

ORDINANCE NO. 605

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON REGULATING LAND USE AND DEVELOPMENT OF CRITICAL AREAS; APPROVING FINDINGS OF FACT; AMENDING CHAPTER 21.24 OF THE WOODINVILLE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE AND FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Growth Management Act (“GMA”) and RCW 36.70A.130(5)(a) requires that Woodinville, along with King County and the other cities within King County take action on or before June 30, 2015 to review, and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of Ch. 36.70A RCW ; and

WHEREAS, the GMA requires the City to review and, if necessary, revise development regulations to protect critical areas based upon the best available science; and

WHEREAS, City staff together with the City’s consultant for 2015 Comprehensive Plan and Municipal Code Updates have drafted revised critical area regulations based upon several resources, including: best available science as summarized in a report prepared by the Watershed Company, the Gap Analysis prepared by the Watershed Company, Wetland and CAO Update guidance from the Department of Ecology, Critical Areas Assistance Handbook from the Department of Commerce, and from staff experience implementing current regulations; and

WHEREAS, the City Planning Commission held public hearing on and reviewed the draft regulatory changes on March 18, 2015 and April 1, 2015 and made its recommendations for approval on _____, 2015; and

WHEREAS, the City Council following public hearing on _____, and it’s review and deliberation concurs with the Recommendation of the Planning Commission with those revisions to those recommendations as set forth in the revised Chapter 21.24 WMC attached to this Ordinance as Exhibit A, which Exhibit A is incorporated by this reference herein as if specifically set forth; and

WHEREAS, the proposed update to the City’s critical area regulations were submitted to the State Department of Commerce for comment on _____, 20__ and its comments have been received and considered; and

WHEREAS, the City Council finds that this ordinance complies with the adoption requirements of the Growth Management Act, Ch. 36.70A RCW,

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

Section 1. Findings. The City Council hereby approves as findings in support of this ordinance the above recitals, including the incorporation by reference of Exhibit A.

Section 2. Approval of Amendments to Chapter 21.24 WMC. The amendments to Chapter 21.24 of the Woodinville Municipal Code set forth in Exhibit A hereto are hereby approved and adopted.

Section 3. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance, is held to be invalid by a court of competent jurisdiction, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

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

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS
__ DAY OF _____, 2015.**

Bernard Talmas, Mayor

ATTEST/AUTHENTICATED:

Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: __-__-2015
PUBLISHED: __-__-2015
EFFECTIVE DATE: __-__-2015
ORDINANCE NO. 591