 425-398-9327, ext. 2302 or colec@ci.woodinville.wa.us.

Volunteers Needed to Support Hershey Track & Field Meet / Family Field Day

The City of Woodinville seeks volunteers to assist as sporting event starters, timers, finish judges, recorders, registrars & helpers for this upcoming community event: Saturday, June 16
Any 3+ hours, 7:30 a.m. through 5:30 p.m., Carol Edwards Center.

Have Some Summer Fun and Volunteer for Recreation Camps

The City of Woodinville seeks volunteers this summer to assist staff with various youth recreation classes & camps. Some volunteer assignments meet once a week for 6-9 weeks; others meet daily for one week. The first assignments begin in early June, and others are available throughout the summer.

Contact Patrick Tefft, Volunteer Coordinator, 425-877-2289 or patrickt@ci.woodinville.wa.us.

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Chapter

14

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of ORDINANCE 419 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 27 day of MAR, 2006

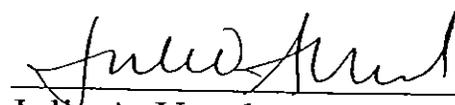
and ending on the 27 day of MAR, 2006

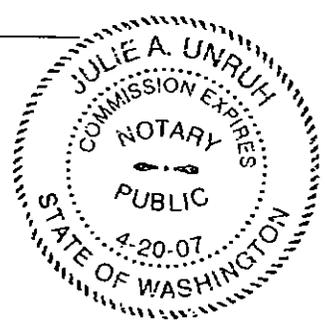
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$51.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$51.00.


Pamela Crim

Subscribed and sworn to before me this 17 day of April, 2006


Julie A. Unruh
Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



On the 20th day of March 2006, the City Council of the City of Woodinville adopted Ordinance No. 419. A summary of the Ordinance is as follows:

ORDINANCE NO. 419

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT AND PROCESSING OF BUILDING PERMIT, AND OTHER LAND USE DEVELOPMENT APPLICATIONS WITHIN THE CITY'S R-1 ZONING DISTRICT; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SAID MORATORIUM; ENUMERATING LIMITED EXCEPTIONS; SCHEDULING A PUBLIC HEARING DATE; AUTHORIZING OFFICIAL INTERPRETATIONS BY THE CITY OF WOODINVILLE PLANNING DIRECTOR; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

The full text of the above Ordinance will be mailed upon request. Contact City Hall at 17301 133RD Avenue NE, Woodinville, (425) 489-2700 ext. 2262.

DATED this 23rd day of March 2006.

Sandra Parker
City Clerk/MMC

Published March 27th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

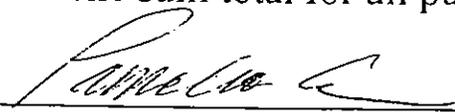
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of ORDINANCE 424 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 17 day of JUL, 2006

and ending on the 17 day of JUL, 2006

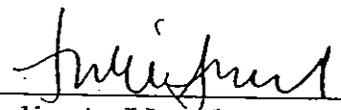
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$46.75 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$46.75.



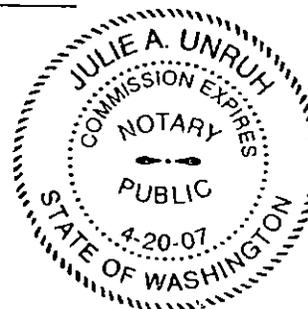
Pamela Crim

Subscribed and sworn to before me this 20 day of July, 2006



Julie A. Unruh

Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



On the 10th day of July 2006, the City Council of the City of Woodinville adopted Ordinance No. 424. A summary of the Ordinance is as follows:

ORDINANCE NO. 424

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING ORDINANCE NO. 419; INCORPORATING SUPPLEMENTAL FINDINGS OF FACT IN SUPPORT OF THE CITY'S TEMPORARY LAND USE MORATORIUM WITHIN THE R-1 ZONING DISTRICT; REVISING AND CLARIFYING THE EXEMPTIONS FOR SPECIFIED PERMIT APPROVALS UNDER THE MORATORIUM; REQUIRING CITY COUNCIL NOTIFICATION PRIOR TO ISSUANCE OF FORMAL INTERPRETATIONS UNDER THE MORATORIUM; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of the above Ordinance will be mailed upon request. Contact City Hall at 17301 133RD Avenue NE, Woodinville, (425) 489-2700 ext. 2262.

DATED this 11th day of July 2006.

Sandra Parker
City Clerk/MMC

Published July 17th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

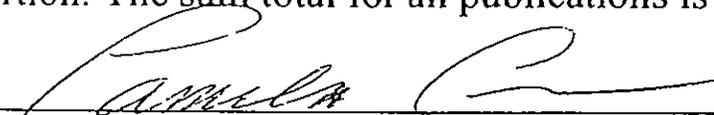
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of ORDINANCE 427 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 18 day of SEP, 2006

and ending on the 18 day of SEP, 2006

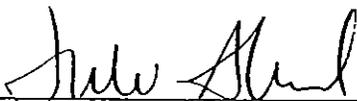
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$36.13 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$36.13.



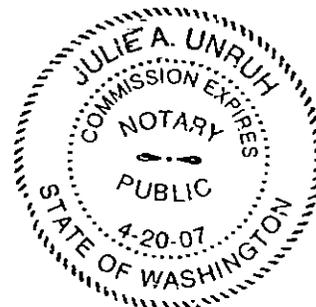
Pamela Crim

Subscribed and sworn to before me this 20 day of Oct, 2006



Julie A. Unruh

Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



On the 11th day of September 2006, the City Council of the City of Woodinville adopted Ordinance No. 427. A summary of the Ordinance is as follows:

ORDINANCE NO. 427

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING ORDINANCE NO. 419; RENEWING FOR AN ADDITIONAL SIX MONTH PERIOD THE TEMPORARY R-1 ZONING DISTRICT LAND USE PERMITTING MORATORIUM CURRENTLY SCHEDULED TO EXPIRE ON SEPTEMBER 20, 2006; ADOPTING FINDINGS IN SUPPORT OF SAID RENEWAL; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

The full text of the above Ordinance will be mailed upon request. Contact City Hall at 17301 133RD Avenue NE, Woodinville, (425) 489-2700 ext. 2262.

DATED this 12TH day of September 2006.

Jennifer Kuhn
City Clerk

Published September 18th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

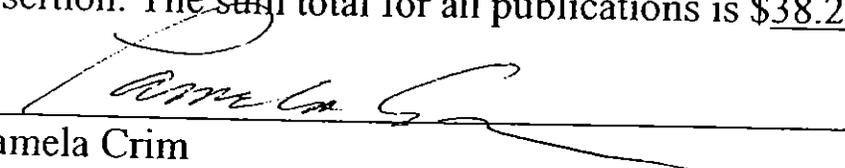
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of ORDINANCE NO. 431 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 19 day of MAR, 2007

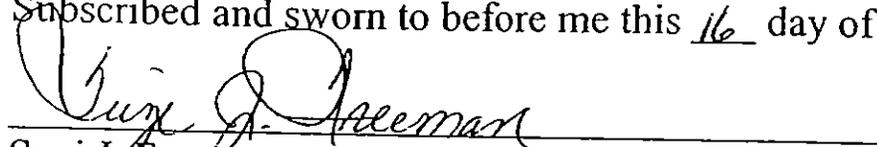
and ending on the 19 day of MAR, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$38.25 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$38.25.


Pamela Crim

Subscribed and sworn to before me this 16 day of April, 2007.


Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



On the 12th day of March 2007, the City Council of the City of Woodinville adopted Ordinance No. 431. A summary of the Ordinance is as follows:

ORDINANCE NO. 431

AN INTERIM ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON AMENDING CHAPTER 21.04 WMC; TEMPORARILY REMOVING A RESTRICTION ON DEVELOPMENT WITH DENSITIES LESS THAN FOUR DWELLING UNITS PER ACRE WITHIN THE CITY'S LOW DENSITY RESIDENTIAL ZONES; ADOPTING PRELIMINARY FINDINGS IN SUPPORT OF SAID AMENDMENT; SCHEDULING A PUBLIC HEARING DATE; PROVIDING FOR SEVERABILITY; DECLARING A PUBLIC EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

The full text of the above Ordinance will be mailed upon request. Contact City Hall at 17301 133RD Avenue NE, Woodinville, (425) 489-2700 ext. 2262.

DATED this 14 day of March 2007.

Jennifer Kuhn/CMC
City Clerk

Published March 19, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

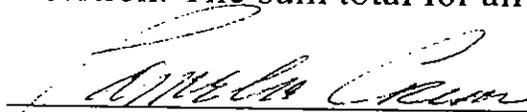
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beginning on the 17 day of APRIL, 2006

and ending on the 24 day of APR, 2006

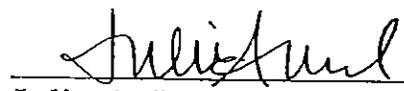
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$59.50 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$59.50.

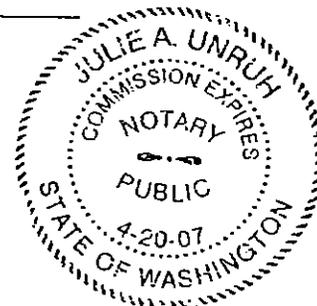


Pamela Crim

Subscribed and sworn to before me this 17 day of May, 2006



Julie A. Unruh
Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: The Woodinville City Council will conduct a public hearing to receive and consider public testimony on Ordinance No. 419, which imposed a prospective land use moratorium within the City's R-1 zoning district on March 20, 2006. The City Council may adopt additional findings of fact in support of the moratorium at the conclusion of the public hearing.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter.

DATE/TIME: Monday, May 1, 2006
7:30 p.m.

LOCATION: Woodinville City Hall/Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

DATED this 13th day of April 2006.

Sandra Parker
City Clerk/MMC

Published April 17th & 24th, 2006

CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: The Woodinville City Council will conduct a public hearing to receive and consider public testimony on Ordinance No. 419, which imposed a prospective land use moratorium within the City's R-1 zoning district on March 20, 2006. The City Council may adopt additional findings of fact in support of the moratorium at the conclusion of the public hearing.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter.

DATE/TIME: Monday, May 1, 2006
7:30 p.m.

LOCATION: Woodinville City Hall/Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

DATED this 13th day of April 2006.

Sandra Parker
City Clerk/MMC

Published April 17th & 24th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF PUBLIC HEARING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 2 week(s)

beginning on the 21 day of AUG, 2006

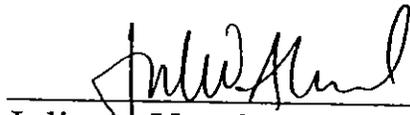
and ending on the 28 day of AUG, 2006

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$63.75 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$127.50



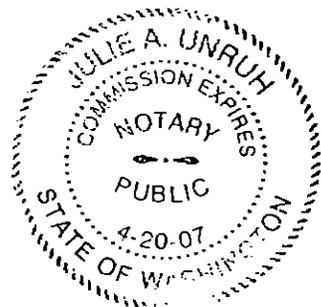
Pamela Crim

Subscribed and sworn to before me this 06 day of Sept, 2006



Julie A. Unruh

Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: On September 11, 2006, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on proposed Ordinance No. 431, which if approved, would renew the current land use moratorium within the City's R-1 zoning district that was originally imposed by Ordinance No. 419. The City Council may approve Ordinance No. 431 and may adopt findings of fact in support of the proposed moratorium extension at the conclusion of the public hearing.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter.

DATE/TIME: Monday, September 11, 2006
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 15th day of August 2006.

Sandra Parker
City Clerk/MMC

Published August 21st & 28th, 2006

CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: On September 11, 2006, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on proposed Ordinance No. 431, which if approved, would renew the current land use moratorium within the City's R-1 zoning district that was originally imposed by Ordinance No. 419. The City Council may approve Ordinance No. 431 and may adopt findings of fact in support of the proposed moratorium extension at the conclusion of the public hearing.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing, and should address only the moratorium itself. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter.

DATE/TIME: Monday, September 11, 2006
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 15th day of August 2006.

Sandra Parker
City Clerk/MMC

Published August 21st & 28th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF PUBLIC HEARING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 26 day of FEB, 2007

and ending on the 26 day of FEB, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$204.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$204.00.

Pamela Crim
Pamela Crim

Subscribed and sworn to before me this 20 day of Mar, 2007

Suzi J. Freeman
Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: NOTICE IS HEREBY GIVEN that the Woodinville City Council will conduct a Public Hearing on the City's "Sustainable Development Study" for the purpose of obtaining public comment on the Study and related regulatory and planning proposals including:

- Potential adoption of Amendments to the City's Development regulations proposed by the Planning Commission, that would, among other things, establish an R-1 designation for substantial portions of the Sustainable Development Study Area and eliminate the current Code provisions for R-4 in the Study Area; (Study Area description: the R-1 zone is located in the northeastern uplands of the city and bounded by Snohomish County on the North (NE 205th St), Rural King County on the east (from Snohomish County line to NE 175th St), Rural King County on the south (from 164th Ave NE to gridline located approximately on 148th Ave NE) and northerly within the city limits back to Snohomish County line (following 148th Ave NE mainly and meandering against R-4, R-6 and Industrial zones). The residential zones in the City of Woodinville make-up approximately 60% of the city's 3500 acres, with the R-1 zone encompassing approximately 30% or 1100 acres.)
- Direction to staff and Planning Commission to evaluate within the next six months techniques that would ensure accommodation of appropriate future growth while currently maintaining R-1 designation. Such techniques may include but are not limited to shadow platting in order to meet future residential capacity needs as they are predicted to arise; and
- Procedures concerning Sustainable Development, contained in Ordinance No. 431.

The Staff Report including the Sustainable Development Study and Planning Commission recommendation will be available five (5) days prior to the Public Hearing on our website <http://www.ci.woodinville.wa.us/> and at Woodinville City Hall located at 17301 133rd Avenue NE, Woodinville, Washington. Other relevant materials will also be available for review at City Hall.

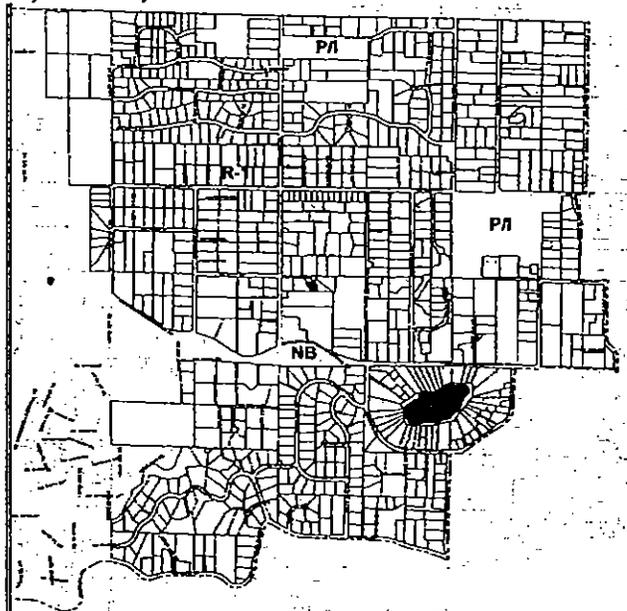
All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271. Comments by e-mail may also be submitted to sustainable@ci.woodinville.wa.us prior to the Public Hearing.

DATE/TIME: Monday, March 5, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Council Chambers
Woodinville, WA 98072

DATED this 16th day of February 2007.

Jennifer Kuhn
City Clerk/CMC



Published February 26th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF PUBLIC HEARING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 26 day of FEB, 2007

and ending on the 26 day of FEB, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$68.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$68.00.

PAMELA CRIM
Pamela Crim

Subscribed and sworn to before me this 20 day of MAR, 2007

Suzi J. Freeman
Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: On March 5, 2007, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on proposed Ordinance No. 441, which if approved, would renew the current land use moratorium within the City's R-1 zoning district that was originally imposed by Ordinance No. 419 and amended by Ordinance Nos. 424 and 427. The City Council may approve Ordinance No. 441 and may adopt findings of fact in support of the proposed moratorium extension at the conclusion of the public hearing.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. Comments by e mail may also be submitted to moratorium@ci.woodinville.wa.us prior to the Public Hearing. Copies of the staff report and all related documents will be available five (5) days prior to the public hearing. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271.

DATE/TIME: Monday, March 5, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 16th day of February 2007.

Jennifer Kuhn
City Clerk/CMC

Published February 26th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

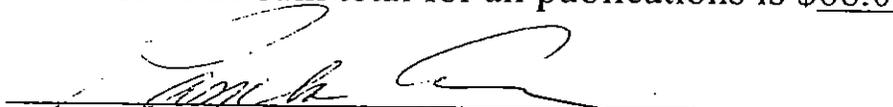
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beginning on the 19 day of FEB, 2007

and ending on the 19 day of FEB, 2007

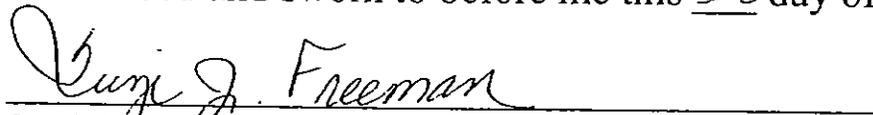
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$68.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$68.00.



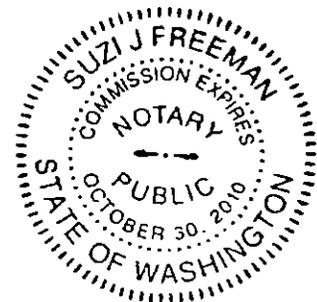
Pamela Crim

Subscribed and sworn to before me this 20 day of Mar, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: NOTICE IS HEREBY GIVEN that the Woodinville City Council will conduct a Public Hearing on the City's *Sustainable Development Study* for the purpose of obtaining public comment on the Study and related regulatory and planning proposals including: Potential adoption of Amendments to the City's Development regulations proposed by the Planning Commission, that would, among other things, establish an R-1 designation for substantial portions of the Sustainable Development Study Area and eliminate the current Code provisions for R-4 in the Study Area; (Study Area description: the R-1 zone is located in the northeastern uplands of the city and bounded by Snohomish County on the North (NE 205th St), Rural King County on the east (from Snohomish County line to NE 175th St), Rural King County on the south (from 164th Ave NE to gridline located approximately on 148th Ave NE) and northerly within the city limits back to Snohomish County line (following 148th Ave NE mainly and meandering against R-4, R-6 and Industrial zones). The residential zones in the City of Woodinville make-up approximately 60% of the city's 3500 acres, with the R-1 zone encompassing approximately 30% or 1100 acres.)
Direction to staff and Planning Commission to evaluate within the next six months techniques that would ensure accommodation of appropriate future growth while currently maintaining R-1 designation. Such techniques may include but are not limited to shadow plating in order to meet future residential capacity needs as they are predicted to arise; and
Procedures concerning Sustainable Development, contained in Ordinance No. 431.

The Staff Report including the Sustainable Development Study and Planning Commission recommendation will be available five (5) days prior to the Public Hearing on our website <http://www.ci.woodinville.wa.us/> and at Woodinville City Hall located at 17301 133rd Avenue NE, Woodinville, Washington. Other relevant materials will also be available for review at City Hall.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271. Comments by e-mail may also be submitted to sustainable@ci.woodinville.wa.us prior to the Public Hearing.

DATE/TIME: Monday, March 5, 2007
7:30 p.m.
LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Council Chambers
Woodinville, WA 98072

DATED this 16th day of February 2007.

Jennifer Kuhn
City Clerk/CMC

Published February 19th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

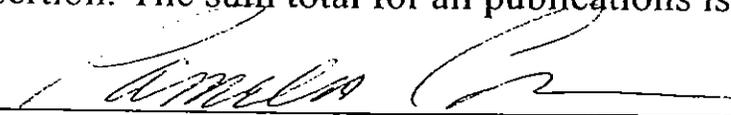
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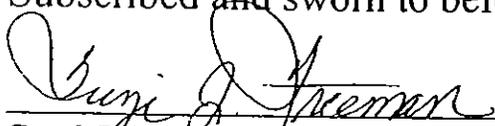
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$110.50 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$110.50.



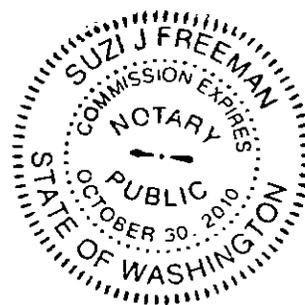
Pamela Crim

Subscribed and sworn to before me this 20 day of MAR, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: On March 5, 2007, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on proposed Ordinance No. 441, which if approved, would renew the current land use moratorium within the City's R-1 zoning district that was originally imposed by Ordinance No. 419 and amended by Ordinance Nos. 424 and 427. The City Council may approve Ordinance No. 441 and may adopt findings of fact in support of the proposed moratorium extension at the conclusion of the public hearing.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. Comments by e-mail may also be submitted to moratorium@ci.woodinville.wa.us prior to the Public Hearing. Copies of the staff report and all related documents will be available five (5) days prior to the public hearing. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x-2271.

DATE/TIME: Monday, March 5, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 16th day of February 2007.

Jennifer Kuhn
City Clerk/CMC

Published February 19th, 2007

Not posted in
Newspaper



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705

**NOTICE OF CONTINUATION
OF PUBLIC HEARING**

PURPOSE:

The City Council formally opened the public hearing on the proposed renewal of the current R-1 zoning district land use and building moratorium on March 5, 2007 and will continue the hearing to the Council's March 12, 2007 meeting.

On March 12, 2007, the Woodinville City Council will continue to conduct a public hearing to receive and consider public testimony on proposed Ordinance No. 441, which if approved, would renew the current land use moratorium within the City's R-1 zoning district that was originally imposed by Ordinance No. 419 and amended by Ordinance Nos. 424 and 427. The City Council may approve Ordinance No. 441 and may adopt findings of fact in support of the proposed moratorium extension at the conclusion of the public hearing.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. Comments by e mail may also be submitted to moratorium@ci.woodinville.wa.us prior to the Public Hearing. Copies of the staff report and all related documents will be available five (5) days prior to the public hearing. The City Council will not accept testimony concerning any specific, pending quasi-judicial land use matter. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271.

DATE/TIME: Monday, March 12, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 7th day of March 2007.

Jennifer Kuhn
City Clerk/CMC

DATED this 7th day of March 2007.

Jennifer Kuhn
City Clerk/CMC

Faxed to: News Media
Emailed to: 1) City Staff, 2) Council & 3) City Attorney
Post: 1) In-house, 2) Post Office & 3) Website



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705

NOTICE OF PUBLIC HEARING

PURPOSE: On May 7, 2007, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on Ordinance No. 431, an interim development regulation governing residential densities within the City's R-1 zoning district.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271. Comments by e-mail may also be submitted to interim431@ci.woodinville.wa.us prior to the Public Hearing.

DATE/TIME: Monday, May 7, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Council Chambers
Woodinville, WA 98072

DATED this 17th day of April 2007.

Jennifer Kuhn
City Clerk/CMC

Faxed to: News Media
Emailed to: 1) City Staff, 2) Council & 3) City Attorney
Post: 1) In-house, 2) Post Office & 3) Website
Published: Woodinville Weekly April 23 & 30

CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: On May 7, 2007, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the Woodinville City Council will conduct a public hearing to receive and consider public testimony on Ordinance No. 431, an interim development regulation governing residential densities within the City's R-1 zoning district.

All interested persons may appear and provide testimony to the City Council on the above proposal during the hearing. Written comments will be accepted up to and at the hearing. Comments should be addressed to the City Clerk at the address shown above. If you have any questions, please call Cindy Baker, Development Services Director at 425-489-2754, x 2271. Comments by e-mail may also be submitted to interim431@ci.woodinville.wa.us prior to the Public Hearing.

DATE/TIME: Monday, May 7, 2007
7:30 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Council-Chambers
Woodinville, WA 98072

DATED this 17th day of April 2007.

Jennifer Kuhn
City Clerk/CMC

Published April 23 and 30, 2007



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705

NOTICE OF APPEAL AND CLOSED
RECORD PROCEEDING

PURPOSE: **NOTICE IS HEREBY GIVEN** that the Woodinville City Council will consider in a closed-record proceeding the Montevallo Rezone (ZMA2004-094) Recommendation and an administrative appeal of the Montevallo Preliminary Plat (PPA2004-093). The rezone recommendation and preliminary plat appeal will be considered concurrently, but with separate criteria and decisions.

File Number: APP2007-001

Sections of Code Pertinent to Closed Record Procedure: This closed record proceeding is being conducted pursuant to WMC Chapter 17.07, 17.17, WMC Chapter 2.30, and other applicable City procedures. A copy of any supplemental procedural guidelines will be publicly disseminated prior to the proceeding.

PROJECT: The challenged rezone and preliminary plat would authorize the subdivision of 16.5 acres into 56 Single Family Residential lots, including 9 density credits from the Wood Trails project (concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4). Location of the Montevallo project is: South of NE 205th Street & West of 156th Avenue NE, Woodinville, King County, Washington. The project applicant is Phoenix Development.

APPELLANTS: The named appellant in the preliminary plat appeal is the Concerned Neighbors of Wellington, Fred A. Green, President. The appellant is represented in this matter by J. Richard Aramburu, Attorney at Law.

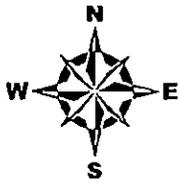
DATE/TIME: Monday, August 6, 2007, 6:00 p.m. with potential continuation to Monday, August 13, 6:00 p.m., and/or other continuation dates as may be designated by the City Council.

LOCATION: Woodinville City Hall – Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

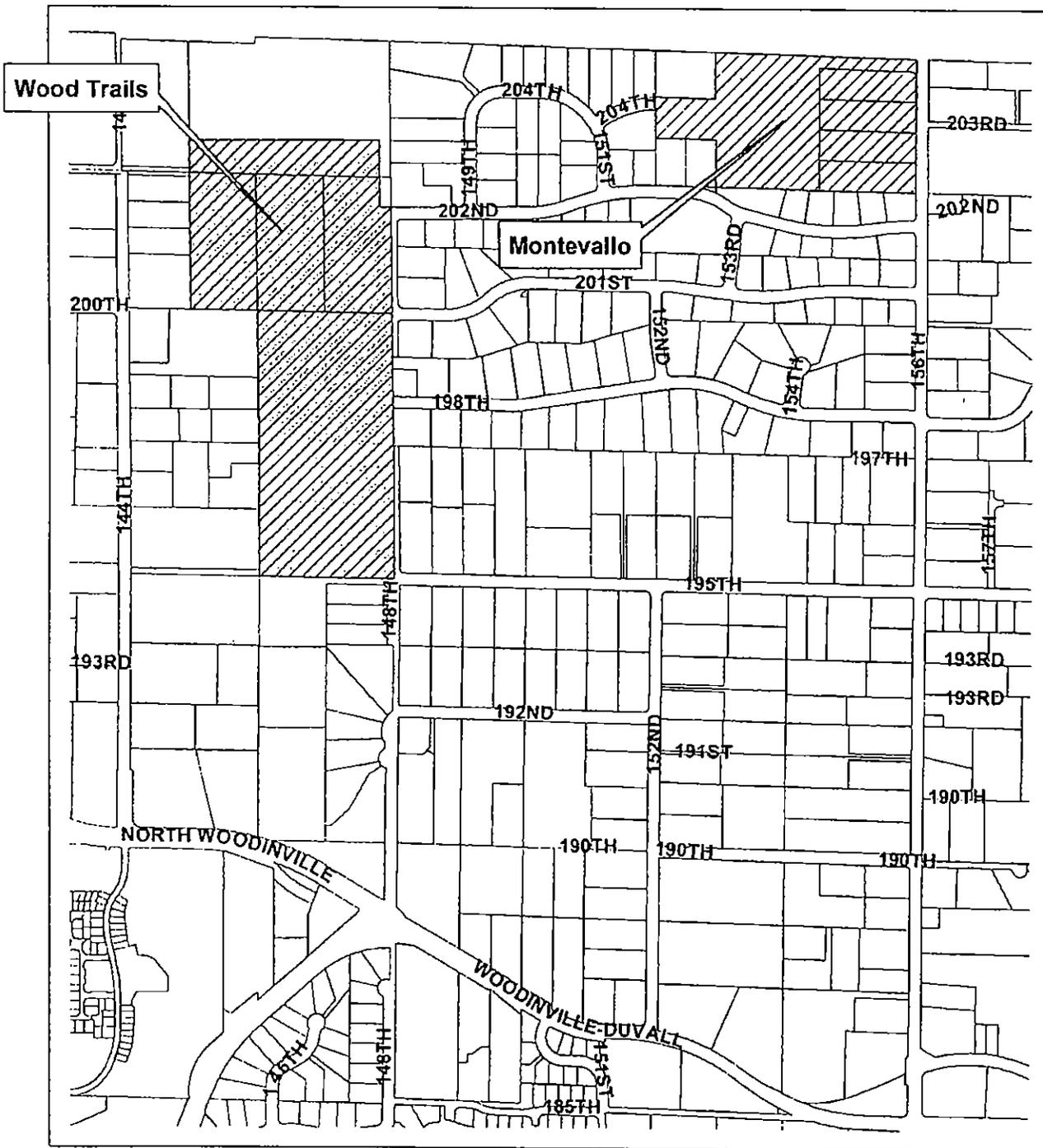
INFORMATION: Additional information regarding this closed-record proceeding, including but not limited to the underlying Hearing Examiner decision, the project application and staff report, is available upon request at City Hall at no charge. Please contact Sandy Guinn, Sr. Admin. Assistant, for the Development Services Department, at (425) 489-2754 ext. 2211, for this purpose.

DATED this 11th day of July 2007.

Hal H. Hart
Development Services Director



Proposed Subdivision Areas





CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705

NOTICE OF APPEAL AND CLOSED
RECORD PROCEEDING

PURPOSE: **NOTICE IS HEREBY GIVEN** that the Woodinville City Council will consider in a closed-record proceeding the Wood Trails Rezone (ZMA2004-053) Recommendation and an administrative appeal of the Wood Trails Preliminary Plat (PPA2004-054). The rezone recommendation and preliminary plat appeal will be considered concurrently, but with separate criteria and decisions.

File Number: APP2007-002

Sections of Code Pertinent to Closed Record Procedure: This closed record proceeding is being conducted pursuant to WMC Chapter 17.07, 17.17, WMC Chapter 2.30, and other applicable City procedures. A copy of any supplemental procedural guidelines will be publicly disseminated prior to the proceeding.

PROJECT: The rezone and preliminary plat would authorize the subdivision of 38.7 acres into 66 Single Family Residential lots (concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevallo project). Location of the Wood Trails project is: directly south of the King-Snohomish County boundary; West 148th NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington. The project applicant is Phoenix Development.

APPELLANTS: The named appellant in the preliminary plat appeal is the Concerned Neighbors of Wellington, Fred A. Green, President. The appellant is represented in this matter by J. Richard Aramburu, Attorney at Law.

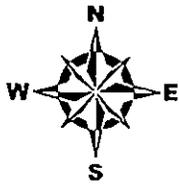
DATE/TIME: Monday, August 6, 2007, 6:00 p.m. with potential continuation to Monday, August 13, 6:00 p.m., and/or other continuation dates as may be designated by the City Council.

LOCATION: Woodinville City Hall – Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

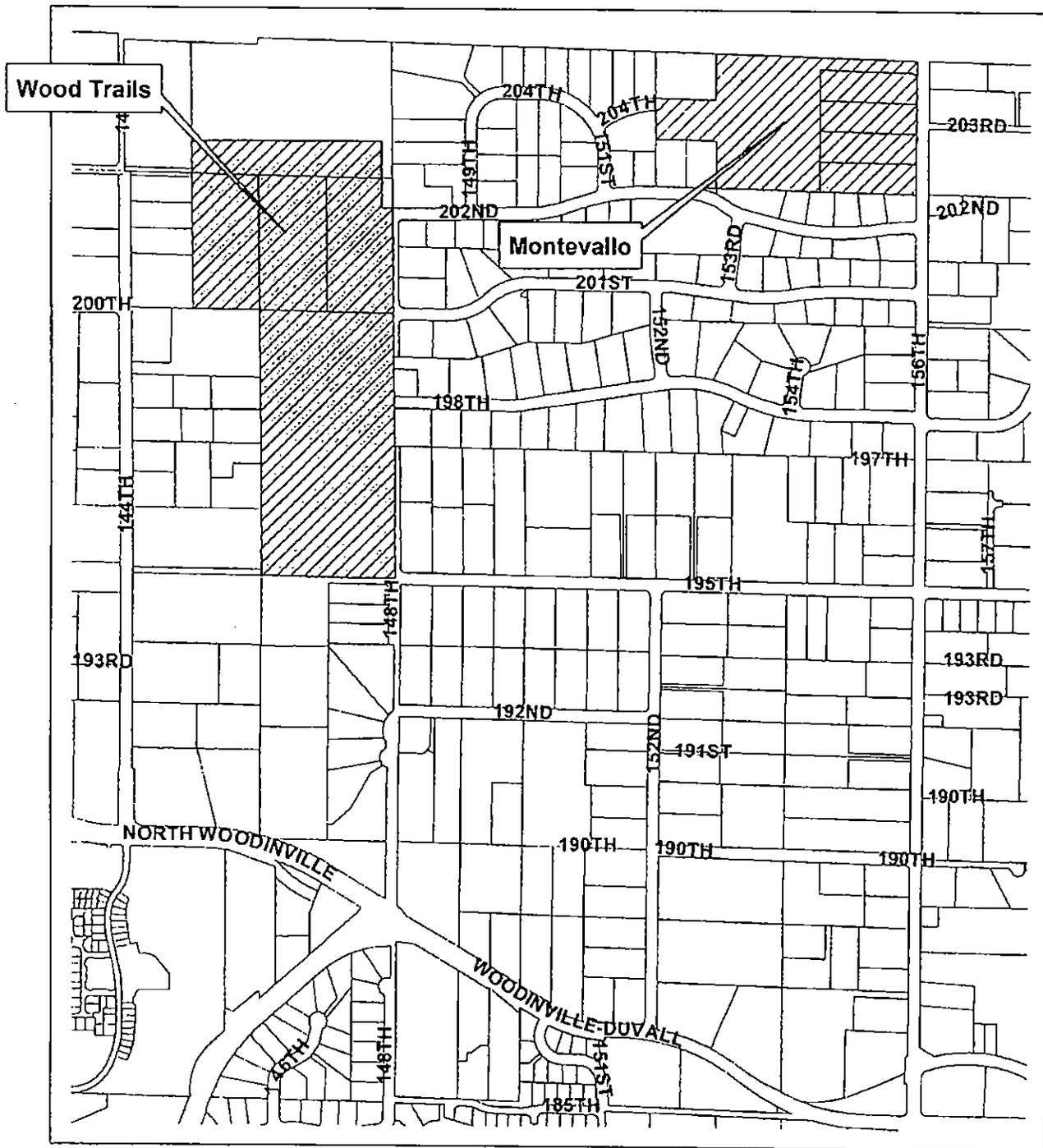
INFORMATION: Additional information regarding this closed-record proceeding, including but not limited to the underlying Hearing Examiner decision, the project application and staff report, is available upon request at City Hall at no charge. Please contact Sandy Guinn, Sr. Admin. Assistant, for the Development Services Department, at (425) 489-2754 ext. 2211, for this purpose.

DATED this 11th day of July 2007.

Hal H. Hart
Development Services Director



Proposed Subdivision Areas





City of Woodinville, Washington
17301 133rd Avenue NE
Woodinville, WA 98072
425-489-2700

**NOTICE OF AMENDED RULES FOR
CLOSED RECORD APPEAL PROCEEDINGS**

**APP2007- 001 MONTEVALLO PRELIMINARY PLAT AND REZONE (56 single-family lot project)
APP2007- 002 WOOD TRAILS PRELIMINARY PLAT AND REZONE (66 single-family lot project)**

DATE/TIME: Monday, August 6, 2007; 6:00PM with potential continuation to Monday, August 13, 2007 and Tuesday, August 14, 2007 at 6:00PM, and/or other continuation dates as may be designated by the City Council.

LOCATION: Woodinville City Hall – Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

ADDITIONAL ORAL ARGUMENTS:

On July 16, 2007, the Woodinville City Council amended the process that will be used to conduct the Closed Record Proceedings (WMC Chapter 17) for these two projects to allow additional oral arguments to be presented. The Council has established a 4-hour limit to receive oral arguments for both projects. This time limit includes the initial allocation of 20 minutes per project to the Project Appellant (Concerned Neighbors of Wellington) and 20 minutes per project to the Project Applicant (Phoenix Development) to make their oral arguments; plus an additional 5 minutes per project for the Appellant, Concerned Neighbors of Wellington, to make rebuttal arguments to the arguments of the Project Applicant.

Remaining time will be made available to other parties of record (WMC 17.17.030) (persons who testified or submitted written argument to the hearing examiner), on a proportionally equal basis, to make oral arguments in support or opposition to the projects. Speakers will be limited to not more than 5 minutes to present their oral argument.

The City Council reserves the right to grant additional time for rebuttal to either the Project Appellant or Project Applicant to ensure procedural fairness based upon the oral arguments presented by the other parties of record.

THIS IS A CLOSED RECORD PROCEEDING (WMC 17.07.050). ORAL ARGUMENT IS RECEIVED BY THE COUNCIL TO ASSIST IT IN UNDERSTANDING THE TESTIMONY AND EXHIBITS PRESENTED TO THE HEARING EXAMINER. THEREFORE, ALL ORAL ARGUMENT MUST BE BASED UPON TESTIMONY OR INFORMATION ALREADY ON THE RECORD. NEW EVIDENCE OR TESTIMONY WILL NOT BE PERMITTED OR CONSIDERED BY THE CITY COUNCIL IN MAKING ITS DECISIONS ON THE TWO PROJECTS (WMC 17.17.050(2); 2.30.020(5); and 17.07.090(1)). THE OFFICIAL RECORD FOR THESE PROJECTS IS AVAILABLE FOR REVIEW AT CITY HALL. PARTIES OF RECORD ARE ENCOURAGED TO REVIEW THE RECORD PRIOR TO AUGUST 6, 2007 TO ENSURE THEIR ARGUMENTS ARE BASED UPON THE TESTIMONY AND EXHIBITS RECEIVED BY THE HEARING EXAMINER AT THE EARLIER OPEN RECORD PUBLIC HEARING.

Dated this 18th day of July 2007.

Richard A. Leahy, City Manager

Chapter 15

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

[Signature] being first duly sworn on oath deposes and says that he (she) is the office manager of the Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of Set of Significantly as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 11 day of Feb, 2004
and ending on the 11 day of Oct, 2004

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$180.00 at the rate of \$6.00 per column inch for each insertion. The sum total for all publications is \$ 180.00.

[Signature]
Subscribed and sworn to before me this 13 day of Nov., 2004

[Signature]

Notary Public in and for the State of Washington residing at

621 222nd St SW
Bothell WA 98021
expires 4-20-07



**DETERMINATION OF SIGNIFICANCE
AND REQUEST FOR COMMENTS ON SCOPE OF EIS
FOR SEP2004-055 AND PPA2004-056 PRELIMINARY PLAT OF WOOD TRAILS,
AN ADJACENT 11.8 ACRE SITE AND AN ASSOCIATED 16.5 ACRE SITE, ALL WITH
THE POTENTIAL FOR SOME 150+/- SINGLE FAMILY BUILDING LOTS**



Description of proposal: The applicant, Phoenix Development, is proposing to rezone from R-1 to R-4 and to develop three related sites in the Wellington neighborhood of Woodinville. The three development sites represent a total of 67+/- acres, 30% of the neighborhood, and represent some 150+/- lots, which would more than double the number of dwelling units in this neighborhood.

The first site for which a preliminary plat has been filed (PPA2004-056) is a 66 lot plat designated as Wood Trails. The plat has a potential for up to 85 lots under the City's R-4 zoning designation. Phoenix Development intends to transfer the difference between the proposed number of lots and the maximum number of permitted lots, nineteen (19) lots, to an associated site 1/4 mile east under the City's density transfer regulations. The Wood Trails site contains some 50.5 acres of which 11.8 acres are designated for future development. Of the remaining 38.7 acres, approximately 21.9 acres includes environmentally sensitive lands, principally steep slopes and is proposed to be placed in a Native Growth Protection Easement (NGPE).

The 11.8 acre future development site is located to the north of Wood Trails, adjacent to the Snohomish County/City of Woodinville City limits. This site contains a deep ravine which traverses the site in a northwesterly to southeasterly direction. Phoenix Development has submitted a Boundary Line Adjustment (BLA) which would provide a panhandle access south to Wood Trails and disburse traffic to that subdivision and thence to 156th Avenue NE through the Wellington neighborhood. It would be necessary to traverse the above noted ravine to accomplish this.

The third site, tentatively named Montevallo, is a 16.5 acre site, which includes some 1.6 acres of wetlands. This site is located adjacent to 156th Avenue NE. All three sites are located within the Wellington neighborhood, an area zoned R-1. (Residential-1 dwelling unit per acre). The three development sites, with the introduction of sanitary sewer, are proposed to be rezoned to R-4. (Residential-4 dwelling units per acre).

Proponent:

The applicant/proponent of the above three development parcels is Phoenix Development, Inc. P.O. Box 3167, 7127 - 196th Street SW, Lynnwood, WA 98046-3167 - Loree Quade, Project Manager, Phone (425) 775-8663.

The contact company and designer/engineer for two of the parcels, Wood Trails and Montevallo, is Triad Associates, 11814 1155th Avenue NE, Kirkland, WA 98034 - George Newman, Project Manager, (425) 821-8448.

Location of proposal: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.28 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres.

The 11.8 acre tract is located between 148th Avenue NE (Extended) and a point 997.24 feet west thereof, and between a point 360 feet north of the centerline of NE 202nd Street and the north City limits.

Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres.

Lead Agency: Department of Community Development, City of Woodinville, Washington, 17301 133rd Avenue NE, Woodinville, WA 98072 (425) 489-2757.

EIS Required: The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c) and will be prepared. An environmental checklist or other materials indicating likely environmental impacts can be reviewed at the offices of the lead agency.

The lead agency has identified the following areas for discussion in the EIS:

1. **Impact on Neighborhood -**

The three sites proposed for development by Phoenix Development Company represents 30% of the area of the Wellington neighborhood and could contain up to 150+/- single family residential lots. There are currently 145 residential lots in that neighborhood, not counting the three Phoenix sites, meaning that there is a potential of more than doubling the number of residential dwelling units of this neighborhood which would substantially change this neighborhood. The proposed developments should be reviewed in terms of the Land use Policies in the Comprehensive Plan. In particular, the developments need to consider Policy LU-1.1, "Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts for Woodinville", and Goal LU-3, "To attain a wide range of residential patterns, densities, and site designs consistent with Woodinville's identified needs and preferences".

2. **Traffic -**

a. The more than doubling of the number of residences means that the traffic generated by the neighborhood will correspondingly double as will the neighborhood traffic impacts on 156th Avenue NE and its intersection with the Woodinville/Duval Road. It will be necessary to analyze these impacts on neighborhood streets, such as safe walk routes for school children, an issue raised by the Northshore School District.

b. Alternate routes need to be studied to determine if there are other possible routes into and out of the subdivisions. The EIS should review routing traffic from Wood Trails west to 144th Avenue NE in the industrial park by such means as a meandered access road down the slope. Additionally, the EIS should review the routing of traffic south to intersect with the Woodinville/Duval Road at its intersection with North Woodinville Way North.

c. Regarding traffic from the north 11.8 acre tract, at the north edge of Wood Trails, the EIS should explore the possibility of routing traffic north as opposed to directing traffic south and through the Wellington neighborhood.

3. **Storm water drainage -**

The drainage for the Wood Trails and the 11.8 acre parcel need to be reviewed in greater depth. Current plans examine the areas to be subdivided, but do not sufficiently study the impact of that development on the sensitive areas and NGPE areas that may result from changes in directional flow of storm water. The topography map presented with the application leaves much of the area outside of the proposed housing area unsurveyed. Because there are critical areas in what has been broadly classified as the Native Growth Protection Easement (NGPE) it is necessary to define the topography in these areas. It has also been substantiated that there is seepage between soil horizons in some of these areas as well as slumping. The impacts of 66 lots on these features need to be analyzed as does the possibility of slumping or caving of soils at the edge of the proposed residential lots.

Conflicting information has been presented that indicates there is a substantial sand underburden which is the potential of caving. This could be hazardous particularly if the sand layer became super saturated. Caving could impact the industrial area below the proposed subdivision particularly since a regional detention system is proposed directly above the industrial area in that layer. The City has had previous experience with this sand layer.

Scoping. Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approval that may be required. The method and deadline for giving us your comments is:

1. **Scoping meeting -**

A scoping meeting will be held at 7:00 p.m. in the City Council Chambers, Woodinville City Hall, on Thursday, October 28, 2004. Interested parties may provide comment on the scoping notice at this meeting.

2. **Written Comment -**

Written comment on the scoping notice will be received at the Planning Department, Woodinville City Hall until 5:00 p.m. November 1, 2004.

Responsible official:

Ray Sturtz, Planning Director

Position/title:

SEPA Official

Contact Person:

Dick Fredlund

Phone:

425-489-2757 ext. 2247

Address:

Community Development Department, City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072

Date:

October 11, 2004

Signature: _____

Appeal:

You may appeal this determination of significance to:

Ray Sturtz, SEPA Official at the City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072 by no later than 5:00 p.m., October 26, 2004. You should be prepared to make specific factual objections. Contact Dick Fredlund, Planner at the above address about the procedures for SEPA appeals.

There is no agency appeal.

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

Penelope Cunniff being first duly sworn on oath deposes and says that he (she) is the office manager of the Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of Issue # 815, 12/20/04 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 20 day of Dec, 2004 and ending on the 20 day of Dec, 2004

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$ 144.00 at the rate of \$ 6.00 per column inch for each insertion. The sum total for all publications is \$ 144.00.

Penelope Cunniff

Subscribed and sworn to before me this 20 day of Dec, 2004

Julie Auhl

Notary Public in and for the State of Washington residing at

621 222nd St SW
Bothell WA 98021
expires 4-20-07



**NOTICE OF REVISED EIS SCOPE
PRELIMINARY PLATS OF WOOD TRAILS AND MONTEVALLO
AND ASSOCIATED REZONES**



Note:

This is a Notice of Revised EIS Scope for the proposed Wood Trails and Montevallo subdivisions, and the associated rezone requests. The City of Woodinville issued a Determination of Significance on October 11, 2004, stating that these proposals are likely to have a significant adverse impact on the environment, and that an environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c). This Notice of Revised EIS Scope does not change that Determination of Significance.

The Determination of Significance included a proposed scope for this EIS, and also included a request for comments on that proposed scope. The City received written comments, and also received comments at a public meeting on October 28, 2004 held specifically to receive comments on the proposed EIS scope. Based on these comments, and on further analysis of the proposal, the City has revised the EIS scope. The purpose of this Notice of Revised EIS Scope is to inform interested parties of the revised EIS Scope. This is an informational notice only; there will be no comment period or public meeting associated with this notice. The revised EIS Scope described in this notice is final, and will form the basis of the EIS to be prepared for these projects.

Description of proposal:

The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

(A development proposal for an 11.8-acre site adjacent to the Wood Trails proposal has been withdrawn by the applicant, and therefore will not be considered in the EIS.)

Proponent:

Developer: Phoenix Development, Inc. P.O. Box 3167, 7127 - 196th Street SW, Lynnwood, WA 98046-3167 - Loree Quade, Project Manager, Phone (425)775-8663.

Contact: Triad Associates, 11814 115th Avenue NE, Kirkland, WA 98034 - George Newman, (425) 821-8448.

Location of proposal:

Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof, and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres. Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres.

Lead Agency:

Department of Community Development, City of Woodinville, Washington, 17301 133rd Avenue NE, Woodinville, WA 98072 (425) 489-2757.

REVISED SCOPE: After considering written comments, verbal comments received at a meeting held on October 28, 2004, and based on further analysis, the lead agency has revised the scope of the EIS, identifying the following areas for discussion in the EIS.

1. Earth (soil stability/sand layer, seismic hazards, erosion potential)
2. Water (surface water, ground water/seepage, water runoff)
3. Plants (threatened or endangered species, habitat)
4. Animals (threatened or endangered species, habitat, migration routes)
5. Land and Shoreline Use (plans and policies, neighborhood character, open space environmentally sensitive areas)
6. Transportation (existing and proposed street system, motorized traffic, non-motorized traffic/pedestrian movement/school safe walk routes, safety hazards)
7. Public Services (parks and recreation)

Responsible official: Ray Sturtz
Position/title: SEPA Official
Contact Person: Dick Fredlund
Phone: 425-489-2757 ext. 2247

Address: Community Development Department, City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072

Date: December 20, 2004

Ray Sturtz, SEPA Official

Appeal: There is no agency appeal.

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

Amel A. Alim being first duly sworn on oath deposes and says that he (she) is the office manager of the Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of PPA 2004-093 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 10 day of Jan, 2005 and ending on the 10 day of Jan, 2005 both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

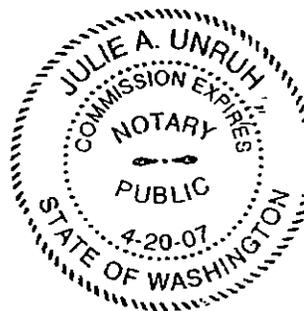
That the amount of the fee charged for each publication is \$80.75 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$80.75.

Amel A. Alim
Subscribed and sworn to before me this 19 day of Jan, 2005

Julie A. Unruh

Notary Public in and for the State of Washington residing at

621 222nd St SW
Bothell WA 98021
expires 4-20-07



CITY OF WOODINVILLE
PLANNING DEPARTMENT
17301 133rd AVENUE NE
WOODINVILLE, WA 98072
(425) 489-2757



**NOTICE OF APPLICATION-
COMMENT PERIOD EXTENSION**
Project: Montevallo

File Number: PPA2004-093/ZMA2004-094
Applicant/Contact: Phoenix Development, Inc./Loree Quade
Date of Application: November 8, 2004
Date of Completion of Application: November 23, 2004
Proposal Location: South of NE 205th Street and West of 156th Avenue NE, Woodinville, King County, Washington
Parcel Numbers: 8078700010, 8078700020, 8078700030, 8078700040, 8078700050
Proposed Project Action: Proposed subdivision of 16.5 acres into 66 Single Family lots (concurrent with a proposed zoning map amendment from R1 to R4).
Project Permits and /or Studies requested under RCW36.70B.070: N/A
Other Permits: SEP2004-095
Threshold Determination: Determination of Significance, October 11, 2004 (if complete at time of issuance of notice of application)
Determination of Consistency: To be determined
Hearing Date & Time: (if applicable): To be determined
Hearing Location: City of Woodinville Council Chambers
Date of the Notice of Application: December 20, 2004
Copies of all application documents and/or environmental studies that evaluate the proposed project are available for review at City Hall. This notice of application is issued under Woodinville Municipal Code Chapter 17.11.010; the City will not act on this proposal for 14 days following the date of notice of application. During this period, any interested party may submit written comments and/or appeal procedures. All parties interested are encouraged to participate in any hearings and may request a copy of the decision. **Note: The Public Comment Period has been extended by two weeks to January 17, 2005. If you have any questions, please contact Dick Fredlund at (425) 489-2757 ext. 2247.**
Responsible Official: Ray Sturtz, Director of Planning and Community Development

Published January 10th, 2005

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

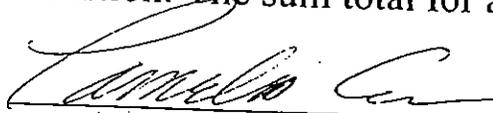
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of PUBLIC OPEN HOUSE as it was published in regular issues (and not in supplement form) of said newspaper once a week for 2 week(s)

beginning on the 01 day of JAN, 2007

and ending on the 08 day of JAN, 2007

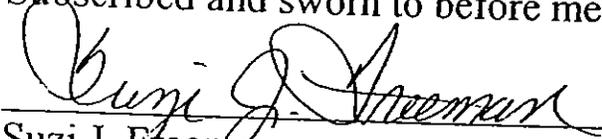
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$42.50 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$85.00.



Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2757



PUBLIC OPEN HOUSE

The City of Woodinville will host an Open House on the Sustainable Development Study and associated Comprehensive Plan and Zoning Code Amendment strategies for the R-1 planning area of the City. You are invited to review the results of the study and proposed amendments at the open house on:

Wednesday, January 10, 2007
4:00 - 6:30 p.m.
Council Chambers
City of Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

For more information, please contact Bob Wuotila, Senior Planner,
(425) 489-2754, extension 2283.

Published January 1st and 8th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

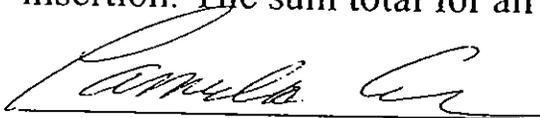
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF CANCELATION as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 08 day of JAN, 2007

and ending on the 08 day of JAN, 2007

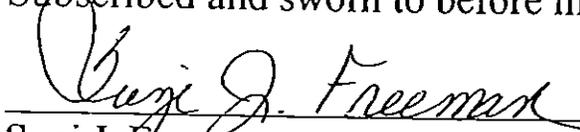
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Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007.



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF CANCELLATION OF PUBLIC HEARING

PLEASE NOTE: The Woodinville Planning Commission has ~~canceled~~ the Public Hearing regarding the Sustainable Development Program originally scheduled for Wednesday, January 17, 2007. It will be rescheduled at a later date.

The Regular Planning Commission Meeting of January 17, 2007 will still be held beginning at 7:00 p.m.

LOCATION: Woodinville City Hall
Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 8th day of January, 2007.

Cindy Baker
Development Services Director

Published January 8th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

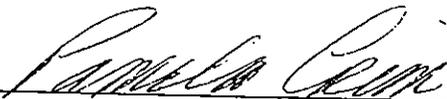
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of SEP2004-055 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 16 day of JAN, 2006

and ending on the 16 day of JAN, 2006

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$136.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$136.00.



Pamela Crim

Subscribed and sworn to before me this 17 day of Jan, 2006



Julie A. Unruh

Notary Public in and for the State of
Washington residing at Bothell, Washington
My Commission Expires: 4/20/07.



**CITY OF WOODINVILLE
NOTICE OF DRAFT ENVIRONMENTAL STATEMENT
(DEIS) AVAILABILITY FOR WOOD TRAILS AND
MONTEVALLO PRELIMINARY PLATS**

PROJECT: Wood Trails/Montevallo

Threshold Determination: Draft Environmental Impact Statement

Date of Issuance: January 17, 2006

File Numbers: SEP2004-055, PPA2004-056 and PPA2004-093

Applicant/Contact: Phoenix Development, Inc./Loree Quade

Proposal Location: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres; Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres, Woodinville, King County, Washington, Woodinville, King County, Washington

S/T/R: NE 03/26/05

Proposal Description: The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

Lead Agency: City of Woodinville

In accordance with Chapter 197-11 Washington Administrative Code and rules adopted by the City of Woodinville that implement SEPA, notice is hereby given that the City of Woodinville has completed and issued a Draft Environmental Impact Statement (EIS) concerning the proposed Wood Trails and Montevallo Subdivisions. The Draft EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process. The public comment period associated with this Draft EIS is

January 17, 2006 to 5:00 PM on March 3, 2006.

In order to provide an opportunity to present comments concerning this Draft EIS - in addition to submittal of written comments - a public meeting is scheduled for:

Thursday, February 16, 2006 from

7:00 to 9:00 PM

Woodinville City Hall

17301 133rd Avenue N.E.

Woodinville, Washington

This Draft EIS can be reviewed at the following locations:

- City of Woodinville Community Development Department
Woodinville City Hall
17301 133rd Avenue N.E.
Woodinville, Washington

- King County Library, Woodinville Branch
17105 Avondale Road, N.E.
Woodinville, WA 98072

- King County Library, Kingsgate Branch
12315 NE 143rd St
Kirkland, WA 98034

Copies may be printed and purchased at the Kinko's Copies outlet in Woodinville, 13620 N.E. 175th Street, Suite 110, or reproduced on compact disc (CD) for the cost of reproduction.

Any questions regarding the Environmental Impact Statement should be directed to Project Planner, Dick Fredlund at (425) 489-2757 ext. 2247

SEPA OFFICIAL: Ray Sturtz, Director of Community Development

ADDRESS: 17301 133rd Avenue NE, Woodinville, WA 98072

NOTE: To view a site map for this project, please visit our web site: www.ci.woodinville.wa.us/events/regal-notices.asp

Published January 16th, 2006

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

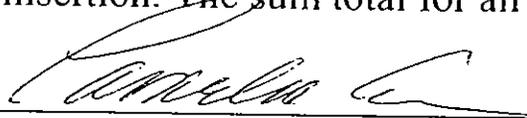
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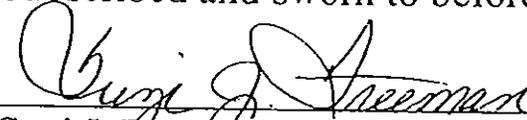
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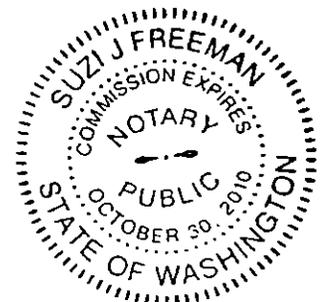
Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2757



**PUBLIC OPEN HOUSE
RESCHEDULED**

The City of Woodinville will host an Open House on the Sustainable Development Project and associated Comprehensive Plan and Zoning Code Amendment strategies for the R-1 planning area of the City. You are invited to review the results of the study and proposed amendments at the open house on:

Thursday, January 18, 2007
4:00 - 6:30 p.m.
City Hall Lobby
City of Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

For more information, please contact Bob Wuotila, Senior Planner,
(425) 489-2754, extension 2283.

~~Public Open House January 15th, 2007~~

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

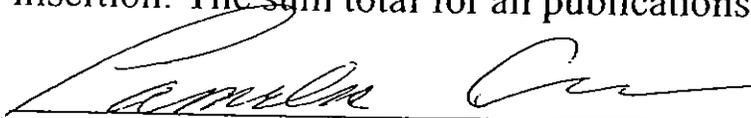
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF PUBLIC HEARING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 15 day of JAN, 2007

and ending on the 15 day of JAN, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$51.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$51.00.



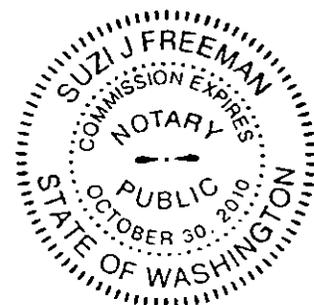
Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF PUBLIC HEARING

PURPOSE: The Woodinville Planning Commission will conduct a public hearing to receive testimony regarding the Sustainable Development Program. All interested citizens are encouraged to attend.

Copies of the staff report and all related documents will be available seven (7) days prior to the public hearing. All interested parties may appear and provide testimony to the Planning Commission on the above proposal during the hearing. Written comments will be accepted up to and at the hearing.

DATE/TIME: Wednesday, January 31, 2007
7:00 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Council Chambers
Woodinville, WA 98072

DATED this 15th day of January, 2007.

Cindy Baker
Development Services Director

Published January 15th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

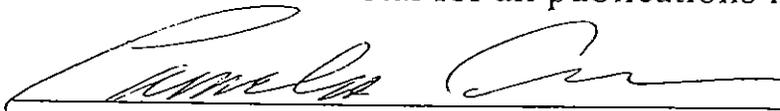
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of SEP2007-003 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 15 day of JAN, 2007

and ending on the 15 day of JAN, 2007

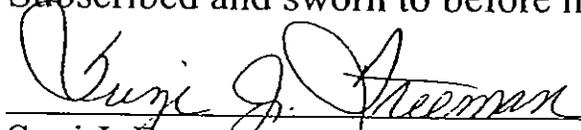
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$85.00 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$85.00.



Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
DETERMINATION OF NON-SIGNIFICANCE
PROJECT: SUSTAINABLE DEVELOPMENT
COMPREHENSIVE PLAN AND
ZONING CODE & MAP AMENDMENTS



Threshold Determination: Determination of Non-Significance

Date of Issuance: January 15, 2007

File Number: SEP2007-003

Applicant: City of Woodinville

Contact Person: Bob Wuotila, Project Planner

Proposal Location: Citywide, Woodinville, King County, Washington

S/T/R: N/A

Proposal Description: Amend and add Comprehensive Plan policies, land use designations & development regulations for the currently designated Low Density Residential/R-1 Zone area of the City to protect environmental quality, ensure vitality and character of existing housing, provide for adequate public utilities & facilities for future growth consistent with applicable State law & legal requirements.

Lead Agency: City of Woodinville

NOTE: This determination does not constitute approval of the proposal. This proposal will be reviewed for compliance with SEPA Determination Review Procedures.

Threshold Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

COMMENTS AND APPEALS: This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the signature date below. Any interested party may submit written comments on this determination. Written comments or appeals must be received in the City of Woodinville, Department Planning and of Community Development before 5:00 P.M. on January 29, 2007. Any appeal shall state with specificity the reasons why the determination should be reversed. All appeals must be accompanied by a non-refundable \$180.00 filing fee. Comments or appeals should be addressed to the responsible official designated below.

If you have any questions, please call Project Planner, Bob Wuotila at (425) 489-2700, ext. 2283.

DATE: January 15, 2007

SEPA OFFICIAL: Cindy Baker

POSITION/TITLE: Interim Planning Director

ADDRESS: 17301 193rd Avenue NE, Woodinville, WA 98072

Published January 15th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF SPECIAL JOINT MEETING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 22 day of JAN, 2007

and ending on the 22 day of JAN, 2007

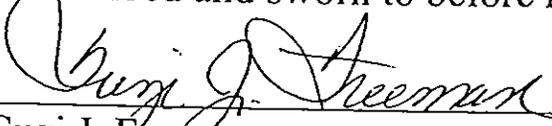
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$42.50 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$42.50.



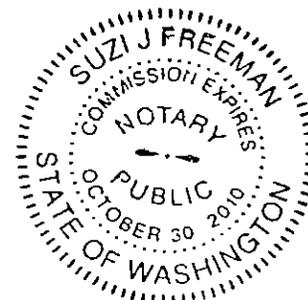
Pamela Crim

Subscribed and sworn to before me this 20 day of FEB, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



NOTICE OF SPECIAL JOINT MEETING

PURPOSE: The Woodinville **PLANNING COMMISSION** will conduct a **SPECIAL Joint Meeting** with the **Sustainable Development CAP** to discuss the **Sustainable Development Study**.

DATE/TIME: Wednesday, January 24, 2007
7:00 p.m.

LOCATION: Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 18th day of January, 2007.

Cindy Baker
Development Services Director

Published January 22nd, 2007

AFFIDAVIT OF PUBLICATION

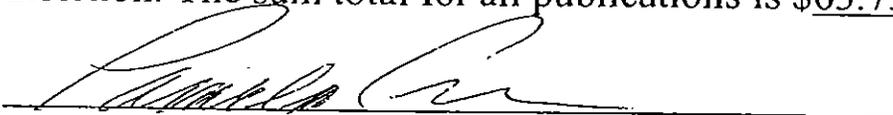
State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF SPECIAL MEETING as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

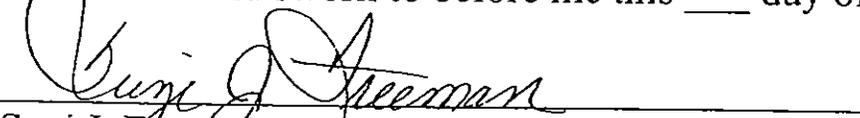
beginning on the 29 day of JAN, 2007

and ending on the 29 day of JAN, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$63.75 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$63.75.


Pamela Crim

Subscribed and sworn to before me this 29 day of JAN, 2007


Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2700 FAX (425) 489-2705



**NOTICE OF PUBLIC HEARING
SPECIAL MEETING**

PURPOSE: The Woodinville Planning Commission will conduct a public hearing to receive testimony regarding the Sustainable Development Program. All interested citizens are encouraged to attend.

Copies of the staff report and all related documents will be available Monday, January 29, 2007 on the City website. All interested parties may appear and provide testimony to the Planning Commission on the above proposal during the hearing. The proposal involves evaluating the appropriate development densities in the R-1 zone using environmental, neighborhood character, transportation and capital facilities data. Written comments will be accepted up to and at the hearing.

DATE: Wednesday, January 31, 2007

SPECIAL TIME: 7:30 p.m.

LOCATION: Woodinville City Hall
Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

DATED this 29th day of January, 2007.

Cindy Baker
Development Services Director

Published January 29th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

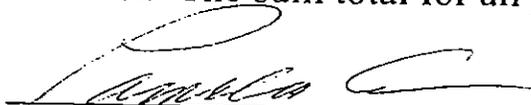
PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of ZMA2004-053 as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 12 day of FEB, 2007

and ending on the 12 day of FEB, 2007

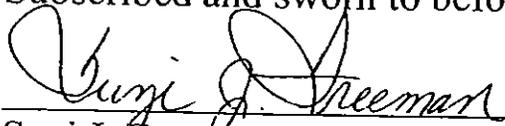
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

That the amount of the fee charged for each publication is \$131.75 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$85.00.



Pamela Crim

Subscribed and sworn to before me this 12 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF PUBLIC HEARING

The City of Woodinville Hearing Examiner will conduct a Public Hearing to consider public comment on the Rezone & Preliminary Plat Application described below.

DESCRIPTION OF APPLICATION

Project Name: Wood Trails Rezone and Preliminary Plats (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)

File Number: ZMA2004-053 and PPA2004-054

Applicant(s): Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98037

Contact: Loree Quade

Location: Wood Trails: directly south of the King-Snohomish County boundary; West 148th NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington.

Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 16, 17, 20, 21, and 22.

Proposal: Wood Trails: Proposed subdivision of 50.5 acres into 66 Single Family lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevallo Proposal.

Public Hearing Date: Wednesday, February 28, 2007. (The public hearing for the Montevallo proposal will be held on Thursday, March 1, 2007)

Time: 7:30 P.M.

Hearing Location: Woodinville Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Notice: February 12, 2007

Responsible Official: Cindy Baker, Director of Development Services

Signature: _____

Date: _____

Copies of all application documents, code provisions and other relevant materials are available for review or purchase at City Hall. In addition, a copy of the staff report will be available 7 days prior to the rezone and preliminary plat hearing. All interested parties may appear and provide testimony regarding the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425)489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the OPEN RECORD HEARING. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a CLOSED RECORD, APPEAL PROCEEDING), no new factual evidence or information may be submitted.

Published February 12th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

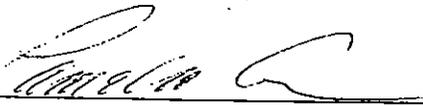
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beginning on the 12 day of FEB, 2007

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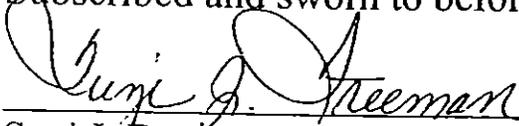
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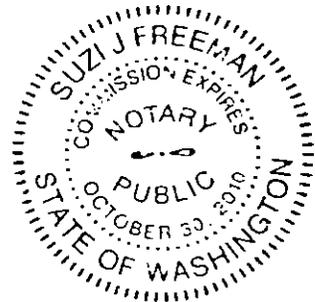
Pamela Crim

Subscribed and sworn to before me this 20 day of Feb, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF PUBLIC HEARING

The City of Woodinville Hearing Examiner will conduct a Public Hearing to consider public comment on the Rezone & Preliminary Plat Application described below.

DESCRIPTION OF APPLICATION

Project Name: Montevillo Rezone and Preliminary Plat (The rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)

File Number: ZMA 2004-053; PPA2004-054

Applicant(s): Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98037

Contact: Loree Quade

Location: Montevillo: South of NE 205th Street & West of 156th Avenue NE, Woodinville, King County, Washington.

Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 16, 17, 20, 21, and 22.

Proposal: Montevillo: Proposed subdivision of 16.5 acres into 66 Single Family lots (concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer from Wood Trails Proposal.)

Public Hearing Date: Thursday, March 1, 2007.

Time: 7:30 P.M. (the public hearing for the Wood Trails proposal will be held on Wednesday, February 28, 2007)

Hearing Location: Woodinville Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Notice: February 12, 2007

Responsible Official: Cindy Baker, Director of Development Services

Signature: _____

Date: _____

Copies of all application documents, code provisions and other relevant materials are available for review or purchase at City Hall. In addition, a copy of the staff report will be available 7 days prior to the rezone and preliminary plat hearing. All interested parties may appear and provide testimony regarding the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425)489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the OPEN RECORD HEARING. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the City Council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a CLOSED RECORD APPEAL PROCEEDING; no new factual evidence or information may be submitted).

Published February 12th, 2007

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

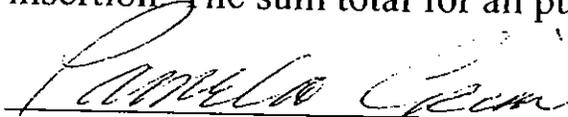
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beginning on the 05 day of MAR, 2007

and ending on the 05 day of MAR, 2007

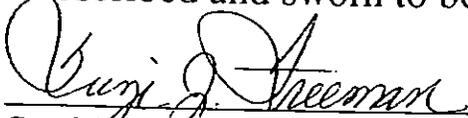
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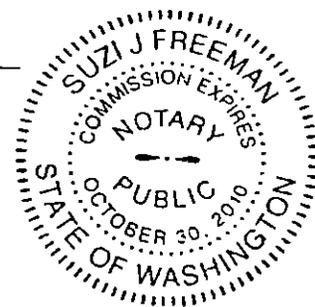
Pamela Crim

Subscribed and sworn to before me this 20 day of MAR, 2007



Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF CONTINUATION OF PUBLIC HEARING

The Public Hearing before the City Woodinville Hearing Examiner to consider public comment on the Rezone & Preliminary Plat Application described below will be continued to March 15, 2007.

PLEASE NOTE THAT THE HEARING EXAMINER'S ONLY ACTION ON MARCH 1, 2007 WILL BE TO FORMALLY OPEN THE PROCEEDING AND CONTINUE THE HEARING UNTIL MARCH 15, 2007. PRESENTATION OF THE STAFF REPORT AND SUBMISSION OF ALL RELEVANT SUBSTANTIVE TESTIMONY REGARDING THE MONTEVALLO PROPOSAL WILL OCCUR ON MARCH 14 and 15, 2007. **THE HEARING EXAMINER WILL NOT ACCEPT ORAL TESTIMONY REGARDING THIS PROPOSAL ON MARCH 1, 2007.**

DESCRIPTION OF APPLICATION

Project Name: Montevallo Rezone and Preliminary Plat (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)
File Number: ZMA2004-094 and PPA2004-093
Applicant(s): Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98037
Contact: Loree Quade
Location: **Montevallo:** South of NE 205th Street & West of 156th Avenue NE, Woodinville, King County, Washington. LOTS 1,2,3,4, AND 5 SUMMERS ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 100 OF PLATS, PAGES 33 AND 34, IN KING COUNTY, WASHINGTON
Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC and Chapter 2.27 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14,15,17, 20, 21, and 22.
Proposal: **Montevallo:** Proposed subdivision of 16.49 acres into 66 single-family residential lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer from the Wood Trails Proposal.
Public Hearing Date: The public hearing will be initially opened on Wednesday, March 1, 2007, but no oral testimony will be accepted on that date. The hearing will be continued to March 15, 2007. (The public hearing for the Wood Trails proposal will be held on Thursday, February 28, 2007)

Time: The initial hearing will commence at 7:30 P.M. on March 1, 2007. The hearing will be continued and will reconvene at 6:00 P.M. on March 15, 2007.
Hearing Location: Carol Edwards Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072
Date of Continuation Notice: February 26, 2007
Responsible Official: Cindy Baker, Interim Director of Development Services
Signature: _____ **Date:** _____

Copies of all application documents, code provisions, evidence and other relevant materials are available for review (at no cost) or purchase (at the City's cost) at City Hall. In addition, a copy of the staff report will be available to review at no cost 7 days prior to the Hearing Examiner's acceptance of any testimony at the rezone and preliminary plat hearing; copies of the staff report will be provided at the City's cost. All interested parties may appear and provide testimony regarding the above proposal at the continued March 15, 2007 Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425) 489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an **OPEN RECORD HEARING**. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the **OPEN RECORD HEARING**.
Rezone Recommendation: The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a **CLOSED RECORD APPEAL PROCEEDING**), no new factual evidence or information may be submitted.

AFFIDAVIT OF PUBLICATION

State of Washington, County of King

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beginning on the 05 day of MAR, 2007

and ending on the 05 day of MAR, 2007

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period.

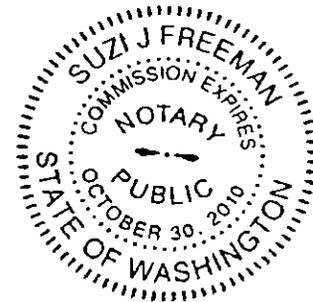
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Pamela Crim
Pamela Crim

Subscribed and sworn to before me this 20 day of MAR, 2007

Suzi J Freeman
Suzi J Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF CONTINUATION OF PUBLIC HEARING

The Public Hearing before the City Woodinville Hearing Examiner to consider public comment on the Rezone & Preliminary Plat Application described below will be continued to March 14, 2007.

PLEASE NOTE THAT THE HEARING EXAMINER'S ONLY ACTION ON FEBRUARY 28, 2007 WILL BE TO FORMALLY OPEN THE PROCEEDING AND CONTINUE THE HEARING UNTIL MARCH 14, 2007. PRESENTATION OF THE STAFF REPORT AND SUBMISSION OF ALL RELEVANT SUBSTANTIVE TESTIMONY REGARDING THE WOOD TRAILS PROPOSAL WILL OCCUR ON MARCH 14 and 15, 2007. **THE HEARING EXAMINER WILL NOT ACCEPT ORAL TESTIMONY REGARDING THIS PROPOSAL ON FEBRUARY 28, 2007.**

DESCRIPTION OF APPLICATION

Project Name: Wood Trails Rezone and Preliminary Plat (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)

File Number: ZMA2004-053 and PPA2004-054

Applicant(s): Phoenix Development, Inc.
15108 Ash Way, Suite 201
Lynnwood, WA 98037

Contact: Loree Quade

Location: Wood Trails: Directly south of the King-Snohomish County boundary; West 148th NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington. _Sec NE, Sec 03, Twn 26, Range 05

Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC and Chapter 2.27 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 17, 20, 21, and 22.

Proposal: Wood Trails: Proposed subdivision of 38.7 acres into 66 single-family residential lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevillo Proposal.

Public Hearing Date: The public hearing will be initially opened on Wednesday, February 28, 2007, but no oral testimony will be accepted on that date. The hearing will be continued to March 14, 2007. (The public hearing for the Montevillo proposal will be held on Thursday, March 1, 2007)

Time: The initial hearing will commence at 7:30 P.M. on February 28, 2007. The hearing will be continued and will reconvene at 7:00 P.M. on March 14, 2007.

Hearing Location: Carol Edwards Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Continuation Notice: February 26, 2007

Responsible Official: Cindy Baker, Interim Director of Development Services

Signature: _____ **Date:** _____

Copies of all application documents, code provisions, evidence and other relevant materials are available for review (at no cost) or purchase (at the City's cost) at City Hall. In addition, a copy of the staff report will be available to review at no cost 7 days prior to the Hearing Examiner's acceptance of any testimony at the rezone and preliminary plat hearing; copies of the staff report will be provided at the City's cost. All interested parties may appear and provide testimony regarding the above proposal at the continued March 14, 2007 Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425) 489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an **OPEN RECORD HEARING**. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the **OPEN RECORD HEARING**. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a **CLOSED RECORD APPEAL PROCEEDING**), no new factual evidence or information may be submitted.

Published March 5th, 2007

AFFIDAVIT OF PUBLICATION

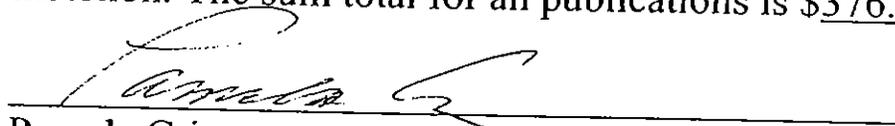
State of Washington, County of King

PAMELA CRIM being first duly sworn on oath deposes and says that he (she) is the accounting manager of The Woodinville Weekly, a weekly newspaper. That the annexed is a true copy of NOTICE OF CONTINUATION as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

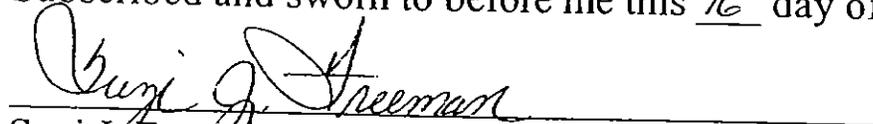
beginning on the 19 day of MAR, 2007

and ending on the 19 day of MAR, 2007

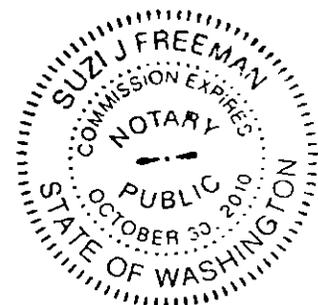
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$376.13 at the rate of \$8.50 per column inch for each insertion. The sum total for all publications is \$376.18.


Pamela Crim

Subscribed and sworn to before me this 16 day of April, 2007.


Suzi J. Freeman

Notary Public in and for the State of
Washington residing at Woodinville, Washington
My Commission Expires: 10/30/2010.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF CONTINUATION OF PUBLIC HEARING

The Public Hearing before the City of Woodinville Hearing Examiner to consider public testimony on the Rezone & Preliminary Plat Application described below will be continued to, and the record kept open until, April 5, 2007.

PLEASE NOTE THAT THE PRESENTATION OF THE STAFF REPORT, APPLICANT PRESENTATION, AND SUBMISSION OF SOME SUBSTANTIVE TESTIMONY REGARDING THE WOOD TRAILS PROPOSAL OCCURRED AT THE PUBLIC HEARING ON MARCH 14, 2007. THE HEARING EXAMINER ALSO ACCEPTED TESTIMONY REGARDING THE WOOD TRAILS PROPOSAL AT THE MARCH 15, 2007 PUBLIC HEARING ON THE APPLICANT'S PROPOSED MONTEVALLO DEVELOPMENT. ANY INTERESTED PARTY IS INVITED TO VIEW AND/OR LISTEN TO THESE PROCEEDINGS VIA VIDEO AND AUDIO TAPES AVAILABLE AT CITY HALL.

DESCRIPTION OF APPLICATION

Project Name: Wood Trails Rezone and Preliminary Plat (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)
File Number: ZMA2004-053 and PPA2004-054
Applicant: Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98087
Applicant Contact: Loree Quade
Approximate Location: From approximately 485 feet south of the King County and Snohomish County boundary to NE 195th Street (extended), west of 148th Avenue NE (extended) and the present terminus of NE 202 Street, NE 201st Street, NE 198th Street and NE 195th Street. The western boundary of the site is approximately 665 feet west of 148th Avenue NE (extended) for that portion located south of NE 201st Street (extended) and approximately 995 feet west of 148th Avenue NE (extended) for that portion located north of NE 201st Street (extended), Woodinville, King County, Washington. Sec NE, Sec 03, Twn 26, Range 05. See attached Vicinity Map. (Full legal description is available on the City's web site www.ci.woodinville.wa.us.)
Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC and Chapter 2.27 WMC. Other applicable provisions of the Woodinville Municipal Code (WMC) include, but are not limited to, Titles 12, 13, 14, 15, 17, 20, 21, and 22.
Proposal: Proposed subdivision of 38.7 acres into 66 single-family residential lots concurrent with a proposed zoning map amendment redesignating the zoning of the project site from R-1 (Residential - 1 dwelling unit per acre) to R-4 (Residential - 4 dwelling units per acre), with density transfer to the proposed Montevallo development.

Continued Public Hearing Date: April 5, 2007 (The public hearing was initially opened on Wednesday, February 28, 2007. No oral testimony was accepted on that date. The hearing was continued to March 14, 2007 at which time testimony was accepted. Additional testimony was accepted at the March 15, 2007 Montevallo hearing.)

Time: 7:00 p.m.
Hearing Location: Woodinville City Council Chambers
Woodinville City Hall
17301 133rd Avenue NE
Woodinville, WA 98072
Date of Continuation Notice: March 19, 2007
City Contact: Susie McCann, Interim Permit & Land Use Manager
425-489-2754 x2272
Responsible Official: Cindy Baker, Interim Director of Development Services
Signature: _____ **Date:** _____

Copies of all application documents, code provisions, decisional criteria, evidence relied upon by the applicant, and other relevant materials are available for review (at no cost) or purchase (at the City's cost) at City Hall during business hours. In addition, a copy of the staff report is available at this time to review at no cost at City Hall; copies of the staff report will be provided at the City's cost. Interested parties may appear and provide testimony at the continued hearing, subject to the Hearing Examiner's procedural rules and determinations. Written comments from interested parties regarding this proposal will be accepted and admitted into the record up to and at the Public Hearing until the hearing is formally closed. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions or would like additional information, please call Susie McCann at (425) 489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an **OPEN RECORD HEARING**. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the **OPEN RECORD HEARING**.
Rezone Recommendation: The Hearing Examiner will make a recommendation to the City Council for its decision on the rezone. An appeal of the rezone is a judicial appeal to King County Superior Court.
Preliminary Plat Decision: The Hearing Examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the City Council's approval of the rezone. The preliminary plat decision can be administratively appealed to the City Council and is limited to the existing record (a **CLOSED RECORD APPEAL PROCEEDING**), no new factual evidence or information may be submitted at the Closed Record Appeal Hearing.

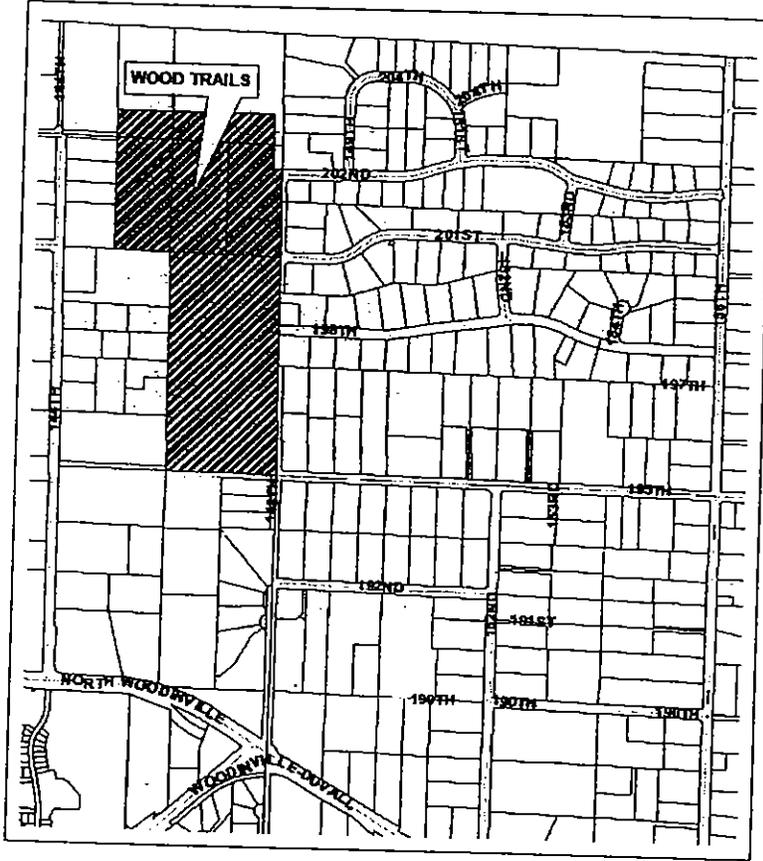
Vicinity Map attached.



Not to scale

WOOD TRAILS REZONE AND PRELIMINARY PLAT VICINITY MAP

Map is not to scale and is intended only to provide general locational information. To scale site plans and maps of the proposal are available at the Development Services Department in City Hall.



Published March 19th, 2007

NOTICE OF DECISION

Montevallo Preliminary Plat (PPA2004-093) and Rezone (ZMA2004-094)



On Wednesday, May 16, 2007, City of Woodinville Hearing Examiner *pro tem* Greg Smith issued his Findings, Conclusions and Decision regarding the preliminary plat application and rezone request for the proposed Montevallo development. The Hearing Examiner conditionally approved Phoenix Development's preliminary plat application and recommended approval of the applicant's request to rezone the underlying property from R-1 (residential, one unit per acre) to R-4 (residential, four units per acre). The Hearing Examiner also approved a reduced density transfer of nine residential credits to the Montevallo project site from the Wood Trails (ZMA2004-053 and PPA2004-054) project site.

SEPA Determination: On October 11, 2004, the City issued a Determination of Significance and subsequently issued a Final Environmental Impact Statement (FEIS) on December 13, 2006. Pursuant to an Administrative Interpretation issued on November 1, 2006, the Planning Director determined that City regulations do not provide for an administrative appeal of an FEIS. Any appeal of the Montevallo FEIS must be initiated in King County Superior Court.

Pursuant to WMC 17.15.080(3), the Director finds that the SEPA requirements set forth in WMC 17.13.020(1) have been satisfied through the Hearing Examiner's May 16, 2006 Findings, Conclusions and Decision and the December 13, 2006 FEIS, both of which are incorporated herein by this reference.

Administrative Appeal: Any party of record with standing may appeal the Hearing Examiner's decision regarding the Montevallo preliminary plat to the Woodinville City Council. The standards and procedures governing such appeals are set forth in the Woodinville Municipal Code (WMC) Chapters 17.17 and 2.30. Any appeal must be in writing, must be submitted to the City of Woodinville Planning Director by mail or personal delivery to the Development Services Department, 17301 133rd Avenue NE, Woodinville, WA 98072, and must be accompanied by an appeal fee of \$640.00, and must include the following information pursuant to WMC 17.17.040(1)(d):

- The Appellant's name, address and phone number
- A statement describing the Appellant's standing to appeal the decision
- Identification of the project application being appealed
- A statement of the Appellant's grounds for appealing and the facts upon which the appeal is based
- The relief sought by the Appellant, including the specific nature and extent
- A statement that the Appellant has read the appeal and believes the contents to be true, followed by the Appellant's signature

Any appeal will be addressed in a closed record proceeding, with no new evidence allowed. The timely filing of an appeal shall stay the effective date of the Hearing Examiner's decision until such time as the appeal is adjudicated by the City Council or withdrawn.

The deadline for filing an appeal of the preliminary plat decision is 5:00 p.m., June 1, 2007. Appeals received after this deadline will not be considered.

The Hearing Examiner's recommendation regarding the Montevallo rezone is not administratively appealable. After the City Council has made a final decision regarding the project applicant's rezone request, parties with standing may appeal the City Council's decision to King County Superior Court pursuant to Chapter 36.70C RCW.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Dated this 18th day of May, 2007.

Acting Planning Director/Development Services Director
City of Woodinville

Published May 28, 2007

NOTICE OF DECISION

Wood Trails Preliminary Plat (ZMA2004-053) and Rezone (PPA2004-054)



On Wednesday, May 16, 2007, City of Woodinville Hearing Examiner *pro tem* Greg Smith issued his Findings, Conclusions and Decision regarding the preliminary plat application and rezone request for the proposed Wood Trails development. The Hearing Examiner conditionally approved Phoenix Development's preliminary plat application and recommended approval of the applicant's request to rezone the underlying property from R-1 (residential, one unit per acre) to R-4 (residential, four units per acre). The Hearing Examiner also approved a reduced density transfer of nine residential credits from the Wood Trails project site to the Montevalló (ZMA2004-094 and PPA2004-093) project site.

SEPA Determination: On October 11, 2004, the City issued a Determination of Significance and subsequently issued a Final Environmental Impact Statement (FEIS) on December 13, 2006. Pursuant to an Administrative Interpretation issued on November 1, 2006, the Planning Director determined that City regulations do not provide for an administrative appeal of an FEIS. Any appeal of the Wood Trails FEIS must be initiated in King County Superior Court.

Pursuant to WMC 17.15.080(3), the Director finds that the SEPA requirements set forth in WMC 17.13.020(1) have been satisfied through the Hearing Examiner's May 16, 2006 Findings, Conclusions and Decision and the December 13, 2006 FEIS, both of which are incorporated herein by this reference.

Administrative Appeal: Any party of record with standing may appeal the Hearing Examiner's decision regarding the Wood Trails preliminary plat to the Woodinville City Council. The standards and procedures governing such appeals are set forth in Woodinville Municipal Code (WMC) Chapters 17.17 and 2.30. Any appeal must be in writing, must be submitted to the City of Woodinville Planning Director by mail or personal delivery to the Development Services Department 17301 133rd Avenue NE, Woodinville, WA 98072, and must be accompanied by an appeal fee of \$640.00, and must include the following information pursuant to WMC 17.17.040(1)(d):

- The Appellant's name, address and phone number
- A statement describing the Appellant's standing to appeal the decision
- Identification of the project application being appealed
- A statement of the Appellant's grounds for appealing and the facts upon which the appeal is based
- The relief sought by the Appellant, including the specific nature and extent
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Any appeal will be addressed in a closed record proceeding, with no new evidence allowed. The timely filing of an appeal shall stay the effective date of the Hearing Examiner's decision until such time as the appeal is adjudicated by the City Council or withdrawn.

The deadline for filing an appeal of the preliminary plat decision is 5:00 p.m., June 1, 2007. Appeals received after this deadline will not be considered.

The Hearing Examiner's recommendation regarding the Wood Trails rezone is not administratively appealable. After the City Council has made a final decision regarding the project applicant's rezone request, parties with standing may appeal the City Council's decision to King County Superior Court pursuant to Chapter 36.70C RCW.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Dated this 18th day of May, 2007.

Planning Director
City of Woodinville

Published May 28, 2007